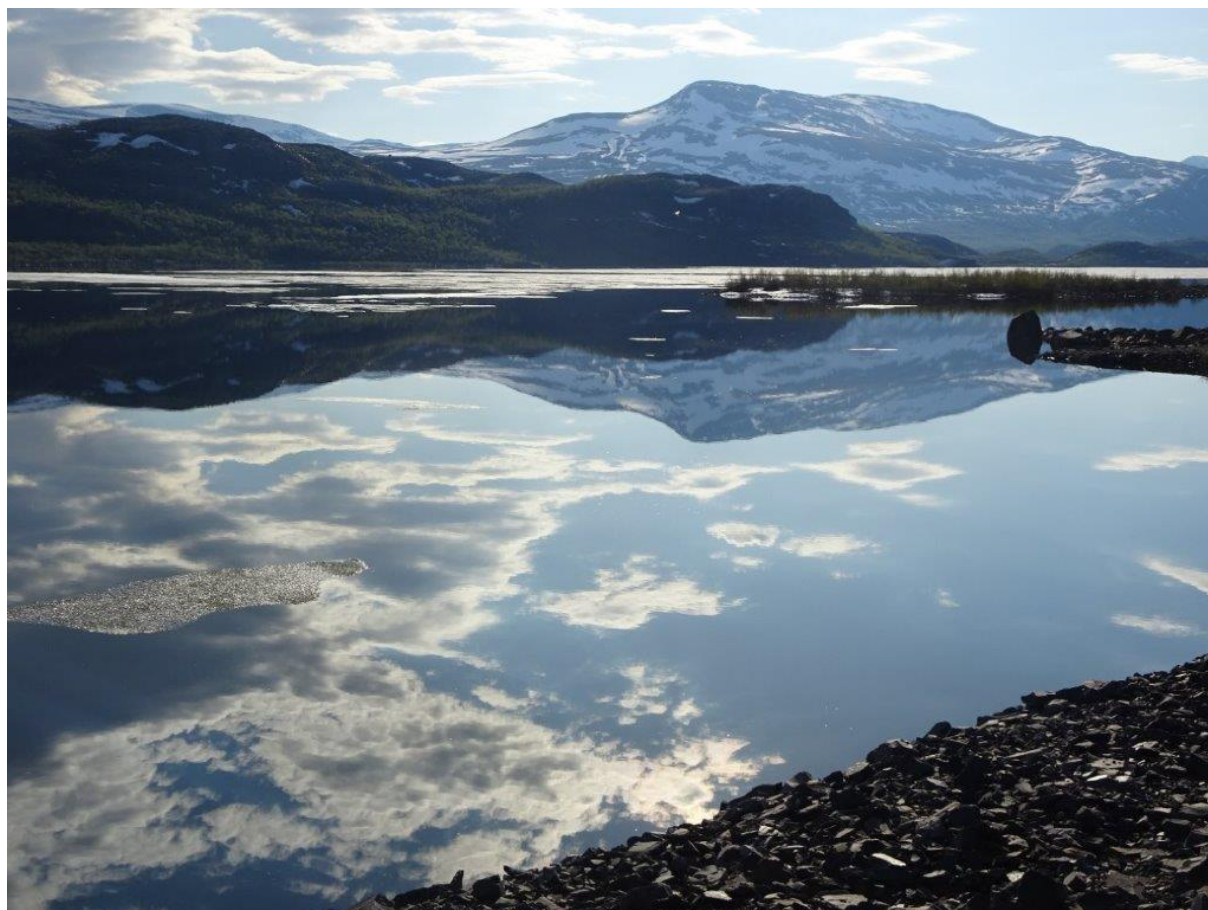


**Report on the joint UNESCO World Heritage Centre/ICOMOS/IUCN
Reactive Monitoring Mission to the World Heritage property
'Laponian Area' (Sweden)**

27 to 31 May 2024



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EXECUTIVE SUMMARY AND LIST OF RECOMMENDATIONS

Context

The proposal for a mining development at Kallak/Gállök, approximately 34 km southwest of the 'Laponian Area' World Heritage property (hereafter referred to as property), has been the subject of several exchanges between the State Party authorities and the World Heritage Centre and Advisory Bodies since 2013. An Exploration Permit was granted to Jokkmokk Iron Mines AB, a subsidiary of Beowulf, in 2006, test drilling was carried out in 2010, and major protests by Sámi communities erupted in 2013.

Technical reviews prepared by the Advisory Bodies and shared by the World Heritage Centre with the State Party in 2014, 2016 and 2021 on its submissions regarding the proposed development highlighted concerns about the potential impacts of the proposed development on the Outstanding Universal Value (OUV) of the property and emphasised the need for a fully adequate impact assessment to be conducted prior to making any decision to allow mining.

In November 2020, the Swedish Government submitted an In-Depth Impact Assessment (IDIA) undertaken by the mining company, Beowulf Mining, which was reviewed by ICOMOS and IUCN. The Technical Review found the IDIA to be inadequate in assessing the impacts on the attributes underlying the OUV, particularly in relation to reindeer herding practices. The World Heritage Centre requested that a revised assessment be undertaken before a decision was made to grant the exploitation concession.

Nevertheless, in March 2022, the State Party endorsed the 2017 IDIA and granted a 25 year Exploitation Concession for the Kallak/Gállök mine over an area of 1,300 hectares, on the grounds that (as reported to the Mission in a presentation by the Swedish National Heritage Board) mining was considered to be compatible with the World Heritage status, was the best use of the land, and was considered to be of higher national interest than reindeer husbandry and of greater economic benefit, in accordance with the Environmental Code's procedures, which require an analysis of the most effective national interest in promoting the long-term management of the land, water and the physical environment.

The mining area is characterised by modern forestry, is not considered to be of high nature conservation value, and the only other national interest apart from minerals is reindeer husbandry.

The Exploitation Concession is unique in that it is subject to certain conditions. These include measures to counteract as far as possible any negative impact on reindeer husbandry and to minimise any impact on the World Heritage property. As compliance with these conditions is a prerequisite for the exploitation processes, the mining company is required to undertake a Heritage Impact Assessment (HIA) to demonstrate how the conditions will be met during mining operations. In the Mission's view, the impact of the mining operations on the property's OUV would be major, not minor, and could not realistically be mitigated, as it would impact adversely on the viability of the traditional reindeer husbandry of the Sámi community of Lapponia, a key cultural attribute of OUV, and on the sustainability of communities whose free, prior and informed consent has not been sought.

An Environmental Permit is required before mining can commence. It was made clear to the Mission that, as the Exploitation Concession was granted on the grounds that mining was compatible with the World Heritage status, the impact assessment required for an Environmental Permit would focus on biological diversity, emissions to air and water, human health and damage to the land, and that there would be no re-assessment of the impact on OUV.

In 2022, the UN Special Rapporteurs on the rights of Indigenous Peoples and on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment raised concerns about the failure to obtain the Free, Prior and Informed Consent

(FPIC) of the Sámi people for the mining project and about threats to their environmental and cultural heritage rights.

Following these concerns, in February 2022, the World Heritage Centre requested the State Party to submit a state of conservation report of the property for examination by the World Heritage Committee at its 45th session. In its subsequent Decision **45 COM 7B.32**, the World Heritage Committee expressed its utmost concern that the State Party had approved an exploitation concession and urged the State Party to adequately protect the reindeer husbandry practice associated with the property and to ensure the FPIC of the Indigenous Sámi people in accordance with international legal obligations, including under the Convention. It also requested that the State Party invite a joint World Heritage Centre/ICOMOS/IUCN Reactive Monitoring Mission to the property. The full text of Decision **45 COM 7B.32** is reproduced in Annex H.

Prior to the Mission, the Swedish Society for Nature Conservation and two Sámi communities had filed a legal challenge to the approval process for the Exploitation Concession. Following the Mission, the Supreme Administrative Court rejected this challenge, thereby granting the Exploitation Concession legal force as of July 2024. In October 2024, the Mission was informed that the consultation process for the Environmental Permit for Kallak/Gállok had commenced¹.

The Reactive Monitoring Mission

The Reactive Monitoring Mission, invited by the Director General of the Swedish National Heritage Board on 19 October 2023, was carried out from 27 to 31 May 2024, the earliest possible date due to climatic conditions. The State Party of Sweden was informed that the report of the Mission would be submitted to the Committee at its 47th session in 2025, as the time between the Mission and the 46th session was insufficient to allow for finalisation. The objectives of the Mission were to assess the approved exploitation concession for the proposed Kallak mining development, to consider its impact on the OUV of the property, in particular in relation to reindeer husbandry and Sámi Indigenous rights, and to review the proposed process for the revision of the IDIA. The review included an assessment of the state of conservation, the current management system, the definition of the attributes underlying the property's OUV, the identification of potential threats, and proposals for necessary measures to protect and conserve the property. The full Terms of Reference can be found in Annex A.

The five-day Mission included an extensive programme of meetings, interviews, and presentations, and was conducted with key stakeholders involved in the World Heritage property and the proposed Kallak/Gállok mining project. Participants included representatives from national and local authorities, Sámi organisations and communities, environmental organisations, and the mining sector. Stakeholders included the Swedish National Heritage Board, the Swedish Environmental Protection Agency, the Swedish National Commission for UNESCO, the Sámi Parliament, the Sámi Association in Sweden, the Mining Inspectorate of Sweden, and the Swedish Society for Nature Conservation. Local stakeholders involved included the Laponiatjuottjudus site manager, Jokkmokk Municipality, the Norrbotten County Administrative Board, and representatives from the Jåhkågasska Tjiellde, Sirges, and Tuorpon Sámi Villages, as well as the Randijaur village. Industry participants included Beowulf Mining, Jokkmokk Iron Mines AB, and Svemin. In addition, the Mission included several field visits to assess the potential impacts of the mining project and to gain a deeper understanding of the area's cultural and natural heritage context. These activities included site visits to Kallak/Gállok and the property, the Naturum visitor centre, and a helicopter tour to provide an overview of the project site and the surrounding landscape. The full programme as implemented can be found in Annex C and the list of people met in Annex D of this report.

¹ The consultation document prepared by Jokkmokk Iron is available at <https://beowulfmining.com/wp-content/uploads/2024/09/Kallak-Consultation-Document-2024.pdf>.

Legal protection of the property

The property can be considered to be well protected by law for its natural attributes as part of National or Nature Parks and Reserves and covered by various international nature designations. Direct threats to its natural attributes are very limited and most potentially damaging activities are well controlled. Cultural attributes, by contrast, have more limited legal protection.

The Historic Environment Act protects archaeological and cultural sites, while customary law and the *Reindeer Husbandry Act* protect the rights of the Sámi people to practise reindeer herding in the property using their traditional rights to grazing, felling, fishing and hunting. The Sami Parliament identifies grazing areas of national importance and is responsible for Sámi cultural heritage sites, although these do not appear to include landscapes. **There is no specific legal protection for World Heritage, nor is it specified how any national designations apply to World Heritage.**

Outside the boundaries of the property in its immediate setting, none of the protective measures that prevail inside the property apply, with the exception of grazing areas that have been declared of national interest by the Sámi Parliament. However, the ruling regarding the Exploitation Concession, made under chapter 3 and 4 of the 1998 Environmental Code, whose aim is to promote sustainable development in accordance with what is considered to be the most effective national interest, takes precedence over other national and international obligations. As a result, **there is no specific protection of areas in the immediate setting that facilitate reindeer migration linked to that in the property and which supports its OUV.**

There is also increasing pressure on OUV arising from developments in the immediate setting, particularly between the property boundary and Jokkmokk and Gällivare, where the proposed mine is situated in what could be considered a 'buffer zone', but which was not proposed as such at the time of inscription. A transport corridor (railway, road, power lines) already cuts through the property between Muddus/Muttos National Park and Sjaunja/Sjávnsja Nature Reserve and is likely to be much more affected by the opening of new mining and ore processing operations due to increased infrastructure needs. Large-scale construction in the immediate vicinity of the property, especially the creation of dams and very long artificial lakes in the past (40-50 years before the property was inscribed), is already recognised by the Sámi people as having a strong impact on reindeer husbandry, especially on migration corridors. In addition, global warming is beginning to have a negative impact on winter grazing conditions, further complicating migration, which is often restricted to narrow corridors, due to a combination of customary routes and external impediments.

Maintaining the OUV of the property requires preserving the integrity of the reindeer husbandry cultural system and the wider Sámi way of life within the property, in accordance with the Reindeer Husbandry Act, which emphasises economic, ecological and cultural sustainability. Achieving this means acknowledging that integrity relies on migration corridors that extend beyond the property. Although a large number of reindeer pastures and migration corridors both inside and outside the property have been identified as being of national importance, they are not explicitly linked to the property's OUV. Those within the property are protected by national nature legislation, which prevents development, but those outside the property in its immediate setting have no such overarching protection.

Identified reindeer migration corridors and grazing areas in the immediate setting of the property that support OUV and need to be specifically protected for their contribution to the OUV, as without this specific protection the integrity of the reindeer husbandry system within the property remains highly vulnerable to mining, infrastructure and forestry development, which have the potential to impact the sustainability of the Sámi transhumance systems within the property and thus on the key cultural attributes

underlying its OUV. The immediate setting of the property needs to be defined and designated as a buffer zone under the World Heritage Convention.

Mining Extraction and Development permissions

The planning processes for obtaining mining permits are complex and involves multiple stages and a number of authorisations. The three main stages are Exploration Permit, Exploitation Concession, and Environmental Permit, and exploitation cannot commence until all of these have been approved in that sequence. At the national level, there is no overarching strategy for mining concessions. Following a survey of mining potential conducted by the Geological Survey, applications received from private or semi-private companies are assessed on an individual basis.

The Exploitation Concession for the Kallak/Gállok mine has now been approved for a period of 25 years, but mining cannot commence until the Environmental Permit has been approved. The Exploitation Concession was granted with unique conditions regarding the exploitation processes. In particular, the conditions included the need to ‘as far as possible’ counteract any negative impact on reindeer husbandry during mining operations and to minimise any impact on the property. The Mission was informed that it is not mandatory for the mining company to demonstrate how it will meet these conditions before the Environmental Permit is issued, and that work to support an application for an Environmental Permit has already begun.

If the Environmental Permit were to be granted, construction of the Kallak/Gállok mine would commence in 2027-2028, with operations set to begin in 2029-2030. However, failure to meet any of the conditions once exploitation commences could result in the Permit being revoked. Furthermore, the various agencies involved have a permanent role in monitoring compliance with these conditions, which could ultimately lead to the revocation of the Permit even after operations have commenced. **However, in relation to the World Heritage status, as the conditions do not necessarily ensure that OUV will not be adversely impacted, they will not in themselves mitigate negative impacts on OUV.**

Kallak/Gállok mine impacts on Sámi communities and their reindeer herding practices

The proposed site for the Kallak/Gállok mine development is located approximately 34 km from the boundaries of the World Heritage property, in its immediate setting, an area that would typically function as a buffer zone as defined by the Operational Guidelines for the Implementation of the World Heritage Convention – if one were in place. This area is an extension of one of the migration corridors across the property and is used for reindeer migration in spring and autumn and in part as winter pastures, in particular by the Jåhkågasska Sameby (a Sámi village in Swedish), one of the parties that unsuccessfully appealed the mining permit process in the subsequent court case.

The Supreme Administrative Court case, brought by two Sámi communities (Sirges and Jåhkågasska) and the Swedish Society for Nature Conservation, argued that that the proper procedures had not been followed to fully assess the negative impact of the mine on the Sámi communities, and in particular on their traditional rights to grazing, logging, fishing and hunting, as guaranteed by Swedish law and laid down in the SOUV. Representatives of the Sámi people met during the Mission strongly reiterated this point, as well as the fact that FPIC for the mine concession had not been given by the Sámi communities.

The narrow migration corridor of the Jåhkågasska Sameby lies between the River Lule (dammed upstream) and the territory of two neighbouring Samebys, Sirges and Tuorpon. The location of the proposed mining area poses a significant challenge to the Jåhkågasska Sameby, whose reindeer migrate south-eastwards along the corridor in autumn to winter pastures outside the property, and return in spring to their summer pastures in the mountains to the north-west. These corridors along which the reindeer graze are ingrained in their behaviour as they make their way to and from the place in the mountains where they were

weaned. The corridor is also a key area for year-round grazing between the villages of Randijaur and Björkholmen, used by around 5,000 reindeer for three to four weeks each winter, depending on a number of factors including food conditions, weather and the movements of the animals.

The potential negative impacts identified by the Sámi communities relate not only to the disruption caused by the mine itself, but also to the impact of the mine dust on lichens and fungi (both key winter forage for the reindeer) and the wider restriction of reindeer movements caused by the necessary associated infrastructure, all of which will impact on grazing corridors and their vegetation, with lichen-rich old-growth forests having been impacted or cleared during the exploration phase.

The Government's conditions for the Exploitation Concession refer to the potential need for the Jåhkågasska tjiellde reindeer herding community to use lorries to transport their reindeers past the concession area. This is considered unfeasible and would also not address the reduction and contamination of reindeer food supplies. Moreover it demonstrates a lack of respect for the traditional knowledge of the Sámi communities to their understanding of the potential negative impact of mine dust on tree and ground lichens and thus on food for the reindeer. Moreover it also reflects a lack of demonstrated FPIC by the Sámi community in relation to the mine.

Beyond these negative impacts within this specific migration corridor, the Sámi people are concerned about the wider implications of the mine for the overall integrity and sustainability of their traditional practices within the property. For the Sámi communities, Kallak represents not just a single mine, but another case of the systematic exploitation of their land without their FPIC, which is not in line with customary law and the *Reindeer Husbandry Act*, and does not respect areas designated by the Sámi Parliament as important grazing grounds. The Sámi also fear possible further industrial expansion in the light of already approved prospection permits and the much-publicised national initiative to develop green steel, which could ultimately mean the weakening and possible extinction of their transhumance lifestyle. As one Sámi said: "If the reindeer die, everything dies".

The Mission identified the Kallak/Gállok mine development as being a significant further potential source of additional pressure which, if exploited, would greatly exacerbate the challenges already faced by the Sámi communities in maintaining their reindeer transhumance practices associated with the property. These reindeer husbandry practices are the cultural attributes that underpin the OUV of the property. The mine could have an impact on the landscape within and around the property and could become a tipping point for the sustainability of the Sámi communities, whose FPIC is currently required for large-scale projects. As the mine would have an irreversible impact on both the cultural and natural values of the property, the Mission considers that an Environmental Permit for the mine, which would allow mining to commence, should not be granted. And until such a decision to refuse a permit has been taken, the property is under potential danger, as it faces a threat that could have deleterious effects on its inherent characteristics and on its OUV.

Infrastructure development and additional threats

The transport plans associated with the proposed mining areas are still in the process of being finalised. However, it is clear that the construction of transportation routes, whether rail or road, and/or the upgrading of existing infrastructure such as power lines, will be required. These are likely to impact on the landscape and reindeer herding in the local area, including the corridor between Muddus/Muttos and Sjaunja/Sjávnja within the property.

The Mission notes with concern that these issues were not considered at the time the Exploitation Concession was approved, when it was agreed that mining was compatible with the World Heritage status.

At present, the National power Grid to Gällivare and Kiruna, which passes through the property, has already impacted on the visual integrity of the property, and further extensions to these power lines – whether for mining or other resources – combined with new rail routes and roads will, according to the information provided to the Mission, pass through the same corridor and will have further impacts on the landscape

These infrastructure development projects need to be considered both individually and cumulatively in relation to their impact on the overall reindeer transhumance system and OUV. The Mission considers that a Strategic Environmental Assessment should be undertaken for the property to assess the cumulative impact of all major development projects on the property and its immediate and wider setting.

Management System

While the legal protection of the property is said to be based on a mix of national laws and designations, including the Environmental Code, the Historic Environment Act and the Reindeer Husbandry Act, the Management Plan lacks clarity on how these instruments collectively protect the property's OUV. In addition, the attributes underpinning the property's OUV were not clearly defined as the basis for the management of the property.

The structure of the Management Board of Laponiatjuottjudus – the management body for the property – includes only one representative from the Swedish Environmental Protection Agency and none from the Swedish National Heritage Board. **Considering the property's mixed status, the Mission considers it essential that the Swedish National Heritage Board be represented on the Management Board.** Although the management team has links with universities and researchers, there is no formal scientific commission (or advisory board). Research focuses mainly on environmental issues and plant and animal communities, and there appears to be no ongoing studies or usable documentation of traditional knowledge about the reindeer migration processes and their interaction with the land, which should underpin the decision-making processes.

The forthcoming revision of the Management Plan provides an opportunity to address these weaknesses and to improve coordinated governance and management, particularly between government agencies and across national and international designations, and above all to incorporate traditional knowledge on an equal footing with scientific knowledge.

In terms of interpretation, the Mission found that while the Jokkmokk Museum and the Naturum at Stora Sjöfallet provide excellent information on Lapponia and Sámi culture, history and traditions, there is little material available on how these relate to the World Heritage status, the Ramsar designation or the European Diploma for Protected Areas. The OUV and its underlying attributes are not clearly interpreted. **There needs to be a much clearer focus on how traditional reindeer husbandry practices interact with the natural landscape and underpin the OUV of the property.**

Recommendations of the Mission

Based on the full analysis below, as summarised above, the Mission makes the following recommendations:

- 1. The State Party should not grant any further permits for the Kallak mine, including the Environmental Permit that could allow its operation, in view of the potential highly adverse disruptive impacts of the mine, its operations, ancillary structures and infrastructure on reindeer husbandry, which pose a potential threat to the Outstanding Universal Value of the World Heritage property.** The Jåhkågasska tjiellde corridor in the immediate setting of the property provides an essential migration route with grazing grounds for reindeer herds between summer pastures within the property and winter pastures and is a crucial component of the overall reindeer transhumance system within the property that underpins the property's OUV. Threats to the corridor in relation to

disruption to migration and grazing areas are therefore threats to the OUV in terms of the integrity of the transhumance social systems for which the property was inscribed as an 'exceptional testimony to the tradition of reindeer herding' and 'one of the last and unquestionably the largest and best preserved examples of an area of transhumance, a practice once widespread in northern Europe'.

2. **The State Party should develop, in full consultation with the concerned Sámi communities, a Sustainable Development Strategy for the property and its immediate and wider setting. The aim should be to better align sustainable development with heritage conservation and management**, recognising the symbiotic relationship between culture and nature as fundamental to the well-being of the communities, while respecting OUV. The Strategy should overlay rather than replace the Management Plan and provide a framework for the property and its supporting setting to be integrated into local and national plans, and should ensure full compliance with human rights obligations.
3. To address the lack of adequate protection of areas in the immediate setting of the property that support its OUV for their contribution to the transhumance processes in the property, **it is essential to clearly define and protect the property's immediate setting as a designated buffer zone to safeguard areas such as migration corridors and grazing grounds that have a symbiotic relationship with the property, supporting traditional reindeer migration processes**. It is also crucial to thoroughly document the contribution of these areas to the property's OUV. The World Heritage Committee may therefore encourage the State Party to initiate a minor boundary modification procedure, in accordance with Paragraph 164 of the Operational Guidelines, to establish a formal buffer zone.
4. **The State Party should clearly define, through a participatory process, the cultural and natural attributes underlying the property's OUV, both individually and collectively, and embracing both tangible and intangible aspects**, including how the ecology of the landscape reflects reindeer migration processes within and in the vicinity of the property, and ensure these attributes underpin the updated Management Plan and form the basis for any Heritage/Environmental/Strategic Environmental Impact Assessment (HIA/EIA/SEAs).
5. **The State Party should ensure that all developments, including infrastructure projects, are subject to HIA/EIA based on a detailed delineation of the attributes underpinning the property's OUV**, including migration corridors, migratory routes, grazing areas of national importance, and the need to protect those aspects of the immediate setting (or buffer zone) that support OUV. HIA/EIAs should be carried out at the earliest stage, before the siting of developments is determined and when alternatives can still be considered. **HIA/EISs should consider cumulative impacts, taking into account what already exists and other projects that may be forthcoming**.
6. **Given the size of the World Heritage property and the pressures associated with energy production and the many resulting proposed projects, the State Party should undertake a Strategic Environmental Assessment that considers all cultural and natural aspects that contribute to and support the OUV of the property**. And since, according to the legal and organisational arrangements for SEAs in Sweden, the 'public' and the 'authorities concerned' are defined on a case-by-case basis, with each authority/municipality concerned being determined by the specific situation of each

plan/programme²¹ , the SEA should involve all stakeholders concerned with the World Heritage property, including the Swedish National Heritage Board.

7. **The State Party should better define the legal protection measures in place for the property in relation to the safeguarding of its OUV, outlining how national laws, regulations as well as customary law align with international obligations under the Convention and international human rights standards.**
8. **The State Party should promptly initiate the updating of the Management Plan, with a focus on ensuring a better integration of the legal protection regimes and international designations. It should also aim for a more precise definition of the attributes that support the property's OUV, which should underpin the primary objectives of the Management Plan.** The updating process should be used as an opportunity to evaluate the management body (*Laponiatjuttjudus*) in order to improve governance. This includes:
 - i. A more balanced distribution of responsibilities between the Swedish National Heritage Board and the Swedish Environmental Protection Agency reflecting the mixed nature of the World Heritage property,
 - ii. Improved coordination, informed by the best available data, by expanding the scope of ongoing research to include both traditional and scientific knowledge, possibly through a scientific advisory body, and
 - iii. Considering the transition from its provisional to its permanent status, recognising that it has operated in a provisional capacity for over a decade.
9. **The State Party should improve communication and interpretation of its World Heritage status by promoting a thorough shared understanding of not only its OUV but also its national and local value, both at the property and in its awareness, outreach and evaluation materials.**

² Application and effectiveness of the SEA Directive (Directive 2001/42/ec) in Sweden, available at <https://circabc.europa.eu/ui/group/3b48eff1-b955-423f-9086-0d85ad1c5879/library/879f1afe-9261-4353-afb3-7c97319db6cc/details?download=true>. It is noted that Sweden has chosen, in principle, not to go further than is strictly required in the EU Directive. However, SEAs may be required for Municipal energy plans, Management plans for national parks and natural and cultural reservations and Designations as being of national interest.

I. THE PROPERTY

Background

The World Heritage property 'Laponian Area' was inscribed on the World Heritage List in 1996 as a mixed property under criteria C (iii) (v) and N (vii) (viii) (ix), by Decision 20 COM VIII.B of the World Heritage Committee (Mérida, Mexico) (see Annex H), following an extensive period of discussion between SEPA, SNHB, and the Sámi communities.

The property covers an area of 940,900 ha and no formal buffer zone was established for the property at the time of inscription. The Retrospective Statement of Outstanding Universal Value (RSOUV) was adopted by the World Heritage Committee in 2016 under Decision 40 COM 8E³ and the World Heritage Committee noted boundary clarifications in the framework of the Retrospective Inventory by Decision 41 COM 8D⁴. Additional documents and information on the property are available at: <https://whc.unesco.org/en/list/774/documents/>.



Photo 1. Aerial view of the World Heritage property, with wild forests, extensive lakes and river systems characterising the lower part of the property.

When inscribing the property on the World Heritage List, the Committee underlined the importance of the interaction between people and the natural environment and recommended the Swedish authorities to continue to work with the 'local Saami people'⁵, extend the species inventories and consolidate the Management Plan for the property. It also expressed the view that consideration of a transboundary site with Norway would be welcomed ('The Laponian Area – Tysfjord, the fjord of Hellemobotn and Rago (extension)' was included on Norway's Tentative List on 2002).

³ <https://whc.unesco.org/en/decisions/6841>

⁴ <https://whc.unesco.org/en/decisions/6929>

⁵ Decision 20 COM VIII.B: <https://whc.unesco.org/en/decisions/2974>

Statement of Outstanding Universal Value

The Arctic Circle region of northern Sweden is the home of the Saami people. It is the largest area in the world (and one of the last) with an ancestral way of life based on the seasonal movement of livestock. Every summer, the Saami lead their huge herds of reindeer towards the mountains through a natural landscape hitherto preserved, but now threatened by the advent of motor vehicles. Historical and ongoing geological processes can be seen in the glacial moraines and changing water courses.

The full Statement of Outstanding Universal Value (SOUV) for the property reads as follows:

Brief Synthesis

The Laponian Area, located in northernmost Sweden, is a magnificent wilderness of high mountains, primeval forests, vast marshes, beautiful lakes and well-preserved river systems. It contains areas of exceptional beauty such as the snow-covered mountains of Sarek, the large alpine lakes of Padjelanta/Badjelánnda, and the extensive rSiver delta in the Rapa Valley. On-going geological, biological and ecological processes have formed a variety of habitats conserving a rich biodiversity, including many species of fauna and flora typical of the northern Fennoscandian region.

The indigenous Saami people inhabit northern parts of Norway, Sweden, Finland and Russia, close to the Arctic Circle. Within the Laponian Area, every summer, the Saami lead their herds of reindeer towards the mountains through this landscape. Pastoral transhumance landscapes of this kind were at one time common throughout the northern hemisphere. However, these ancestral ways of life, based on the seasonal movement of livestock, have been rendered obsolete or been abandoned in many parts of the world, making the property one of the last and among the largest and best preserved of those few that survive.

Archaeological remains attest to the arrival of early inhabitants to the Laponian area 6,000-7,000 years ago. The area was probably occupied towards the end of the last Ice Age, about 10,000 years BP, but no evidence of this has been found. The settlers were nomadic hunter-gatherers, subsisting principally on wild reindeer, and traces of their occupation are found in the form of hearths and house-foundations. The domestication of reindeer began about two thousand years ago. It evolved gradually, and in the 16th and 17th century the Saami migration with reindeer herds in an annual cycle was fully established.

Today, the Saami live in the mountains during the summer, especially in the western part of the property near the large lakes. Family groups occupy cabins, which have replaced the traditional dwellings. There are no summer camps in the eastern part of the property; the Saami reindeer owners there live in the neighbouring villages and municipalities.

Criterion (iii): The Laponian Area bears exceptional testimony to the tradition of reindeer herding, and is one of the last and unquestionably the largest and best preserved examples of an area of transhumance, a practice once widespread in northern Europe and which dates back to an early stage in human economic and social development.

Criterion (v): The Laponian Area is an outstanding example of traditional land-use, a cultural landscape reflecting the ancestral way of life of the Saami people based around the seasonal herding of reindeer.

Criterion (vii): The property exhibits a great variety of natural phenomena of outstanding beauty. The snow-covered mountains in Sarek and Sulidålbmä are not only magnificent to see but are a textbook of glacial-related geomorphology. The large alpine lakes in Padjelanta, with the mountain backdrop on the Swedish/Norwegian border are of exceptional beauty. The extensive Rapa Valley provides a total contrast with the alpine areas. Particularly noteworthy is its very active delta area, surrounding cliffs and rocky outliers with sheer faces plunging into the delta. The existence of the Saami culture ranging from the traditional birch and turf kata to contemporary cabins adds to the aesthetic value of the property.

Criterion (viii): The nominated area contains all the processes associated with glacial activity such as U-shaped valleys, moraines, talus slopes, drumlins, presence of large erratics and rapidly flowing glacial streams. It has excellent examples of ice and frost action in a tundra setting including formation of polygons and an area of spectacularly collapsing and growing palsa mounds. Glacial rivers originating in the snowfields continue to cut through bedrock. Large unvegetated areas illustrate the phenomenon of weathering. The property also contains a record of humans being part of these ecosystems for seven thousand years.

Criterion (ix): The vast mire complex of Sjävnja/Sjaunja is the largest in Europe outside Russia. This area is virtually impenetrable by human beings except during winter. The Laponian area has primeval coniferous forest with dating indicating ages as old as 700 years. Natural succession continues here unimpaired.

Integrity

The property, almost entirely state-owned and legally protected, forms a coherent entity apart from a narrow strip which has excised a river and lake system from the Stora Sjöfallet National Park for hydro-electric development and the creation of the Stora Lulevatten artificial lake. This hydro-electric system (outside the property) is not proposed for expansion and is not considered a threat to the integrity of the property. The only hydro-electric development inside the property is a much smaller-scale one with a single control structure and controlled lake near Vietas in the eastern sector of Stora Sjöfallet. This small-scale unit is not proposed for expansion. On the other hand, there is an on-going discussion about windmills just outside the Laponian area which could be a possible threat to the visual integrity of the property.

In some respects, the on-going practice of reindeer herding has adjusted to modern techniques, but it is still the main source of livelihood in this area. The crucial factor in terms of the area's integrity is the impact of reindeer husbandry, which, by Swedish law, is a right, guaranteed to the Saami people. The Saami retain their traditional rights relating to pasturage, felling, fishing, and hunting and to the introduction of dogs into the protected areas. The possibility of creating a transboundary property with the addition of the adjoining Tysfjord/Hellemo fjord landscape in Norway (thus adding marine connection and significant lower elevation features) has been discussed. Norwegian conservation authorities have been studying the possibility of forming a national park of the region in question.

Authenticity

The authenticity of the property is expressed by and maintained through the continuing Saami practice of reindeer herding and the seasonal movement of the herds to the mountain grazing pastures in summer. The existence and development of reindeer herding is a fundamental condition for the survival of the Saami culture.

The authenticity of the landscape itself and the overall economic process of transhumance and seasonal reindeer grazing is largely maintained. The use of motorized transport by Saami herders is, however, a more recent phenomenon. It can be argued that this is no more than an application of technological developments for a traditional purpose, but it does have a potentially deleterious and irreversible impact on the natural environment and needs to be addressed through management actions.

The buildings of the Saami culture are visible evidence of the continuing presence of reindeer herding activities in the area. They range from the traditional birch and turf dwellings, called goahte, to contemporary cabins.

The archaeological remains in the property attest to human use of the landscape around 6,000-7,000 years ago, and evidence of the move from reindeer hunting to reindeer herding is spread throughout the area. Overall, they are in good condition, however only one third of the property has been the subject of systematic archaeological survey, with only 300 remains having been documented that can be monitored regarding status and damage. It is essential that the remaining areas be surveyed to assess the extent of preservation of other archaeological remains and identify appropriate conservation and management measures.

Protection and management requirements

The property is 99% state-owned and composed of four national parks and two nature reserves. The legal status of the protected areas and management regimes aim toward a strict level of wilderness

protection, while at the same time guaranteeing the rights of native people. Other areas are partly protected by the *Environmental Code* and the Historic Environment Act (1988:950). Archaeological remains and cultural sites connected with the Saami are strictly protected under the provisions of the Historic Environment Act (1988:950). The importance of the mire complex of Sjävnja has been recognized by its Ramsar site designation. Customary law and the *Reindeer Husbandry Act* protect the right of the Saami people to practise reindeer herding in the property and their traditional rights relating to pasturage, felling, fishing, and hunting.

The Swedish National Heritage Board has overall responsibility for World Heritage implementation, and the Swedish Environmental Protection Agency (SEPA) is responsible for natural heritage. Since 2011 the “Laponiatjuottjudus Association”, including representatives from all concerned parties (which have an agreed common statement of the values of the Laponian Area) is legally responsible for joint management of the property. This non-profit, locally based association with a Saami majority includes two municipalities, nine Saami communities (through Mijå Ednam, which in Saami means “our land”), the Norrbotten County Administrative Board (CAB) and the SEPA. Created to ensure that the Saami are involved in decision making at all stages in management planning and implementation, consensus must be reached in all major decisions. A regulatory framework that takes into consideration local development and a management plan for the entire area has been established. As part of the process, the parties agreed upon new regulations that no longer limit reindeer herding rights. Infrastructure, including a visitor centre at Stora Sjöfallet/Stuor Muorkke to support presentation of the property, is in place.

Biodiversity conservation in the property has included studies on high-profile species such as a population study of the threatened gyrfalcon in the mountain regions of Laponia, and annual surveys of breeding peregrine falcons and white-tailed sea eagles. Inventories of large predators (such as brown bear, wolverine, lynx and golden eagle) are conducted in cooperation with the local Saami villages and the CAB. Population densities of small mammals in parts of Laponia are monitored on a biannual basis, and an environmental monitoring programme for rare alpine plants in the Padjelanta/Badjelánnda part of Laponia has been initiated.

Summary reference to key SOC decisions and issues

Since inscription, the state of conservation of the property has been examined by the World Heritage Committee, based both on the State of Conservation reports submitted by the State Party and on the corresponding analyses by the World Heritage Centre and the Advisory Bodies. It has also been the subject of related Decisions in 2023 (Decision 45 COM 7B.32) and 2024 (Decision 46 COM 7B.45), as well as of various exchanges between the State Party, the World Heritage Centre, and the Advisory Bodies, specifically in relation to the proposed mine.

The state of conservation reports, prepared jointly by the World Heritage Centre and the Advisory Bodies, identified key issues related to the Kallak mining concession, extractive and energy-related infrastructure development, identity, social cohesion, changes in the local population and community, and management systems and plan. The latter had already been considered as an issue by IUCN during its evaluation of the property for inscription (<https://whc.unesco.org/document/154240>).

In its state of conservation report of February 2024, the State Party reported on the Kallak mining concession as well as on the extension of two National Grid power lines between Gällivare and Kiruna and to Naalojärvi-Messaure as per paragraph 172 of the Operational Guidelines. One of these power lines run through the Stubba/Stubbá Reserve and the World Heritage property while the other line is located in the property’s immediate vicinity. The report also referred to the questionnaire completed by the State Party as part of the Third Cycle of Periodic Reporting, in which it informed the World Heritage Centre of a new hydrogen production facility located on the border of the World Heritage property and an upgrade of a windmill that could affect the visual line-of-sight, both of which were in the planning stages.

Following the granting of the Kallak mining exploitation concession on 22 March 2022, the UN Special Rapporteur on the rights of Indigenous Peoples and the UN Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and

sustainable environment had raised concerns about the failure to obtain the free, prior and informed consent of the Sámi for the Kallak project and the threats to the rights of the Sámi as Indigenous Peoples and to the protection of their environmental and cultural heritage rights. In response, on 4 April 2022, the State Party responded that there is a formal legal requirement for consultation with the Sámi people under an amendment to the Minerals Act (2018) in accordance with the Swedish Environmental Code. In addition, a specific Act on consultation in matters of special importance to the Sámi people was issued on 1 March 2022. The above correspondence was received by UNESCO through the United Nations Office of the High Commissioner for Human Rights (OHCHR).

As a result, in its Decision **45 COM 7B.32**, the World Heritage Committee urged the State Party to ensure that the practice of reindeer husbandry outside the boundaries of the property and directly related to reindeer husbandry within the property is adequately protected, and that any further consideration of the proposed Kallak mining development guarantees the free, prior and informed consent of the Indigenous Sámi people in accordance with international legal obligations.

In addition to Decisions **45 COM 7B.32** and **46 COM 7B.45** following the Kallak mining concession, Decision **37 COM 7 Part III** (see Annex H) is of particular relevance to the 'Laponian Area', highlighting the 'No-go' commitment of the International Council on Mining and Metals (ICMM) on mining exploitation in World Heritage properties and the growing impact of the extractive industries on World Heritage properties. The same decision also requested the World Heritage Centre and the Advisory Bodies to continue the dialogue with the extractive industries with a view to extending the commitment to ensure, inter alia, that existing and future operations in areas surrounding World Heritage properties are compatible with the protection of their Outstanding Universal Value and do not threaten their integrity.

II. SUMMARY OF THE NATIONAL SYSTEM FOR THE PRESERVATION AND MANAGEMENT OF THE WORLD HERITAGE PROPERTY

Key National Legislation

The property is composed of four National Parks (Sarek; Stora Sjöfallet/Stuor Muorkke; Muddus/Muttos; Padjelanta/Badjelánnda), and two Nature Reserves (Sjaunja/Sjávnja; Stubba/Stubbá) which are also designated as a Ramsar site. Except for very small areas in Sjaunja/Sjávnja and Stubba/Stubbá, which are privately owned, the property is public land. Almost the entire 'Laponian Area' is also part of Natura 2000⁶. The Muddus/Muttos National Park and the merged Sarek and Padjelanta/Badjelánnad National Parks have also held two separate European Diplomas for Protected Areas⁷ (EDPA) under the Bern Convention since 1967. The property is also surrounded by several 'Naturreservat' (Nature Reserves) (Figure 1).

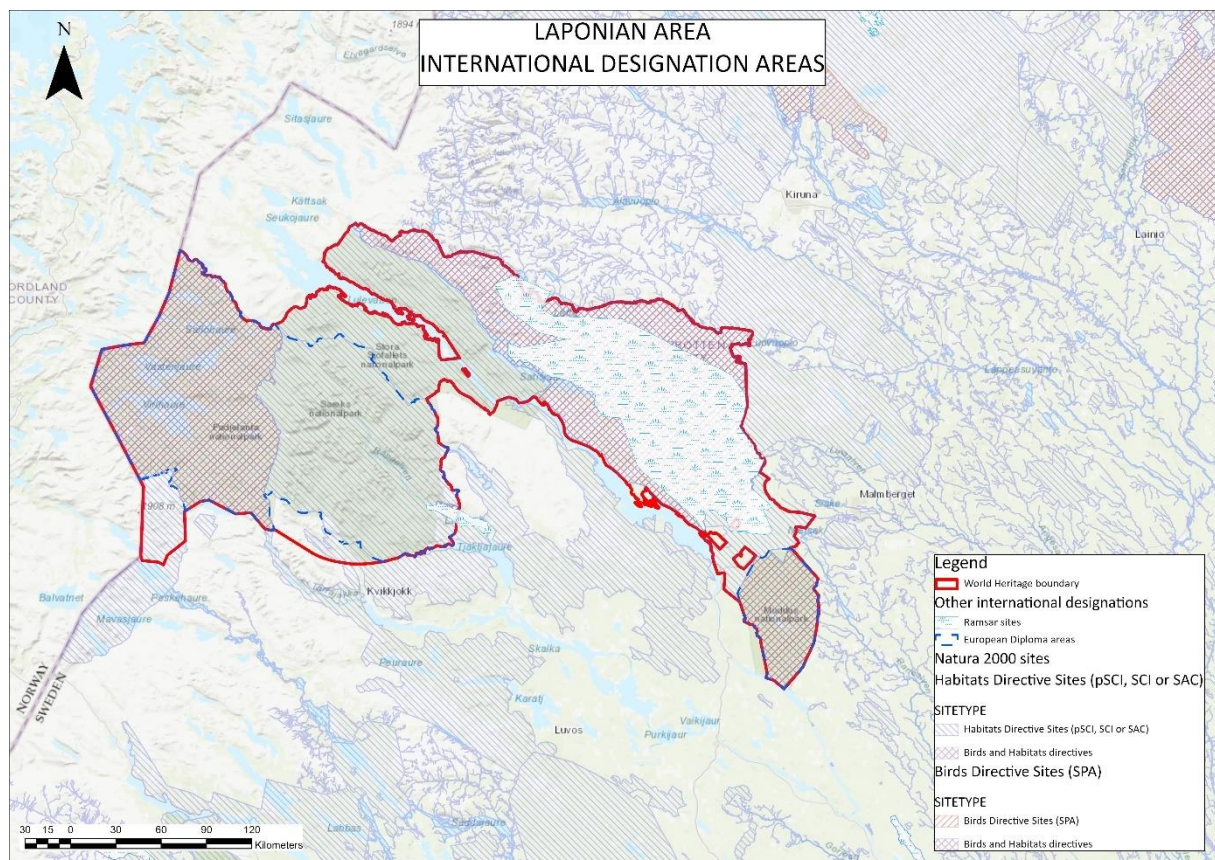


Figure 1. International designations within and around the World Heritage property 'Laponian Area'.
Unofficial map produced by the UNESCO World Heritage Centre.

Sweden has a number of key legislative instruments in place that collectively aim to protect and sustainably manage the country's natural landscapes, cultural heritage, and World Heritage properties.

For nature protection, these include:

⁶ A network of protected nature sites on the territory of the European Union.

⁷ The European Diploma for Protected Areas is an international prize awarded by the Committee of Ministers of the Council of Europe since 1965. It recognises natural and semi-natural sites and landscapes of exceptional European importance for the conservation of biological, geological and landscape diversity, and which are managed in an exemplary manner.

- Swedish Environmental Code (1998:808) (Miljöbalken), which regulates environmental protection, including nature conservation, pollution control, and sustainable development. It provides the basis for the establishment of National Parks, Nature Reserves and other protected areas, but it does not prescribe the rules and regulations that would be automatically associated with such designations.
- National Parks Ordinance (1987:938) (Nationalparksförordning) provides the criteria and processes for the creation and management of National Parks;
- Area Protection Ordinance (1998:1252) (Förordning om områdesskydd enligt miljöbalken m.m.) which sets out the guidelines for establishing and managing Nature Reserves;
- Species Protection Ordinance (2007:845) (Artskyddsförordningen) which includes provisions for protecting endangered species and their habitats.

The main legislative instruments for the protection of cultural heritage include:

- Historic Environment Act (1988:950) (Kulturmiljölagen) (in English also referred to as Heritage Conservation Act or Act concerning Ancient Monuments and Finds) which provides a framework for the protection of cultural heritage, including ancient monuments, historic buildings, and archaeological sites. It ensures the preservation of the cultural environment and heritage objects;
- Building and Planning Act (2010:900) (Plan- och bygglagen), which regulates land-use planning and building activities, including the preservation of buildings and environments of cultural and historical significance;
- Sámi Parliament Act (1992:1433) (Sametingslagen), is the Swedish law that established the Sámi Parliament in 1993 as an elected body representing the interests of the Sámi Indigenous peoples in Sweden. It defines the tasks of the Parliament and its administration, as well as the use of funds. It further defines the organisation of the Parliament with powers to deal with Sámi-related issues and to promote their cultural, linguistic and economic rights, and defines traditional grazing grounds of national importance;
- The Reindeer Husbandry Act (1971:437) (Rennäringslagen), which regulates the traditional practice of reindeer husbandry in Sweden and defines the rights, responsibilities and management practices for reindeer herding communities.

According to the Statement of Outstanding Universal Value, the legal instruments applicable to the World Heritage property are the Swedish Environmental Code (1998:808), the Historic Environment Act (1988:950) and the Reindeer Husbandry Act, and reference is also made to customary law without further specification.

With regard to mining and energy production activities, the following regulatory frameworks are relevant in the 'Laponian Area':

- Mining Act (1991:45) (Minerallagen), which regulates the exploration, extraction, and use of minerals, including mining operations, licensing procedures, environmental considerations, and landowners' rights. The Act was updated through the Minerals Act (2018:742), which expanded the framework to include sustainable development and resource use, enhanced environmental protection, and greater societal interests and stakeholder involvement;
- A Mineral Strategy, which is not a legislative document but set out the Government's long-term vision and goals for sustainable minerals extraction, including guidelines for balancing economic interests with environmental and social concerns;
- Electricity Act (1997:857) (Ellagen), which regulates energy production, distribution, and consumption in Sweden, including the licensing and permitting process for energy projects, renewable energy targets, and energy efficiency measures;

- Electricity Certificate Act (2011:1200) (Lagen om elcertifikat), which promotes the development and use of renewable energy sources in Sweden, Areas of national interest.

Under the Environmental Code, several areas in the property have been designated as areas of national interest for infrastructure, valuable minerals, reindeer husbandry and tourism.

In 2013, the Kallak deposit (covering both Kallak North or K No. 1 and Kallak South or K No. 2) in Jokkmokk Municipality, Norrbotten County was designated as an area of national interest for deposits of valuable substances or materials that are of great significance for the country's supply preparedness.

The Sámi Parliament has designated large areas of the property and its immediate and wider setting as areas of national importance for both summer and winter reindeer grazing and reindeer migration routes. In February 2017, the Sámi Parliament identified new areas of national interest for reindeer husbandry. This reinforced the recognition of the area around Björkholmberget, between the villages of Randijaur and Björkholmen, as a key area within the year-round grazing land of the Jåhkågasska tjiellde Sámi community. This decision has therefore served to reinforce the recognition of the national interest of reindeer husbandry in the region close to the Kallak mine project.

Protection and management system

In terms of natural values, with the exception of very small areas⁸, all parts of the property are legally protected under the National Parks Ordinance, the Nature Reserves Ordinance and the Species Protection Ordinance, but to slightly different degrees.

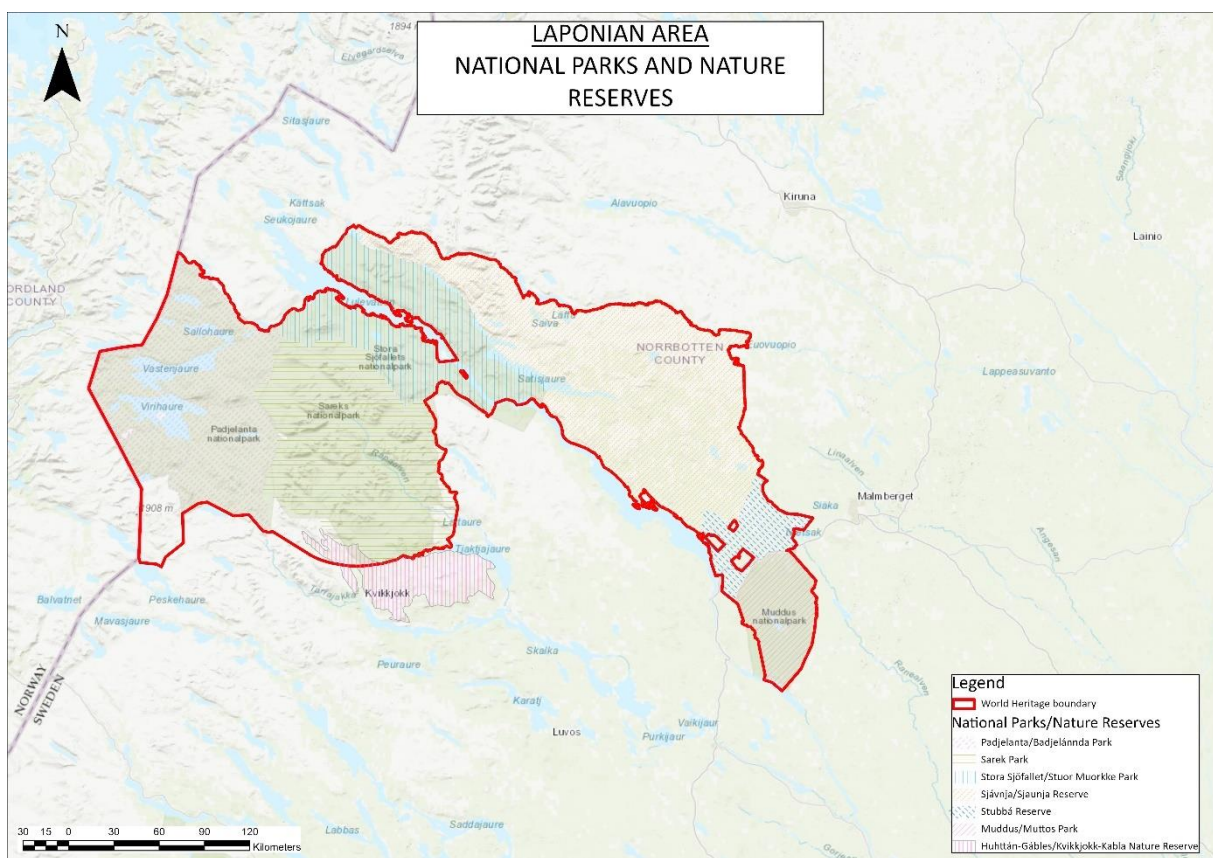


Figure 2. Map showing the National Parks and Nature Reserves of the 'Laponian Area' World Heritage property. Unofficial map produced by the UNESCO World Heritage Centre.

⁸ Huhtán-Gábles/Kvikkjokk-Kabla Nature Reserve and Sulitelma.

The four National Parks are similarly protected. In them the following are prohibited:

- All mining activities including any removal of peat, minerals, or other geological materials;
- The erection of masts or pylons and the installation of power lines, whether aerial or underground;
- The construction of new roads;
- All forestry activities, including felling or other damage to living or dead trees or shrubs;
- The deliberate disturbance of reindeer grazing and the disturbance of the processes associated with the rounding-up or herding of the reindeers. The Sámi communities have the right to carry out activities that would otherwise be prohibited if they are necessary for the purpose of managing reindeer herding.

Nature reserves have very similar prohibitions to the National Parks. The following are prohibited:

- All mining activities, even on an exploratory basis;
- Forestry, even the felling of an individual tree.

SEPA has stated that the other relevant prohibitions are essentially equivalent to those in place in National Parks. The actual rights and possibilities for reindeer husbandry in Nature Reserves are not specified, but again, according to SEPA, they should not be more restrictive in practice than in National Parks.

Within the World Heritage property there are small areas that have not been formally designated as National Parks or Nature Reserves. As a result, no specific land uses are excluded in these areas. If someone wishes to carry out activities such as mining or forestry, they must be assessed according to the standard regulations for such activities. In response to the mission, SEPA stressed that despite the lack of formal protection, these areas retain the same high natural and cultural values that led to the site's inscription on the World Heritage List in the first place.

As part of the Natura 2000 network, parts of the National Parks and the Nature Reserves also have legal protection against activities that are harmful to the natural values for which they have been designated. These relate to habitat types and species, particularly birds, but recognise that traditional reindeer husbandry has 'in the past' contributed to the special character of the areas.

The two Ramsar sites within the property include parts of the Sjaunja/Sjávnja and Stubba/Stubbá Nature Reserves and an area, Laidaure, within the Sarek National Park, (all within the Natura 2000 areas network). They are specially protected from damage to the natural values of the site and are considered to contribute to the natural attributes underlying the OUV of the World Heritage property.

For cultural values, the situation is less clear. The Historic Environment Act (or Heritage Conservation Act) covers both built remains and archaeological sites as well as the cultural environment, but only a few discrete sites have been designated within the property, such as archaeological remains and cultural sites associated with Sámi reindeer herding dating back to 6,000-7,000 years ago located around Stora Sjöfallet/Stuor Muorkke, Suorvvá, Leaffásáiva, Sáltoluokta, Bietsávrrre, Badjelánndaomrádet, Luleå silver works, Stáloluokta, Sijddojávrrre, and Lájtávrrre (although only a third of the property has so far been surveyed). While the whole property cannot be designated as a cultural landscape under the Historic Environment Act, it could be designated as a cultural reserve area under the Environmental Code; however, this process has not yet been initiated.

The Building and Planning Act regulates land-use planning and building activities, including the buildings and environments of cultural and historical significance, but its application appears to rely on national designations, of which there are few in the area of the property.

According to the Planning and Building Act, national interests must be taken into account in the mandatory municipal comprehensive plans.

The Reindeer Husbandry Act provides the most extensive cultural protection, protecting traditional practices associated with reindeer husbandry and designating areas of 'national interest' for the reindeer industry, which must be protected from measures that could significantly obstruct the traditional practices associated with the industry.

Regarding the application of these protective measures, the Environmental Code states that 'if there are other competing national interests in the same area, such as mining, a decision must be made as to which interest should be given preference'. In this respect, the Government decided in 2022 to approve the Exploitation Concession for the Kallak mine on the grounds that mining interests were considered more important than environmental interests, and with little reference to World Heritage obligations (see further discussion of this in chapter IV below) and no reference to the Reindeer Husbandry Act.

A full list of legal frameworks can be found in Annex F.

Institutional Framework

At the national level, World Heritage responsibilities in Sweden are shared among the Swedish National Heritage Board (SNHB) and the Swedish Environmental Protection Agency (SEPA). The SNHB oversees implementation of the World Heritage Convention and coordinates cultural sites, while SEPA manages natural sites. The Swedish National Commission for UNESCO, part of the Ministry of Education and Research, advises the Government on UNESCO matters and promotes awareness of UNESCO's work, including the World Heritage Convention.

At the local level, the World Heritage property was managed by the County Administrative Board of Norrbotten until 2011 and is now managed by Laponiatjuottjudus, a non-profit, locally based association. Its members have a Sámi majority and represent nine Sámi communities, the municipalities of Jokkmokk and Gällivare, the Norrbotten County Administrative Board (CAB), and SEPA. It was established to ensure Sámi involvement in all stages of management planning and implementation, with consensus required for major decisions, and its management based on an agreed common statement of the values of the 'Laponian Area' and the Management Plan adopted in 2011 (see below). In 2013, new regulations were introduced for the National Parks within the World Heritage property to ensure that the objectives of the National Park, Nature Reserve and World Heritage status are met. These regulations prohibit certain activities and require permits or exemptions, with the aim of enabling the management organisation to monitor operations for the long-term conservation of Lapponia. The Reindeer Husbandry Act also emphasises environmental considerations, ensuring sustainable grazing and the preservation of biodiversity. The Sámi Parliament's regulation (2007:3) outlines specific environmental protection measures for the reindeer husbandry industry, for example when carrying out activities such as felling trees, using off-road vehicles or constructing buildings.

The establishment of the Naturum (an information and education centre) was also a condition. The mandate of the Laponiatjuottjudus has been renewed several times and is currently valid until 1 July 2026.

The Sámi Parliament, established in 1993, functions both as a representative body elected by the Sámi people and as a national government agency under the Swedish state. Its duties are defined in the Swedish Sámi Parliament Act, and its main objective is to work for the preservation and promotion of Sámi culture throughout northern Sweden.

A list of the national authorities with a role in the World Heritage property and the exploitation concession for mining at Kallak/Gállok, as well as the site management for the 'Laponian Area', can be found in Annex D.

Management System

The current 'Laponia Management Plan: World Heritage in Swedish Lapland' (adopted in May 2011) aims to ensure the conservation of the natural and cultural values of the World Heritage property, while respecting the traditional rights of the Sámi people, promoting sustainable tourism and benefiting local communities. The plan is valid for 10 years and a revised version is expected soon. It provides guidelines for the maintenance of infrastructure, trails and facilities, as well as strategies for monitoring environmental conditions and involving local communities, particularly the Sámi people, in decision-making. The Management Plan has a broad scope but no legal standing itself; however, it includes regulations and maintenance plans for both the National Parks and Nature Reserves, which are legally binding.

While the Management Plan covers all land and water areas within the World Heritage property, the Maintenance Plans provide detailed operational procedures for the protection of World Heritage values and the achievement of conservation objectives within specific areas. These plans apply to the Sarek, Padjelanta/Badjelánnda, Muddus/Muttos, Stora Sjöfallet/Stuor Muorkke, Stubba/Stubbá and Sjávnja National Parks and Nature Reserves in Laponia. However, they do not cover private land or the Huhtán-Gábles/Kvikkjokk-Kabla nature reserve, which accounts for 0.76% of the property. The maintenance plans are based on the Swedish Environmental Code and regulations from 2001 require permits for activities that could significantly affect these areas. Permits are generally granted by the County Administrative Board, but in special cases the Land and Environmental Court or the Government may be involved. The Maintenance Plan is the standard regulation for areas protected under the Swedish Environmental Code, including the National Parks and Nature Reserves included in Laponia. Consequently, the Maintenance Plan should be regarded as a comprehensive general directive with a relatively concise set of specifications compared to the typical level of detail found in maintenance plans for parks and reserves. The Maintenance Plan is a practical programme designed to facilitate the management of various processes, including planning, procurement, maintenance activities, documentation and monitoring.

The Management Plan sets out the direction of both the management work required to conserve and develop the World Heritage property 'Laponian Area' and the Maintenance Plans and regulations for the National Parks and Nature Reserves that are part of Laponia. Unfortunately, and since there is no buffer zone established for the World Heritage property, it does not cover areas that extend beyond the property, namely the reindeer migration corridors and winter grazing areas, which are crucial for Sámi land use. The Management Plan does not cover regulations and activities on private land adjacent to or within the vicinity of the National Parks. It also does not address policies for commercial or industrial development outside the boundaries of the National Parks, or regional development plans covering areas beyond the scope of the National Parks.

To emphasise the World Heritage status as a whole and to streamline and clarify the regulations for users and visitors, new regulations for the Nature Reserves and National Parks of Laponia have been developed as part of the Laponia Process⁹. The regulations apply to the National Parks and Nature Reserves included in Laponia (with the exception of the Huhtán-Gábles/Kvikkjokk-Kabla Nature Reserve (see Figure 2 above), which is part of Laponia but has

⁹ The 'Laponia process' refers to the establishment of an inclusive dialogue process between all actors involved in the management of the property. The joint agreement was signed in 2006. The process was developed to ensure that the Indigenous Sámi people, who had previously been excluded from the administration of the area, had a central role in the management of the site. It is a pioneering model of co-management between Sámi communities and Swedish authorities, integrating traditional Sámi knowledge and practices with conservation efforts. The Laponia process emphasises the protection of both natural landscapes and Sámi cultural heritage, and promotes sustainable use of the land in accordance with Sámi traditions.

its own regulations). The new regulations are designed to apply to the general public, World Heritage site managers and any other individual or entity using land, water or buildings.

When the 'Laponian Area' was nominated for inscription on the World Heritage List, the Swedish authorities considered that there was no significant need for a buffer zone due to the size of the nominated area. According to the Management Plan, surrounding protected areas, intact mountain areas and far-reaching cultural environments and Sámi land use within the lands of the concerned Sámi village organisations act as a kind of buffer zone to preserve the values of the property. According to the current Management Plan, the main threats to the property and its Outstanding Universal Value are large-scale forestry, mineral extraction and energy production, and urbanisation. Many of these may occur in the unprotected areas along the borders of the 'Laponian Area', which can therefore be described as risk areas.

The Laponiatjuottjudus aims to ensure the responsible management of conservation and development issues in the property and its vicinity. This includes working with local communities to integrate conservation considerations into their planning processes without compromising the integrity of the area. The Management Plan refers to efforts underway at the time to initiate a dialogue with Norway on border areas and to include surrounding forest areas in ecological landscape planning, with a focus on the needs of reindeer husbandry. Information from the reindeer husbandry plans¹⁰ is used for management purposes, and ongoing monitoring is carried out in risk areas to facilitate cooperation with relevant stakeholders. Public authorities, in particular the municipalities of Gällivare and Jokkmokk, are tasked with integrating nature conservation objectives into their physical planning and adopting a landscape perspective that includes the areas surrounding the 'Laponian Area' as a kind of buffer zone.

¹⁰ During the 2000s, Sámi herding communities began establishing reindeer husbandry plans (renbruksplan, abbreviated RBP). These plans describe how the herding communities use the land in a way that is clear to others, promoting mutual understanding of the reindeer industry's needs and fostering cooperation with other land users in shared areas. These plans identify, among others, specific grazing areas used by reindeer throughout the year, including summer and winter pastures, migration routes and calving areas.

III. THE MISSION

In response to Decision 45 COM 7B.32 and on behalf of the State Party, the Swedish National Heritage Board invited the joint UNESCO World Heritage Centre/ICOMOS/IUCN Reactive Monitoring Mission to the 'Laponian Area'. The Mission was conducted from 26 to 31 May 2024 by Berta de Sancristóbal, Head of Europe and North America Unit, World Heritage Centre; Susan Denyer, World Heritage Adviser, ICOMOS; and Pierre Galland, IUCN Expert, representing the three organisations respectively (see Annex B).

A well-planned programme enabled the Mission not only to visit the site where the Kallak concession has been granted, but also to get an overview of the extent of the property through a helicopter tour. Accompanied at all times by a delegation of representatives from the Swedish National Heritage Board and the Swedish Environmental Protection Agency, the Mission had the opportunity to meet and exchange views with a wide range of stakeholders, from representatives of the national, county and local authorities to members of the Sámi concerned communities and their institutions, such as the Sámi Parliament, as well as representatives of Beowulf Mining.

The Mission's activities included a series of meetings and site visits to explore key areas and issues over five days. On the first day, the Mission experts had the opportunity to meet with representatives of Jokkmokk Iron Mines AB and conducted a site visit to Kallak/Gállok, as well as a meeting with representatives of the Jåhkågasska village. The day ended at the Naturum Laponia at Stuor Muorkke/Stora Sjöfallet, where the experts were welcomed by the site manager, Åsa Nordin-Jonsson, operations manager at Laponiatjuottjudus. The second day consisted of two presentations by the site manager on factors affecting the 'Laponian Area' and the significance of the Sámi culture, followed by interviews with representatives from Sirges and Tuorpon, the two other Sámi villages, along with Jåhkågasska tjiellde, that will be affected by the Kallak/Gállok mine development project, as reindeer herds migration routes cross their territories. In the afternoon, the Mission experts held an interview with Anders Forsgren, Specialist/Consultant commissioned by Jokkmokk Iron Mines AB to undertake a World Heritage Impact Assessment of the project. The afternoon consisted of a helicopter tour to view the site as a whole and the relative location of the project site. At the Mission team's request, the third day began with a presentation by the site manager, Åsa Nordin-Jonsson on the management of the site followed by an online meeting with a representative of the Swedish Energy Transmission, an interview with a resident of the Randijaur local community, and a meeting with the Swedish Society for Nature Conservation. In the afternoon, there was a meeting with Jokkmokk's Councillor and Deputy mayor, followed by a guided tour of the exhibition on Sámi culture at Naturum and a walk around Stuor Muorkke/Stora Sjöfallet to see the long-term effects of hydroelectric plants on the landscape and flooded areas.

On the fourth day, the Mission returned to Jokkmokk to meet with the Norrbotten County Administrative Board (representatives of the Environment Department only). Before returning to Luleå to catch the flight to Stockholm, the Mission team had a short visit to Ájtte Museum – the Sámi Centre and a brief meeting with a representative of ICOMOS Sweden. The last day in Stockholm was devoted entirely to meetings at the Swedish National Heritage Board premises, starting with a meeting with the legal advisor of the Sámi Association in Sweden and another with Beowulf Mining, attended by the CEO and Executive Chairman of Beowulf Mining. The afternoon consisted of a meeting with all the national authorities involved in the World Heritage property and the monitoring of the conditions of the mining concession (Swedish National Heritage Board, Swedish Environmental Protection Agency, Mining Inspectorate of Sweden and Sámi Parliament), followed by an informative session on the legal perspectives of the upcoming process (interpretation of the concession conditions, environmental permit and judicial review) by the legal advisors of both the Swedish National Heritage Board and the Swedish Environmental Protection Agency.

The full Mission programme and the list of people met can be found in Annex C and D respectively.

In response to the State Party's invitation to conduct the Mission in October 2023, the main aim of the Mission was to thoroughly examine the details of the approved exploitation concession for the Kallak mining project and its potential impact on the OUV of the property, particularly in relation to reindeer husbandry and the rights of the Indigenous Sámi People. A further aim was to provide guidance on the revision process of the IDIA to ensure that it effectively evaluates the potential impacts of the proposed mining activities, following established guidelines. Additionally, the Mission was tasked with reviewing the adequacy of the defined attributes of OUV and how the property's immediate and wider setting supports traditional reindeer herding practices.

Furthermore, the Mission team was requested to evaluate the overall state of conservation of the property, considering its current management system, the protection measures in place, and the nature and extent of other existing and potential threats, such as electrical transmission lines, and also assessed any other relevant conservation issues that may affect the OUV. Finally, the Mission was requested to propose necessary measures to enhance the protection and conservation of attributes that support the property's OUV.



Photo 2. Naturum Laponia Visitor Centre.

Due to time constraints, the Mission regrettably did not have the opportunity to examine the corridor of road, railway and power line across Stubba/Stubbá Nature Reserve, between Porjus and Gällivare, which is within the World Heritage property. It would also have been beneficial to visit an operational mining site, such as Aitik, and to engage in dialogue with the local Sameby community about the impact of mining operations. This could have included discussing issues such as air and water pollution, noise, energy and material transportation.

The findings of the Mission report will be presented to the World Heritage Committee at its 47th session in 2025, and taken into account in the analysis of the state of conservation of the property, together with the state of conservation report from the State Party of 1 February 2025, to be examined by the Committee at that session.

IV. ASSESSMENT OF THE STATE OF CONSERVATION OF THE PROPERTY

The current primary concern regarding the state of conservation of the 'Laponian Area' World Heritage property arises from the potential impacts of the proposed Kallak mine project on the OUV of the property, specifically in relation to reindeer husbandry activities, which is an important part of the cultural values for which the property is inscribed, and the granting of a mining concession before such impacts have been fully assessed.

Various documents related to the proposed project have been subject to Technical Reviews by ICOMOS and IUCN in 2014, 2016, and 2021, which raised concerns about the potential impacts of the project on the OUV and stressed the need to ensure that such impacts are adequately assessed prior to any decision to approve the project. These concerns were subsequently considered by the World Heritage Committee in its Decisions 45 COM 7B.32 and 46 COM 7B.45 as a significant threat to the traditional Sámi reindeer herding practice. The project has also brought into focus the property's protection and management, communication between the government, the mining company, and the Indigenous Sámi people, and the human rights of the Sámi to their land and way of life.

Prior to the Mission, the State Party informed the World Heritage Centre of several developments, including the extension of two National power Grids – one passing through the property and the other in the immediate vicinity – and the possible establishment of a new hydrogen production facility close to the boundary of the World Heritage property (although plans for the latter have since been amended and are no longer considered a threat). There were also plans to upgrade wind turbines, which could have a visual impact on the landscape. During the visit, the experts were made aware of outline proposals for the upgrading of major railway lines through the property. However, their connection to the Kallak mining site remains unclear. After the visit, the State Party updated the Mission, stating that the siting of the hydrogen production facility had been postponed and was therefore no longer considered by Laponiatjuottjudus to be a threat to the property.

The key issues considered by the Mission are examined in turn below. As all issues were considered in terms of their impact on the attributes underlying the property's OUV, and particularly on the reindeer transhumance practices of the Sámi community, these are set out here for clarity.

Sámi reindeer transhumance practices

'Laponian Area', as the World Heritage property is called, is a Sámi cultural landscape and part of Sápmi, the wider area where most Sámi peoples live in Sweden, Norway, Finland and the Kola Peninsula in Russia.

The Sámi living within Lapponia bear witness to the persistence of a unique adaptation to the Arctic environment which underpins their culture, their tradition and language. They herd semi-domesticated reindeer in a transhumance system that involves long distance seasonal migrations of large herds between summer and winter pastures, along defined reindeer herding districts, of which there are parts of five within the property. This system is now only practised by a small percentage of the wider Sámi population in northern Sweden, which means that the practices within the property form the kernel of this tradition and their integrity is crucial to its persistence.



Photo 3. Reindeer grazing along the road from Jokkmokk to Porjus.

Nine Sámi villages have summer pastures within Lapponia and year-round grazing, but most of their winter pastures lie outside the property where the reindeer find lichen pasture. As the reindeer transhumance system could no longer function without all these winter lands, the intactness of the transhumance system relies on land outside the property but which has not formally been designated as a buffer zone, and without protection for these areas, the system within Lapponia, which is essential for the persistence of the existing cultural landscape, is highly fragile.

The large reindeer herds, totalling some 50,000 animals for the three reindeer communities in Jokkmokk municipality, are privately owned, with ear marks identifying their owners. The transhumance system involves the seasonal migration of both reindeer and Sámi, controlled by wind, weather and food availability, during what are identified as eight seasons of the year. In spring and summer, the reindeer feed on sedges, herbs and grasses in the mountain pastures. Towards late July, the herds are gathered in paddocks on the lower mountain slopes and the year's calves get given their mark. In autumn and early winter, some of them are slaughtered, while the rest of the herds, which provide meat, hides, and other materials for household use, are moved to winter pastures on lower ground, where they are dispersed throughout the Taiga forests and subsist on ground and hanging tree lichens, reindeer lichen and fungi.

Each family may own several hundred reindeer, and in rare cases, up to one thousand. The transhumance routes are long corridors, extending to some several hundred kilometres in length, which are now formally associated with specific samebys. Similarly, the summer grazing areas in the mountains are linked with the reindeer herds of different samebys. These grazing areas are not physically marked but are familiar to the reindeer, which are 'hefted', which means that they consistently return to the place where they were weaned and follow their own migration corridors.



Figure 3. Map of Transhumance Corridors. Source: Sámi information centre. Sámi Parliament.

The herding and grazing of these thousands of reindeer, which has persisted for at least two millennia (according to archaeological evidence), has shaped the wider Laponian landscape. The World Heritage property is thus permeated by the reindeer migration corridors, regardless of the protection regimes of each of its component Natural Parks/Nature Reserves, which seem to have been established at variance with these corridors.

It should be emphasised that these traditional migration routes have been affected by numerous interventions over the last century, in particular dams, river control and flooding of fertile grazing land for hydroelectric power generation. In addition, the reindeer's winter forage potential (mainly ground and tree lichens) is constantly decreasing due to large-scale forest exploitation and the effects of global climate change.

Today, reindeer herding is the main source of income for some Sámi families while for other it is supplemented by fishing, tourism, etc. Traditional practices are also supplemented by modern tools, such as snowmobiles, modern materials for temporary dwellings, and supplementary feeding as well as drones and microchips to keep tabs on the whereabouts of the reindeer. This allows the transhumance practices to be a viable part of the modern economy, rather than just a relict tradition to be appreciated by tourists.

The long association of the Sámi with Lapponia means that the landscape is not just a place of work but is imbued with shared beliefs and sacred traditions and is the foundation of their culture.

ISSUE 1: MINING EXTRACTION AND DEVELOPMENT

The key issue for the Mission was whether the development of an open cast iron mine, known as the Kallak mine (technically Kallak North or Kallak No. 1) in the immediate setting of the property, including related infrastructure to extract, transport and process the iron ore, would impact on OUV of the property, including specifically the traditional reindeer transhumance practices associated with the outstanding importance of the property as *'one of the last and among the largest and best preserved of those few [Pastoral transhumance] landscapes that survive'*¹¹.

¹¹ Statement of Outstanding Universal Value.

Firstly, it should be noted that the development of Sweden as the Green Steel Centre of Europe¹² has now become an important national objective of the Government. In support of this objective, which is considered to support a 'green transition', several areas in northern Sweden, including some within the property and its surroundings, have been designated as being of national interest, including both the Kallak No. 1 and Kallak No. 2 mines.

This Mission report relates to the Kallak No 1 site, located on a peninsula of the Little Lule River in the municipality of Jokkmokk, approximately 34 km south-east of the southern boundary of the property within the Jåhkågasska tjiellde migration corridor in the area of Björkholmberget between the villages of Randijaur and Björkholmen.

The proposed mine site is located within the Jåhkågasska tjiellde delineated transhumance corridor where reindeer migrate from summer pastures on high mountains in the west of the property to winter pastures in its setting to the east, and vice versa along important traditional migration routes. This land is home to the Jåhkågasska tjiellde Sámi community and is a core area within the community's year-round lands for the resting pastures, gathering and good and undisturbed pastures used continuously for reindeer grazing during autumn, winter and spring. Björkholmberget is located close to regulated waterways, which facilitate both roaming and migration, but also reduce the migration route to a relatively narrow corridor. Björkholmberget is also of strategic importance as a gathering place for the Sámi village.

Mining approval processes

The process of exploring such mining sites is lengthy and requires external resources from companies willing to undertake the necessary prospection and prepare applications for several formal stages of approval. The main approval stages are 1) Exploration Permit, 2) Exploitation Concession and 3) Environmental Permit that allows a mine to become functional. However, even after the third Permit has been granted, further permits may be required under the Planning and Building Act, land allocation under the Minerals Act and infrastructure under the Roads Act.

Exploration Permits are approved by the Mining Inspector, and it appears that they have been automatically approved for several locations within the immediate setting of the property since inscription. For the Kallak No 1 mine, the Exploration Permit was approved in 2006, and this is when Beowulf Mining became involved.

Proposed Kallak mine

The deposit now known as Kallak was identified as early as the 1940s and again in the 1970s. The Geological Survey of Sweden (SGU) carried out extensive exploration in the area and has been prospecting since 2006. The Beowulf Mining Company and its local subsidiary company Jokkmokk Iron Mines AB also hold an Exploration Permit for the Kallak No 2 mine which is located close to the Kallak No 1, which was acquired from Tasman Metals in mid-2010, but no exploitation has yet taken place.

Following the designation of the Kallak deposit as an area of national interest for iron ore deposits in 2013, JIMAB carried out trial mining at Kallak in the summer of 2013. The mined ore (approximately 500 tonnes) was transported to a plant in Finland for trial processing. After the trial mining was completed, the area was rehabilitated (cleaned, levelled and planted). The trial mining sparked large-scale protests later that year by the affected Sámi families, supported by the wider Sámi community and environmental NGOs, and roads were blocked.

Although this project has been under development since the Exploration Permit was issued in 2006, details of the proposed mining were not submitted to the World Heritage Centre, in line

¹² Stegra (H2 Green Steel) has received State aid to build the world's first large-scale low-carbon steel plant and Europe's first (green) steel plant in 50 years outside Boden, 130 km from Jokkmokk.

with Paragraph 172 of the *Operational Guidelines*, until 2013, after the trial mining had taken place. The means of transport for energy and ore were only mentioned, with no clear plans for the type of infrastructure (rail or road) and no assessment of capacity. The ICOMOS Technical Review recommended that a detailed Heritage Impact Assessment be prepared and that the project be submitted to the World Heritage Centre for review before any irreversible decisions were made.

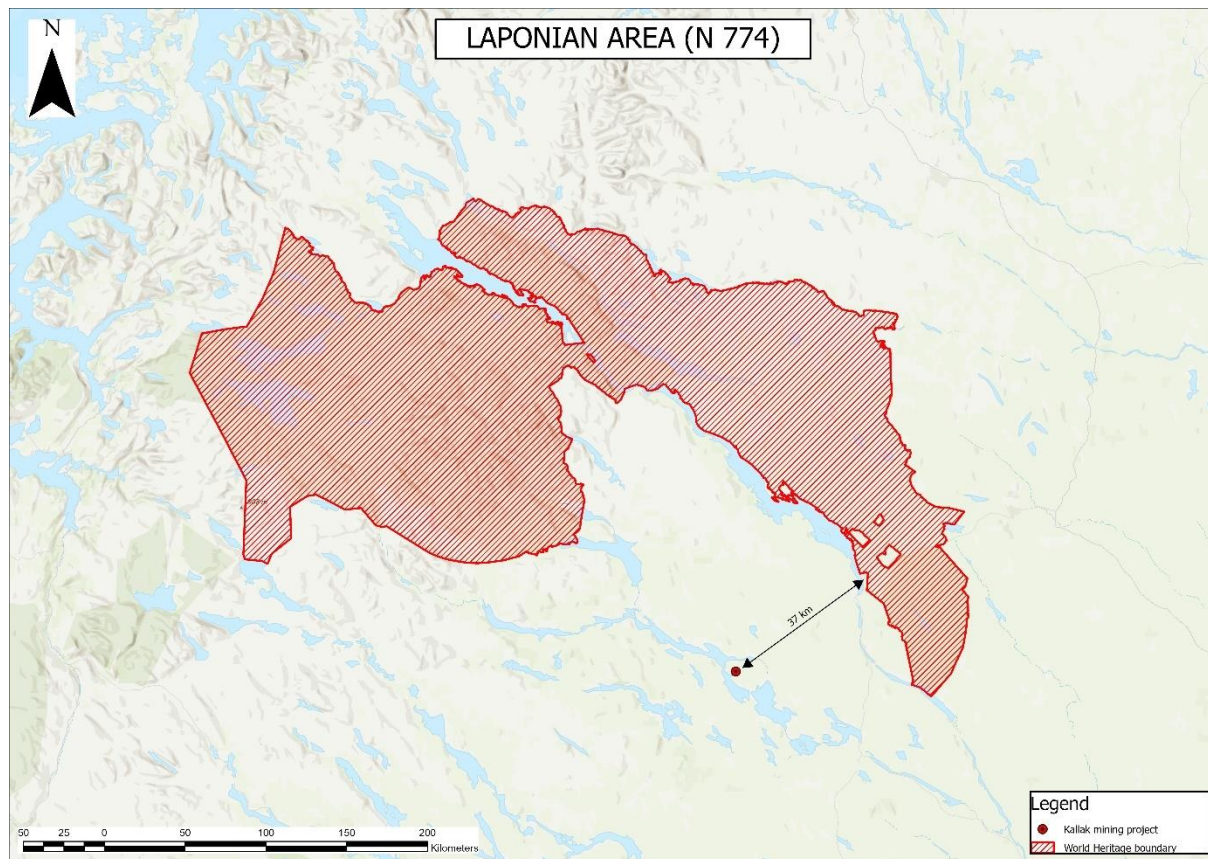


Figure 4. Map showing the location of the proposed Kallak mine¹³ in relation to the 'Laponian Area' World Heritage property. Unofficial map produced by the UNESCO World Heritage Centre.

¹³ The Mission did not receive a definitive map showing the exact location of the Kallak iron deposit. Based on information provided by Beowulf Mining Plc, the closest distance to the Concession would be 37km, referred to elsewhere in the report as 'approximately 34km'.

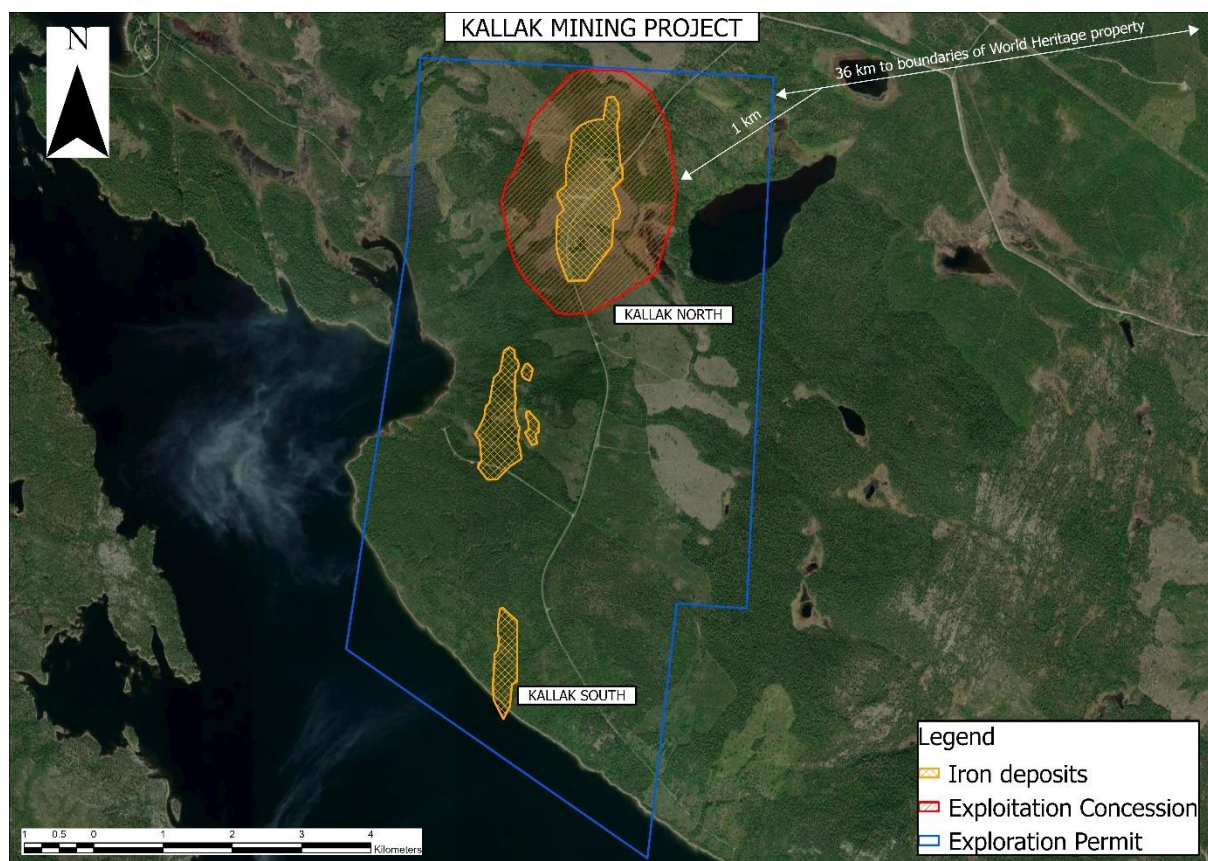


Figure 5. The proposed Kallak mining project. Unofficial map produced by the UNESCO World Heritage Centre.

Exploitation Concession

An application for an Exploitation Concession was submitted by JIMAB in May 2013. The area covered approximately 103ha for the mining area and approximately 1,360ha for associated installations. The application stated that the test results indicated that there was a likelihood that the ore could be economically exploited.

The mining activity described in the application comprised the following: open-cast mining of ore, treatment of up to 10 Mt of ore per year, disposal of up to 80 Mt (approx. 60 Mm³) of residual material from the treatment process (tailings) mining, and disposal of up to 100 Mt (approx. 60 Mm³) of waste rock; construction and operation of installations for water management, including clarification pond and ditches, for a tailings dam and storage pond; construction of an industrial area with buildings, surfaces and roads for operations. It was estimated that up to 4.2 Mt of product would be transported out of the mine per year.

The EIA attached to the application was reviewed by the County Administrative Board of Norrbotten and other parties. In consultation, the Swedish National Heritage Board and the Swedish Environmental Protection Agency expressed the opinion in 2017 that the EIA did not fully assess the impact of the proposed activity on the criteria underlying the OUV of the 'Laponian Area' World Heritage property, in particular criteria (iii) and (v)¹⁴, and those attributes specifically related to the Sámi way of life and reindeer husbandry.

¹⁴ Criterion (iii): The Laponian Area bears exceptional testimony to the tradition of reindeer herding, and is one of the last and unquestionably the largest and best preserved examples of an area of transhumance, a practice once widespread in northern Europe and which dates back to an early stage in human economic and social development.

Criterion (v): The Laponian Area is an outstanding example of traditional land-use, a cultural landscape reflecting the ancestral way of life of the Saami people based around the seasonal herding of reindeer.

In 2014, the County Administrative Board of Norrbotten requested further impact assessments on reindeer husbandry related to the Outstanding Universal Value. In 2015, due to disagreement between the Mining Inspectorate, which supported the concession, and the County Administrative Board, which opposed it, the matter was referred to the national government for a decision. Following a 2016 Supreme Administrative Court ruling that annulled a similar government decision due to insufficient assessment, all pending exploitation applications, including Kallak no. 1, were sent back to the Mining Inspectorate for further review. In 2017, despite renewed opposition from the County Administrative Board, the Mining Inspectorate again supported the concession, prompting another referral to the national government.

Despite formal protests from the Sámi Parliament and concerning reports from the UN Special Rapporteurs on the rights of Indigenous Peoples and on human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, the Permit was approved. The report of the UN Special Rapporteurs highlighted concerns regarding the lack of good faith consultations and failure to obtain the free, prior and informed consent of the Sámi, as well as the significant and irreversible damage that the Kallak/Gállok project would have on Sámi lands, resources, culture, livelihoods and the UNESCO World Heritage property of Laponia.

In 2022, the national Government approved the Exploitation Concession, subject to environmental conditions. However, the processes leading to this decision were subsequently challenged by the Swedish Society for Nature Conservation and two Sámi families. The Supreme Administrative Court rejected this challenge and the Exploitation Concession was formally approved in July 2024. In October 2024, the Mission was informed that the consultation process for the Environmental Permit for Kallak/Gállok had recently commenced¹⁵.

In line with Chapters 3 and 4 of the Environmental Code, the decision to approve the deposit was based on a weighing up of competing national interests (minerals and reindeer husbandry), an assessment of the likelihood of economic profit, an evaluation of the suitability of the location, and an analysis of the most effective national interest for promoting long-term land, water and physical environment management.

In an explanatory note, the Government stated that it had considered that the benefits of mineral extraction outweighed the benefits of protecting reindeer husbandry. It was also explained that the proposed mining operations are located in an area typified by modern forestry, that most of the land is parish common land ('sockenallmänning') and that the area covered by the Exploitation Concession is not considered to be of high nature conservation value. In terms of cultural value, the Government's assessment was that the World Heritage property would not be directly affected by their decision, but how this view was reached is not explained, as they acknowledged that the mining operations may have an indirect effect on Laponia in that reindeer husbandry at Kallak/Gállok will be affected through blocking migration routes. This is evidenced by the fact that condition 10 of the concession states that 'after completion of its operation, the Company is to ensure that the concession area is restored so that the land can be used again for reindeer husbandry. A remediation plan is to be drawn up in consultation with the affected Sámi villages at an early stage in the mining operation and it shall be updated regularly.'¹⁶ Yet, the consultation document prepared by Jokkmokk Iron as a basis for consultation according to Chapter 6 of the Environmental Code and Section 13 of the Seveso legislation regarding permit applications for mining in Kallak/Gállok states that after the mining has been completed (25 years or more), the open pit mine will be transformed into

¹⁵ The consultation document prepared by Jokkmokk Iron is available at <https://beowulfmining.com/wp-content/uploads/2024/09/Kallak-Consultation-Documents-2024.pdf>.

¹⁶ Unofficial translation by the authors.

an open pit lake¹⁷. A large portion of the area will thus become unusable for the Sámi, and the landscape will be altered by the new elevations and depressions, changes that.

It was further stated that the main landowner in the Kallak/Gállok area, Jokkmokk Sockenallmänning (a company that promotes competitive small businesses in and around Jokkmokk), took a positive view of mining operations in the area, while the Jåhkågasska tjiellde Sámi community took a highly negative view.

The environmental conditions attached to the mining permit have been described as ‘unique’ (i.e. they have never been attached before) and must be strictly adhered to by the mining company. They are designed to minimise as far as possible any negative impacts of ongoing mining on reindeer husbandry and to minimise as far as possible any impact on the ‘Laponian Area’ World Heritage property, should the Environmental Permit be approved and mining proceed. The conditions include regular consultation with the mining company, Sámi reindeer herding families and the Sámi Parliament¹⁸, using as little land as possible, compensating affected reindeer herding communities and facilitating reindeer migration past the concession area as much as possible (including by lorry if necessary) (conditions 3, 4 and 5).

Before an application for an Environmental Permit can be submitted, a detailed HIA ‘in line with IUCN requirements’ would have to be prepared (condition 12). This assessment will also have to cover ‘emissions, transport, etc.’ not covered by the Exploitation Concession. The Mission was told that it is widely understood that the *Guidance and Toolkit for Impact Assessments in a World Heritage Context*¹⁹ would be the reference for completing the HIA, as noted and requested by the World Heritage Committee in its Decision 46 COM 7B.45. In the same decision, the State Party was requested to submit the terms of reference for the Impact Assessment to the World Heritage Centre for review by the Advisory Bodies, which has not yet occurred.

Furthermore, the company is required to engage in dialogue with the Swedish National Heritage Board and the Swedish Environmental Protection Agency to ensure that any development takes account of the status of the ‘Laponian Area’ as a World Heritage property (condition 9). However, there is no precise definition of what this status entails. This condition is a Government assignment to two independent agencies under the Administrative Procedure Act, which states that ‘An authority shall ensure that a matter is investigated to the extent required by its nature’ (Section 23). This condition would only apply if the mine were to proceed, that is, if the Environmental Permit were to be granted, which the Mission does not recommend.

It was clarified to the Mission that the requested HIA is not intended to advise the government on whether the mine should proceed, but only to assess whether the mining company has put in place adequate mechanisms to minimise ‘as far as possible’ negative impacts on reindeer herding and on OUV. Given the major impacts the mine would have on reindeer migrations and OUV, the Mission does not consider that acceptable mitigation measures can be defined, as outlined below.

Potential impact of the Kallak mine on OUV

The Mission’s views are based on extensive discussions with all relevant stakeholders (see Annex D), on a visit to the mine area, and on an overview of the reindeer migration system and corridors from a familiarisation trip by helicopter with selected landings. The Mission also took account of the opinions already stated on potential impact on OUV by the Norrbotten County Administrative Board, the Swedish National Heritage Board and the Swedish Environmental

¹⁷ p. 24, Document available at <https://beowulfmining.com/wp-content/uploads/2024/09/Kallak-Consultation-Document-2024.pdf>.

¹⁸ On which the mining company must submit an annual report to the Sámi Parliament, the Norrbotten County Administrative Board and the Chief Mining Inspector in accordance with condition 8.

¹⁹ Available at <https://whc.unesco.org/en/guidance-toolkit-impact-assessments/>.

Protection Agency, as well as in Technical Reviews, by the World Heritage Committee, and those put forward by the applicant.

The potential impacts considered by the Mission arise not just from the mine and its ancillary structures, but also from the development of improved ancillary infrastructure, which is set out in more detail below.



Photo 4. Location of the Kallak mine next to the river as seen from the World Heritage property.

As outlined above, the EIA associated with the Exploitation Concession (i.e. 2017 IDIA) failed to fully consider the potential impacts on the OUV of the property, including with regard to the cultural values associated with the Sámi way of life and reindeer husbandry, and with regard to a comprehensive assessment of the planned project-related infrastructure (e.g. transport).

This confinement impact to the concession area is also reflected in the environmental conditions, which refer to the mine using as little land as possible and overcoming the blockage of reindeer migration caused by the mine, for example through the provision of lorry transport. **Neither of these conditions can be seen as meeting the need to counteract the overall negative impact on reindeer husbandry or to minimise the impact on the World Heritage property.**

The Mission considers that the negative impacts of the mine will not be confined to its footprint, but will extend beyond the concession boundaries, affecting part of the immediate setting of the property and the processes underpinning reindeer herding. Ultimately, this will affect the attributes that underpin OUV of the property. In this context, it is important to acknowledge that the setting of a World Heritage property can contribute to supporting its OUV and that development and land-use changes within its immediate and wider setting can have adverse impacts on its OUV.

Any assessment of impact of the proposed mine on the property's OUV needs first to consider how the setting of the property relates to its OUV. While the SOUV for the 'Laponian Area' clearly identifies the property's exceptional testimony to the tradition of transhumant reindeer herding, it also sets out clearly that the property boundaries encompass

the areas where the reindeer graze during the summer, parts of the key migration corridors between summer and winter grazing areas, but only a very small proportion of the land used for winter grazing. There are good reasons for this: the winter lands are much more disparate and fragmented than the summer high level grazing areas and, for the most parts, are not of exceptional natural value. However, for the transhumance process to continue, both summer and winter grazing as well as migration corridors need to be protected and sustained. Thus, the areas of the immediate setting of the property used for winter grazing as well as the migration corridors between summer and winter grazing areas provide essential support to the property's OUV and should be protected for that contribution.

This does not mean that the winter grazing areas and migration corridors in the setting should necessarily receive the same degree of protection as the property, but they do need appropriate protection for the environmental resources that provide the essential needs of the reindeer during the winter months, namely an abundant supply of lichens and fungi. These can be found on well-managed long-standing traditional forests of native tree species, particularly those that have been shaped by hundreds of years of light grazing by reindeers. Thus, the natural values that result from the symbiotic relationship between reindeers and trees, reindeers and grazing land must also be taken into account: culture and ecology are inextricably linked in the property and its surroundings.

In this context, the Mission has considered in detail the potential impact of the proposed mine and its ancillary infrastructure on the migration corridor in which it is sited, and then on the overall reindeer transhumance system that underpins the justification for the cultural criteria of the property's OUV.

Firstly, it should be recognised that the mine site already reflects comparatively recent and profound changes to the Laponian landscape. The water system of the Lule River has been significantly affected by extensive water regulation since the 1910s, when a large dam was built upstream of the mine site. This led to rising water levels, which had a negative impact on reindeer herding, as entire fertile valleys disappeared, along with the reindeer foraging land. Reindeer corridors also became narrower and more separated than before.



Photo 5. Map of the former lakes and rivers system before the dam was built at Suorva in 1919. The red line shows the current water level. Map on display at the Naturum Visitor Centre.

Secondly, the natural forests in the mine area have been significantly altered by 'clear cutting' commercial forestry practices and replanting, some with non-native fast-growing species such as *Pinus contorta* (a North American species). This is recognised in the mining licence decision, which states that the forests have little natural value. However, because the new trees support less lichen and the soil around them less fungi, the resulting unnatural plantation means there is less food for the reindeer in the winter months. As a Sámi representative said: 'You can replant trees, but you cannot replant forests'. It is estimated that a lichen-rich forest can take 50 years or more to regenerate. The introduction of commercial forestry has meant that some Sámi communities have had to reduce the size of their reindeer herds.



Photo 6. The Kallak No. 1 site.

These two parameters mean that the reindeer grazing system in the mine area is already under considerable stress. In addition, global warming has a significant impact on winter grazing. Warm periods during the winter lead to the formation of ice-crusts snow, which prevents the reindeers from smelling the lichen through the snow and forces them to spend more energy on feeding.

Physical Impact of the proposed mine

The proposed mine would be opencast, riverine mine. Its development would involve the building of physical mining infrastructure, production activities including drilling, blasting, excavation, and pumping of toxic 'tailings,' into settling ponds, the transport of broken ore to processing facilities, and the creation of waste rock dumps.

The negative impacts of these activities would arise from the physical impact of the mine as an obstacle in a key reindeer corridor for the property, from the spread of metalliferous mine dust across the corridor, from the infrastructure required to transport the ore across the various corridors and the property, and potentially from toxic tailings ponds. These are considered in turn.

During the migration seasons, reindeer follow longstanding traditional routes which were formally delineated as corridors belonging to certain communities/villages in 1971 within the Reindeer Husbandry Act²⁰.

²⁰ According to the Reindeer Husbandry Act, the land used for reindeer husbandry is divided into year-round and winter pastures. As the name suggests, reindeer may be grazed on year-round pastures throughout the year, while on winter pastures reindeer may only be grazed between 1 October and

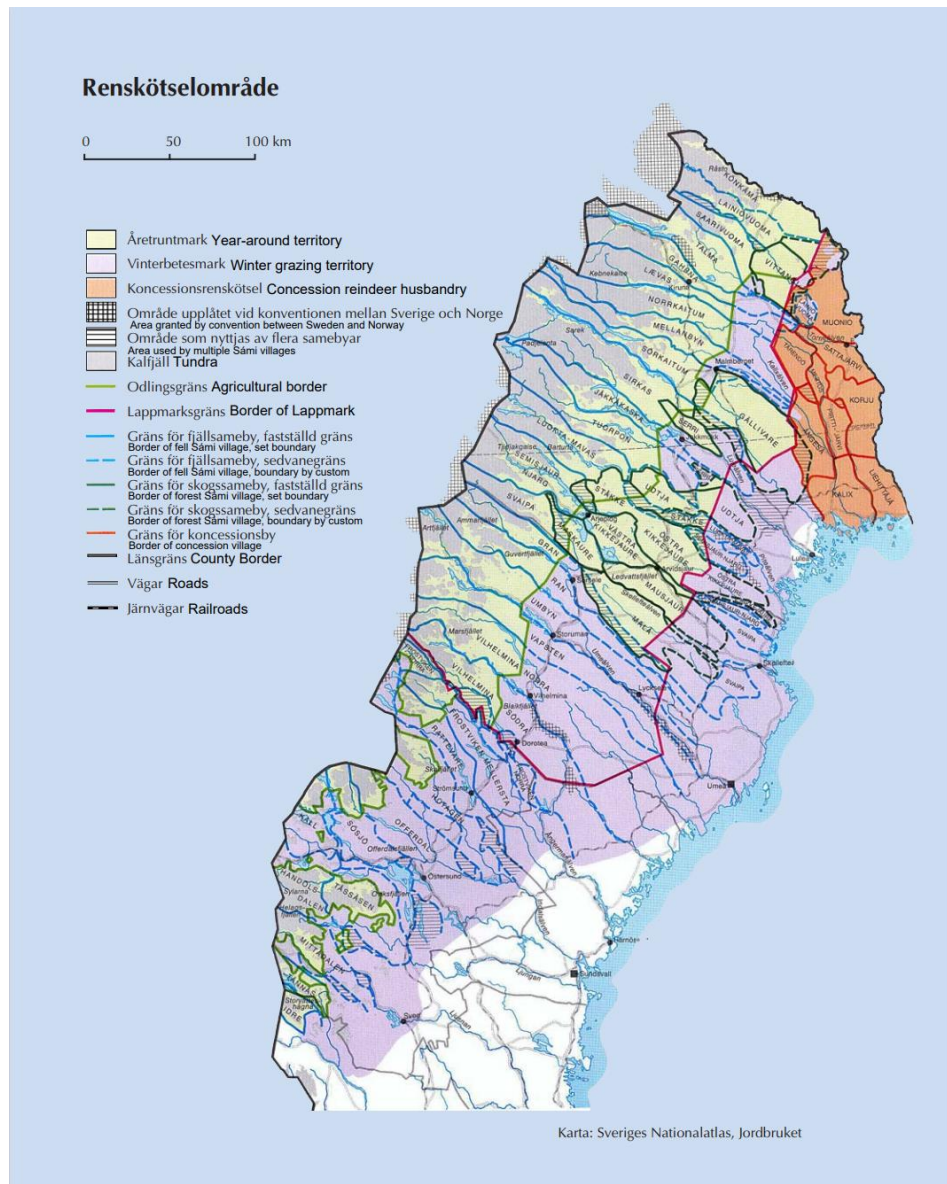


Figure 6. Map showing the area and land use for reindeer husbandry. Source: International Centre for Reindeer Husbandry. Legends unofficially translated by the authors.

These corridors are wide enough to allow a dispersed grazing pattern as the large reindeer herds migrate. Within these corridors, grazing areas, calving land and migration paths have been identified as areas of national importance. The corridors are divided into summer and winter grazing areas, with the diving line running through Jokkmokk just outside the property to the east.

The property includes parts of five summer pastures and migration corridors running from north-west to south-east. These are (from north to south) Girjas, Baste Čearru, Unna Tjersuj, Sirges and Jåhkågasska tjiellde, all of which extend into the property's setting.

The proposed mine is located in the Jåhkågasska tjiellde corridor, which has been greatly reduced in width by the Lule dam. The corridor is bound to the south-west by the Little Lule River, beyond which is the Tuorpon corridor. The reindeer of the Jåhkågasska tjiellde Sámi

30 April. The law is clear about where the border between these areas and pastures lies and defines them accordingly. (Source: International Centre for Reindeer Husbandry (<https://icr.arcticportal.org/sweden?lang=en&start=2>)).

community know their own corridor and the routes within it. The occasional use of corridors belonging to other Sameby/Sámi villages is generally accepted due to specific weather conditions, but if it becomes systematic it means additional costs for Sámi families to find and gather their herds. In addition, the permanent use by other families of traditional corridors that have been established over many years is not acceptable to the Sámi.

The Mission considers that the mine will have a major impact on the traditional migration, where reindeer follow known migration routes and seek traditional resting pastures, as these patterns will have to change to avoid the obstacle posed by the mine and infrastructure areas.

The application for the Exploitation Concession acknowledged that the mine, with its ancillary structures and new transport links, will impact on the routes of a key migration corridor in the area of Björkholmberget to the extent that reindeer may need to be transported by lorry around the site as they migrate to the mountains in the spring and when they return in the autumn. Moving the animals from traditional routes to new routes would be logistically highly problematic, as there can be up to 5,000 reindeer in the corridor at any one time during the main migration periods in spring and autumn, and have an impact on animal behaviour, particularly feeding behaviour.

Any such change in the migration patterns could disrupt access to grazing areas that have been as being of national interest. These designated grazing lands (which are found throughout the property and in its setting) have been specifically delineated to reflect pastures within migration routes that can be used as gathering areas, as well as larger areas for more general grazing. They thus form part of an overall system of grazing lands within corridors that are essential for the reindeer migration.

It is understood that the mining company has suggested to the Sámi herders that some of the migration routes could be moved across the river into the Tuopon corridor. This would firstly be logistically difficult to achieve in terms of moving animals across a wide river, but as pointed out to the Mission, it could also mean that reindeer from two corridors would be mixed, with the possibility of reindeers from the Jåhkågasska tjiellde community being lost to neighbours.

Metalliferous mine dust

Studies undertaken elsewhere have identified that mine dust, whether from small or large mines, and from transportation corridors has highly adverse environmental impacts, as is apparent around mines to the east of the property that were already in existence at the time of inscription. The Mission was made aware that in those areas dust on lichens has pushed reindeer away from the affected areas. In relation to the Kallak mine, dust spread on forests around the mine area could similarly impact on tree and ground lichens upon which the reindeer feed in winter, as lichens are highly sensitive to air pollution and toxic dust, which can threaten their survival.

Dust settling on grazing grounds could also have a highly adverse impact on the value of these grounds in the spring and autumn as it will almost certainly lead to a reduction in the diversity of species and this in turn could impact adversely on species at higher and lower latitudes, as droppings from grazing animals have been shown to contribute to the spread of certain plants.

Finally toxic dust does not support a safe and healthy environment for communities who practice reindeer herding.

Ore transportation corridors

As highlighted in the previous Technical Reviews, the ancillary infrastructure associated with the proposed mine, such as transportation routes to bring the iron ore to the processing plants, would need to be clearly assessed as part of the impact assessment for the project, and not in a separate staged process. The Mission notes that railway lines crossing the property to reach Gällivare are planned for reinforcement, and that an upgraded road access would also need to be built, which could hinder reindeer migration.

It has been suggested that green bridges over railway lines could allow reindeer and other species to cross. However, the fact that such crossings may attract predators, which would discourage reindeer from using them, would also need full consideration.

Toxic tailing ponds

Proposed tailings ponds would be constructed next to the dammed river. The Mission was informed that siting of tailings ponds next to a river is unprecedented in Sweden. The consultation document from Jokkmokk Iron Mines indicates that a dam will be required for the tailing facility boundary to the north-east²¹. Positioning tailing ponds next to a major river would seem to present a significant risk, should storms or landslides cause a connection between the two, leading to the contamination of drinking water for many settlements downstream, including the town of Luleå.

Mission conclusions and recommendation

Although not inscribed on the World Heritage List under the category of ‘cultural landscape’²², the ‘Laponian Area’ is described in the SOUV as a ‘cultural landscape reflecting the ancestral way of life of the Saami people based around the seasonal herding of reindeer’ and ‘an ‘exceptional testimony to the tradition of reindeer herding’, ‘one of the last and unquestionably the largest and best preserved examples of an area of transhumance’.

The large property area of 940,900 ha includes some high mountain wilderness areas, but also large parts of the reindeer transhumance system. It includes the summer pastures in the mountains in the west and part of the main designated corridors along which reindeer migrate in spring and autumn to and from their winter pastures, but not all the winter pastures, as most are in the setting of the property. However, both summer and winter pastures and migration corridors are essential for the continuation of transhumance.

Summer pastures in the high mountains are discrete areas, while winter pastures are more dispersed. The corridors that link the two are clearly demarcated at the national level, as are the grazing areas – both grassland and forest – that provide essential food for the reindeer. However, there is a huge discrepancy between the protection afforded to migration corridors within the property and those in the surrounding area. While within the property mining and timber extraction are prohibited, trees may only be felled for local domestic use, and major infrastructure is excluded, with the exception of a transport corridor (railway, road, power lines) that crosses the property on the common border of the Muddus/Muttos National Park and the Sjaunja/Sjávnja Nature Reserve, within the property’s setting there are no such specific prohibitions, apart from those associated with grazing areas designated as of national importance.

In the Mission’s view, the symbiotic relationship between the property and its setting, which is crucial for the survival of reindeer migrations in the property, has not been well defined and even less protected. Moreover, although there is strong protection within the property for specific purposes, this is mainly for national protection, for which the legal elements (National Parks and Nature Reserves) have been designated, rather than for maintaining or enhancing the property’s OUV. In the setting, the protection relates only to various aspects of the landscape rather than to its support for the OUV of the property. These are fundamental issues that appear to reveal a lack of clarity at local and national level about what the OUV of the ‘Laponian Area’ means and how it should be protected. This weakness was exemplified in the

²¹ p. 18, Document available at <https://beowulfmining.com/wp-content/uploads/2024/09/Kallak-Consultation-Documents-2024.pdf>.

²² ICOMOS evaluation at the time of inscription recommended to the World Heritage Committee that it be inscribed as a cultural landscape. See <https://whc.unesco.org/document/154238>.

way the EIA that supported the Exploitation Concession was undertaken and in the justification for its approval.

It is clear that the reindeer transhumance cannot be protected across the whole wider area of northern Sweden, but there is an obligation to protect it in relation to the OUV of the inscribed property. In order to achieve that protection, **both the key attributes underlying the property's OUV and aspects of its immediate setting that provide essential support for the OUV need to be clearly defined and protected.**

Fundamental changes are required, first and foremost in the protection of the corridors running through the immediate setting of the property and the associated winter grazing lands. As noted above, this does not mean the same level of strict protection as within the property, but targeted protection to allow them to fulfil their functions as part of the reindeer transhumance system, which in the context of the World Heritage property would be tantamount to establishing a buffer zone.

The lack of clarity on attributes and setting, combined with only partial protection of attributes in the property and limited protection of the immediate setting, has, in the Mission's view, led to weakness in decision-making processes, particularly in relation to the immediate setting, in terms of how it supports OUV. This is evident in decisions about which projects are approved and how aspects of the landscape such as forests are managed.

In the Mission's view, the importance of the area in which the Kallak mine is located for the OUV of the property would have become clearer if such an adequate protection system had been in place. It lies within one of the main migration corridors associated with the property. If the mine were to proceed, the crucial link between summer reindeer grazing in the property and winter reindeer grazing in the setting of the property will be severed, resulting in a significant negative impact on overall reindeer migrations. Given the importance of using the transhumance routes within the property and its setting for sustaining OUV and preserving a traditional system not protected elsewhere, this level of impact could push the entire Sámi transhumance process towards unsustainability, threatening the OUV of the property.

It is important to note that the nomination dossier stated that this area was excluded from the property due to the hydroelectric dam on the Lule River. However, this exclusion should have been accompanied by the inclusion of a large buffer zone with sufficient adequate protection measures.

In summary, for the reasons set out above, the Mission considers that the Kallak mine would irreversibly damage the lower part of the Jåhkågasska tjiellde reindeer migration corridor, thereby severely compromising the support that the corridor provides to OUV and threatening the integrity of the property.

The Mission notes that one of the conditions attached to the granting of the exploitation licence is that the mining company must undertake a detailed HIA in order to define mitigation measures to prevent the mine processes from adversely affecting the OUV. However, in the Mission's view, such mitigation measures cannot be defined or achieved given the scale and scope of the mine's potential impact on the Jåhkågasska tjiellde corridor and its disruption of Sámi traditions, which must be considered as already fragile after displacements, large-scale hydroelectric infrastructure and extensive commercial forestry plantations, all of which have contributed to a weakening of these traditions.

ISSUE 2: INFRASTRUCTURE DEVELOPMENT, FORESTRY, AND LAND-USE CHANGES

Prior to and during the Mission, the Mission was made aware of several infrastructure projects both within the property and in its immediate and wider setting.

Plans for Extension of National Grid to Gällivare and Kiruna by Svenska Kraftnät

In its 2024 state of conservation report, the State Party informed the World Heritage Centre of plans to reinforce the transmission Grid between Gällivare and Kiruna (see Figure 7).

The Mission was presented with the outline of the proposed extension between Porjusberget – Naalojärvi and Naalojärvi – Messaure. The line between Porjusberget and Naalojärvi, which is the furthest along in the process, runs largely within the Stubba/Stubbá Nature Reserve, which is part of the World Heritage property. The energy company Svenska Kraftnät submitted a concession application for the Porjusberget – Naalojärvi line to the Swedish Energy Markets Inspectorate on 27 December 2023. The company must also obtain permission from the Land and Environmental Court for any activities or measures that may have a significant impact on the natural environment in a Natura 2000 protected area.

A second line Naalojärvi-Messaure is planned, but the exact location has not yet been decided. The Mission was informed that all the routes under consideration are outside the World Heritage property, the Muddus/Muttos National Park and the Stubba/Stubbá Nature Reserve.

These extensions were presented to the Mission as not being connected to the Kallak mine but rather to the ongoing ‘greening process’ by Malmfälten at Malmberget and Gällivare.

It was understood that such extensions would have to be overland, as there is currently no process to facilitate the undergrounding of these lines. To date, the minimal lines within the property have been sensitively sited in woodland to minimise their impact.

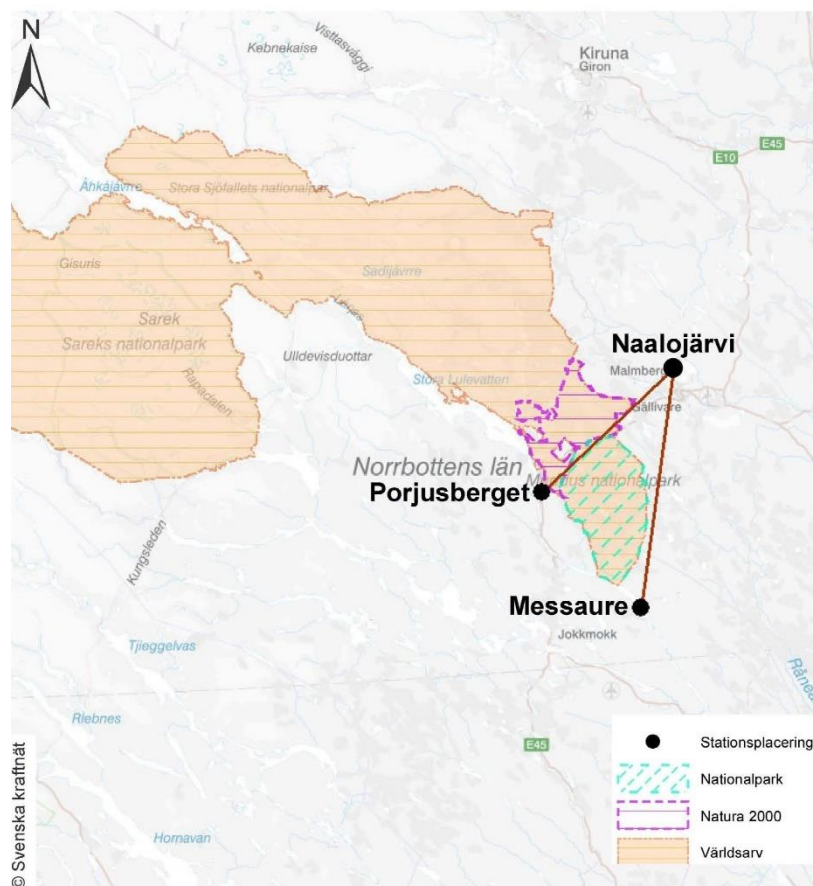
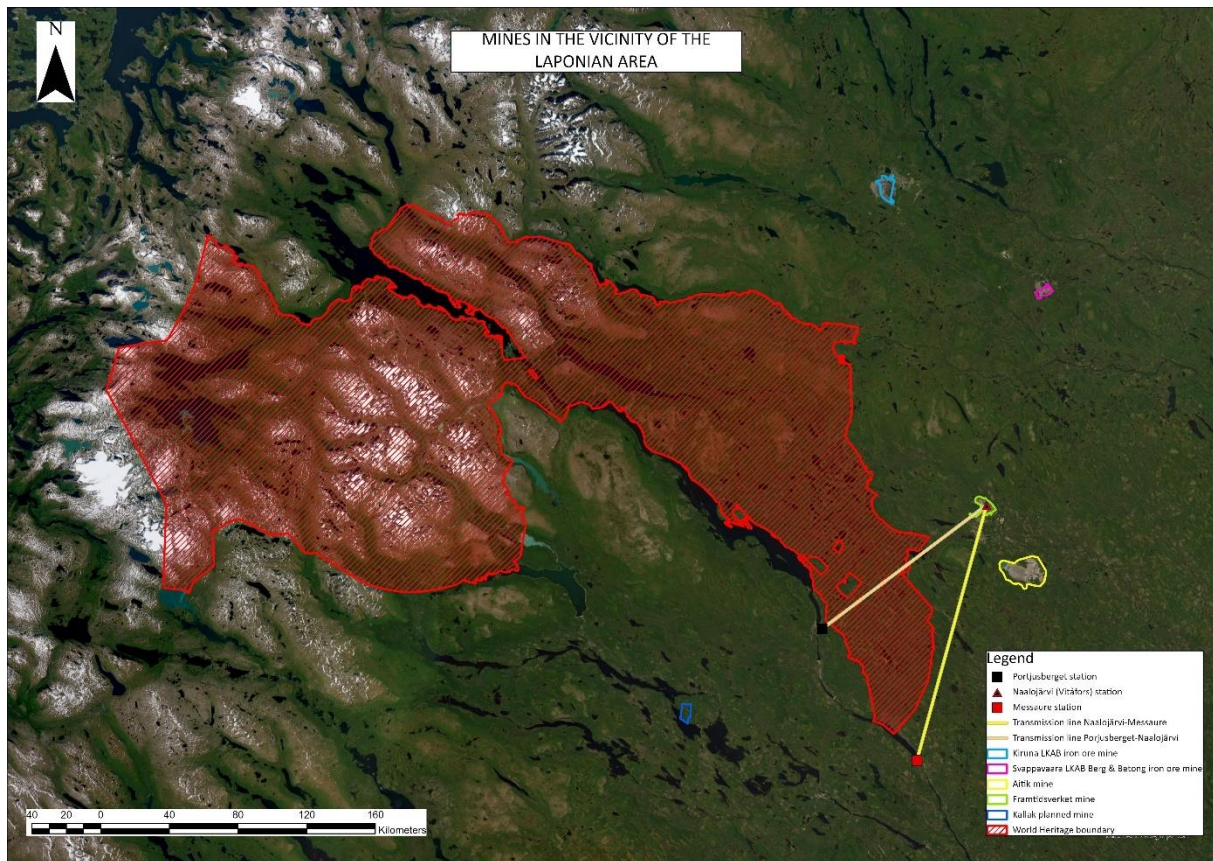


Figure 7: Illustrative not definitive map showing electrical transmission lines supplied by Svenska Kraftnät.



*Figure 8: Mines in the vicinity of the World Heritage property and proposed power lines.
Unofficial map produced by the World Heritage Centre.*

The Mission was informed that a combined Heritage and Environmental Impact Assessment had been carried out for Porjusberget – Naalojärvi. In September 2024, the Swedish National Heritage Board informed the Energy Markets Inspectorate that the proposed powerline could have a moderate negative impact on the World Heritage property, recalling the World Heritage Committee's request (46 COM 7B.45) not to approve any developments that could negatively impact the property. However, it remains unclear to the Mission whether alternatives were seriously considered before the combined HIA/EIA was carried out. In the Mission's view, these should go beyond visual impacts and consider other aspects of OUV, based on a detailed delineation of the attributes of OUV and a delineation of the setting of the property – as outlined above. It should also consider the impact during the construction phase on the landscape and the migration of reindeer and wildlife (large predators). Finally, the potential impact of the proposed development must be considered cumulatively with what already exists.

Laponian Area - Energy related pressures

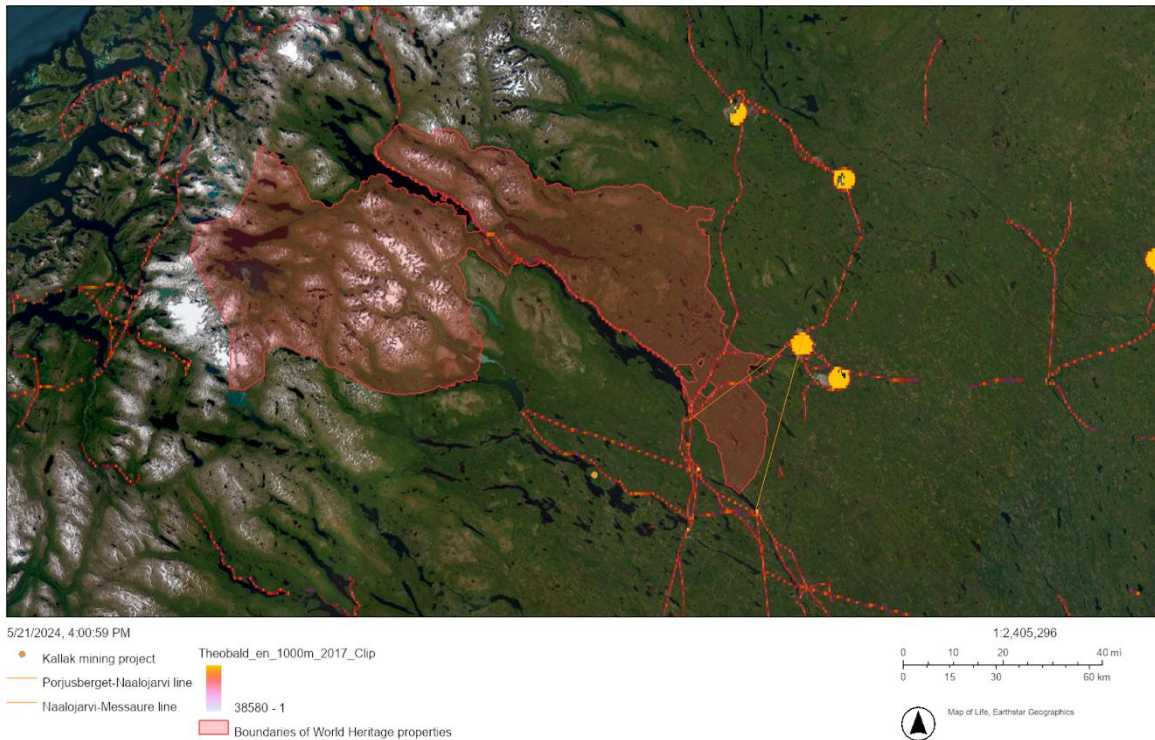


Figure 9: Energy-related pressures in and around the World Heritage property. Unofficial map produced by the UNESCO World Heritage Centre.

Railway and road extension

The proposed reinforcement of the existing railway network, with potential extension (see Figure 10) was understood by the Mission to be in the context of the overall Green Iron Project to develop and process iron ore in the north of the country and to improve connections between Porjus, Gällivare and Kiruna airport.

The preliminary routes presented to the Mission showed one line crossing the property in the south-east and a second line skirting the boundary of the property to the east.

The proposed line through Jokkmokk to the north appears to closely follow the line between summer and winter reindeer pastures, thus cutting across all the corridors present on the property.

The Mission considers that the assessment of impact of any proposed railway extension on both the property and its defined setting should be considered on the basis of a detailed HIA/EIA which in turn should be based on a detailed delineation of the attributes underlying the property's OUV, which include migration corridors, migration routes, grazing ground of national importance. This HIA/EIA should be undertaken at the earliest opportunity, before route line projects are finalised, when alternatives can still be considered.

Clearly, such an assessment would need to include details of the measures needed to facilitate the continuation of adequate migration routes across the route lines. The Mission understands

that progress is being made in the development of reindeer viaducts over roads, which could facilitate the free movement of reindeer²³.

Windmill upgrade

The Mission considers that similar constraints apply to the development of windmills (see Figure 10) in terms of the need for an HIA/EIA at the earliest opportunity and the need to consider cumulative impacts based on a detailed delineation of the attributes of OUV and the setting of the property.

Overall, the Mission is concerned that the setting of the property outside the Nature Reserves is currently not protected for its support of OUV and is seen as an area for development with impact assessments limited to the immediate areas rather than the indirect impacts on the property. In addition, the Mission believes that the impact of all these developments for electricity, railways and windmills needs to be considered on a cumulative basis.

Commercial Forest Activities

Much of the reindeer's winter feeding grounds and migration corridors consist of lichen-rich forests; lichens are the main food source for reindeer in winter. Lichens are very slow-growing organisms that can grow on the ground or on the trunks and branches of trees. In any case, the restoration of destroyed or severely damaged lichen-rich forests is a very slow process that can take several decades and up to a hundred years.

The impact of forestry activities on the OUV of the property was not an issue in the information received prior and during the Mission. However, during travel and visits the potential mining site, the Mission noted that commercial logging (for timber) was taking place in the setting of the property, including clear cutting, and that areas were also being cleared to accommodate mining exploration activities. Such activities also affect migration corridors and winter-feeding areas. Most of the cleared areas have been replanted with young trees; in recent decades, faster-growing exotic species, particularly *Pinus contorta*, have been used, but with apparently low efficiency in restoring lichen-rich forests; this practice seems to have been abandoned in favour of local species. An experimental site with test plots for lichen restoration has been established, but the results are not yet known. However, the Mission has serious doubts about their effectiveness and feasibility on a large scale.

The cumulative effects of large-scale forest exploitation, together with creeping urbanisation and other infrastructure that create obstacles to reindeer migration, must be taken into account when considering the maintenance of traditional reindeer husbandry. Forest management should be included in regional planning documents.

²³ <https://www.positive.news/environment/reindeer-viaducts-the-latest-wildlife-bridges-that-connect-fractured-habitats/>

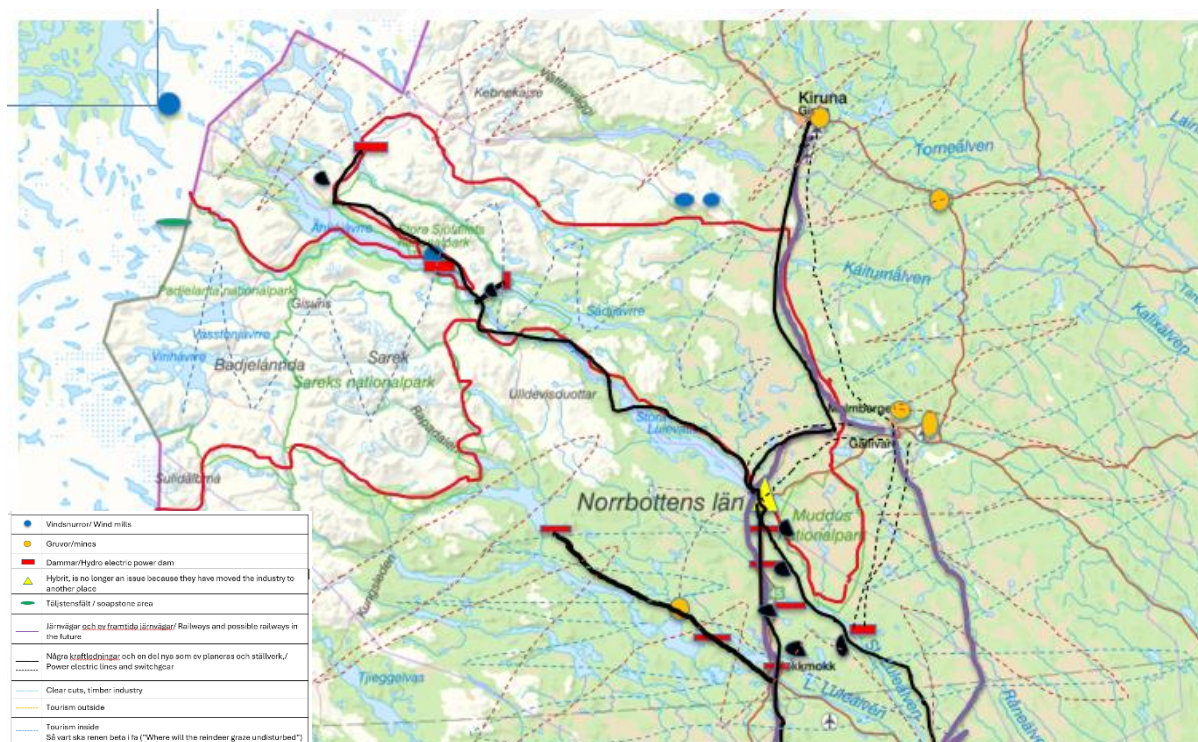


Figure 10: Factors affecting the 'Laponian Area' World Heritage property.
Map provided by Laponiatjuottjodus with legends translated by the authors.

In light of the above, the Mission considers that a detailed plan for the defined setting (or buffer zone) needs to be developed. This should be part of the Management Plan or could be considered separately as part of a Regional Development Plan. Either way, the constraints imposed by the need to protect the setting of the property for the way in which it supports OUV need to be considered and incorporated into all appropriate local, regional and national plans.

ISSUE 3: SÁMI AND REINDEER HERDING

Traditional Sámi practices of reindeer husbandry and the symbiotic relationship between reindeer and ecosystems underpin the OUV. The annual migrations of reindeer have shaped and continue to shape the landscape through their grazing on grasslands and forests. Only the highest parts of the mountains can be considered wilderness.

The process of reindeer herding is a mixture of individual animals' ownership, community respect for defined spaces in relation to migration corridors and hefts shared open mountain pastures.

Sustaining OUV means maintaining the cultural system of reindeer husbandry and the Sámi traditional way of life in general. This is in line with the Reindeer Husbandry Act, which states that reindeer husbandry must be economically, ecologically and culturally sustainable. The key in delivering the sustainability of cultural landscapes such as the 'Laponian Area' is to define what is meant by culturally sustainable, and thus what are the limits of change in the property and its setting, beyond which reindeer husbandry simply becomes unsustainable on a cultural, economic and environmental level.

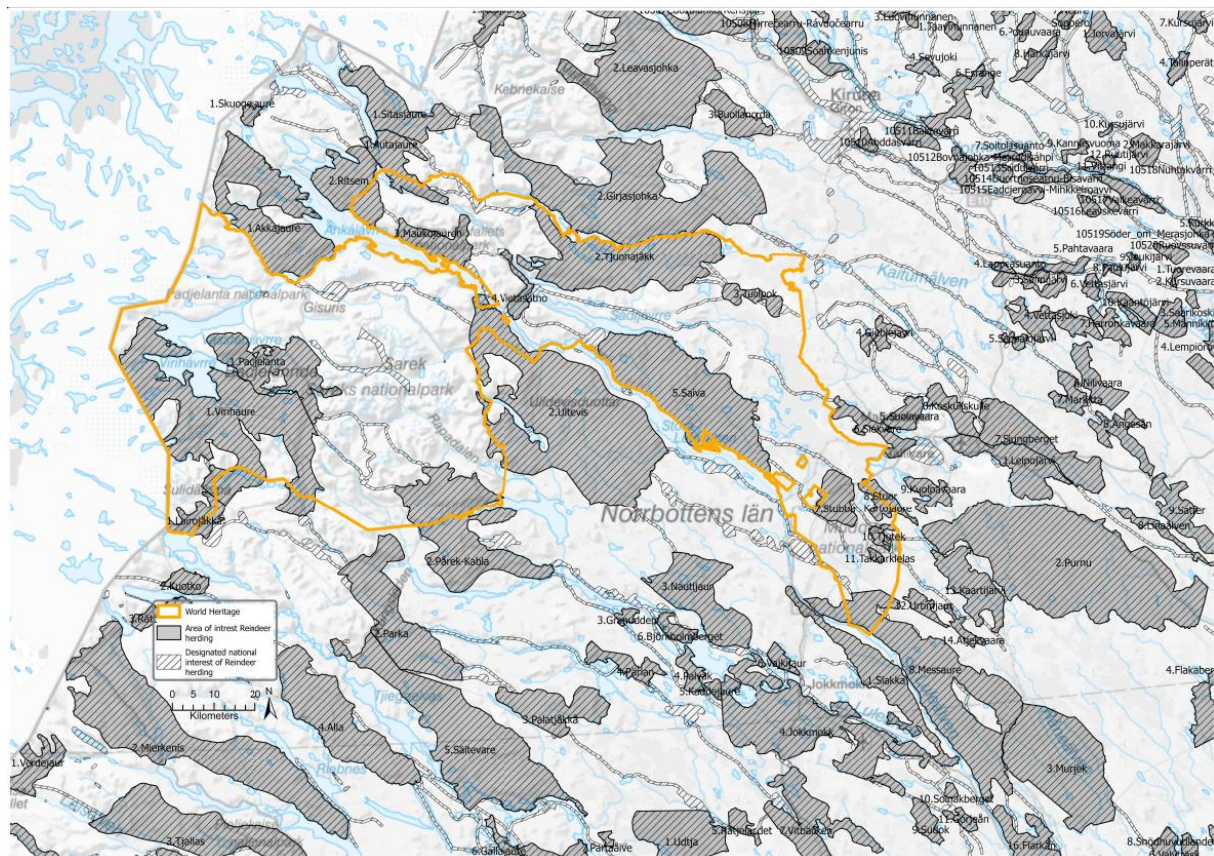


Figure 11: Designated areas of national interest for reindeer herding in and around the World Heritage property.
Map produced by the Sámi Parliament.

The Mission was made aware of a plethora of past encroachments and future projects around the property, including railways, windmills, mines and clear-cut forestry, which have the potential to impact on the setting of the property, both individually and collectively.

As set out above, the property as defined is not self-contained for reindeer husbandry, as it mainly only includes summer pastures and in some areas year-round pastures, but not the migration corridors and winter pastures to the east of Jokkmokk. For the reindeer husbandry to be culturally sustainable in the property, measures must be taken to ensure that the winter pastures are adequately protected – as set out in more detail above – so that they are acknowledged as supporting the property's OUV, even though they are not part of the OUV. This means clearly defining the setting of the property where it relates to essential migration corridors and winter pastures associated with summer pastures within the property and providing these areas with appropriate protection.

A large number of reindeer pastures have been identified as being of national importance, and migration corridors have formal recognition. Both need to be more clearly linked to the property's OUV by being defined as part of its underlying attributes within the property and as supporting OUV in the property's defined immediate setting. Outside the property, nationally defined pastures may also be part of areas defined as being of national importance for mining and the relative importance must be clearly set out.

The Kallak mine has brought this conflict of national interests to the fore. When the decision on the exploitation licence was made, the Minister for Enterprise and Industry's report on the decision stated that the national interest in mining took precedence over the national interest in reindeer husbandry. It was stated that when there are two conflicting national interests, according to the Swedish Environmental Code, 'the Government must decide which national interest is most likely to promote the long-term management of land, water and the physical environment in general. In other words, an assessment has to be made of which land use in

the area should be given priority'. The decision noted that 'Kallak is situated in an area that has not been designated a National Park, Nature Reserve, Natura 2000 site or other national interest aside from reindeer husbandry' and that 'The mining operations are intended to take place in an area typified by modern forestry' (not mentioning that it has already severely affected reindeer husbandry). However, it was noted that 'the mining operations may have an indirect effect on Lapponia in that reindeer husbandry at Kallak/Gállak will be affected.'

The Mission was informed that no permits have ever been refused on the basis of the Reindeer Husbandry Act, only on environmental grounds. Yet, reindeer husbandry is the key cultural value for which Lapponia is recognised as a cultural World Heritage property. If the reindeer migration corridors to Lapponia are obstructed by barriers at Kallak/Gállak, this will also have an indirect effect on reindeer husbandry in Lapponia and thus the OUV of the property. However, the connection between the Kallak mine area and the property, and its potential impact on OUV, was not considered in the context of the international designation relevant to the decision.

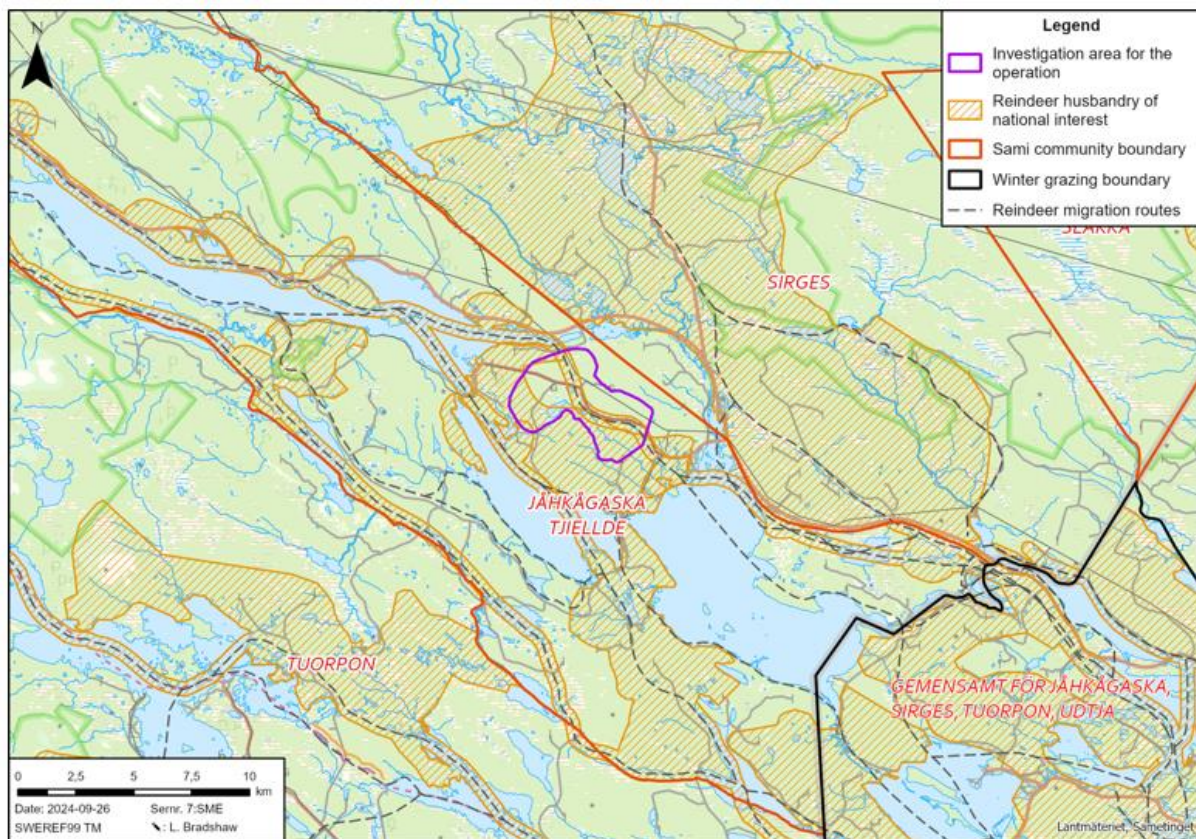


Figure 12: Designated areas of national interest of the reindeer herding in relation to the proposed Kallak mine.
Map prepared by Jokkmokk Iron Mines AB.

The Mission considers that the Kallak mine has highlighted the need for an appraisal of what sustainable development means for the World Heritage property, particularly in terms of its cultural, ecological and economic sustainability, including the timber industry. While the Government supports the development of the Kallak mine as part of its 'Green Transition' towards a more sustainable and environmentally friendly future, this mine is more rather than less resource-intensive and polluting. A just Green Transition should seek solutions that take into account cultural, social and environmental considerations alike. While extraction might be seen to be in line with Sustainable Development Goal (SDG) 11, SDG 11.4 aims to strengthen efforts to protect and safeguard the world's cultural and natural heritage should also be respected.

While the property has a Management Plan, the Mission considers that this should be further supported by a Sustainable Development Strategy aimed at ensuring the sustainability of reindeer transhumance and Sámi culture in the face of the many different pressures and challenges they face, including from climate change. The Strategy would provide a framework for the Management Plan, effectively linking the property to its setting and, overall, for how the World Heritage property should be incorporated into local and national plans as an enabler of sustainable development.

The Operational Guidelines emphasise the need to integrate World Heritage properties with their hinterland, rather than trying to protect them as islands. Paragraphs 104 and 112 set out how effective management 'goes beyond the property to include any buffer zone(s) (which should encompass the immediate setting), as well as the wider setting. The wider setting may relate to the property's topography, natural and built environment, and other elements such as infrastructure, land use patterns, spatial organization, and visual relationships. It may also include related social and cultural practices, economic processes and other intangible dimensions of heritage such as perceptions and associations. Management of the wider setting is related to its role in supporting the Outstanding Universal Value. Its effective management may also contribute to sustainable development, through harnessing the reciprocal benefits for heritage and society.

ISSUE 4: LEGAL PROTECTION, MANAGEMENT AND ATTRIBUTES OF OUTSTANDING UNIVERSAL VALUE

Legal protection

The Statement of Outstanding Universal Value refers to three laws (Environmental Code; Historic Environment Act (1988:950); and Reindeer Husbandry Act) and customary law, about which the Mission received little information, but which mainly relates to grazing areas. However, the SOUV does not specify the order of precedence of these laws or how they collectively or individually contribute to safeguarding the property's OUV.

While the entire property is legally well-protected²⁴, the fact that the legal protection of the World Heritage property is based on the combination of national regulations applicable to different areas within and beyond the boundaries of the property is evident from the very presentation of the Management Plan, which on its cover page mentions the 'Regulations and Maintenance Plans' for the four Nature Parks and two Nature Reserves. A section of the Management Plan (2.1.2) is devoted to the 'Characteristics of National Parks, Nature Reserves and Other Areas', in which each of the designations is described in terms of four parameters: landscape, vegetation, wildlife and use. None of these descriptions, however, establishes the link with Outstanding Universal Value and the attributes that convey it. Overall, there is a lack of clarity about the attributes that need to be protected to maintain the OUV of the property. Without this delineation, it is difficult to understand the physical aspects of the landscape that support the cultural processes that underpin the OUV, to define the immediate setting of the property in relation to its support for OUV and to assess the impacts of projects in a comprehensive and relevant way.

In accordance with the Swedish Environmental Code, the government is empowered to establish a National Park or Nature Reserve with the objective of safeguarding the specific values inherent to the area in question. The legislation does not however stipulate the specific rules or restrictions that should be automatically associated with such a designation. Instead, the intention is that this should be determined on a case-by-case basis for each park or reserve. In light of this case-by-case approach outlined, there is no reason why the level of protection

²⁴ A notable exception is the transport corridor that crosses the property at the common border of Muddus/Muttos National Park and Sjaunja/Sjávnsja Nature Reserve (railway, road, power lines). This corridor could be much more severely impacted by the opening of new mining sites and ore processing.

cannot be homogenised throughout the entire property. In fact, at the time of inscription on the World Heritage List, IUCN noted in its evaluation that there was a need to ensure that the property was managed ‘as an entity, rather than as separate areas’²⁵, something that the current Management Plan, despite a number of merits, has yet to achieve. It is still evident that there is a lack of integration between the different protection regimes, which affects the ability to determine the overall level of protection for the World Heritage property as a whole.

It is worth noting that a mission from the Council of Europe, conducted in 2023 as part of the process to renew the European Diploma for Protected Areas (EDPA) for an additional ten-year period, reached conclusions similar to those of the present Mission in this regard.²⁶

The entire World Heritage property ‘Laponian Area’, with the exception of small parts of the Stubba/Stubbá Nature Reserve, lies within areas of national interest for **nature conservation**. Most of the mountain area and the Muddus/Muttos National Park are of national interest for outdoor activities. Areas of national interest for the **protection of cultural heritage** include Stora Sjöfallet/Stuor Muorkke, Suorvvá, Leaffásáiva, Sáltoluokta, Bietsávrrre, Badjelánndaomrádet, Luleå Silverworks, Stálotuokta, Sijddojávrrre and Lájtávrrre. Chapter 3, § 5 of the Swedish Environmental Code states that areas of national interest for the **reindeer husbandry** industry must be protected as far as possible from measures that could significantly hamper the industry. In Lapponia, there are significant areas of national interest for the reindeer industry. There are also national interests in the area for **infrastructure, commercial fishing and valuable minerals**.

The fact that an area is considered to be of national interest means that it is protected from measures that may cause significant damage to the natural, cultural or open environment (Chapter 3, §6 of the Swedish Environmental Code). In both municipal planning and permit procedures, the various parties involved must try to take all national interests into account, but there is little guidance on how to balance them. The Environmental Code (Chapter 3) provides detailed information on the 11 different types of national interest and stipulates that when there is a conflict between some of them, the best land use is the one that is compatible with sustainable development. According to the Environmental Code, the authority responsible for examining a permit or concession is also tasked with determining which national interest should take precedence in each specific case. However, it remains unclear whether the assessment procedures take cognisance of the obligations to protect OUV.

Indeed, it remains unclear which instruments can provide this protection and how mining interests are weighed against the obligations of the World Heritage Convention. For example, under the Minerals Act, the Swedish Mining Inspectorate is responsible for deciding on applications for mining concessions in areas of national interest, but it is unclear how its decisions relate to other legal constraints and Sweden’s obligations under the World Heritage Convention.

Within the World Heritage property, where designations of ‘national interest’ overlap or even conflict in relation to certain decisions, the Management Plan should establish clear standards of priority based on the justification for World Heritage status, namely the property’s OUV.

In summary, the basis for the legal protection of the ‘Laponian Area’ World Heritage property lies primarily in national legislation designating parts of the property for their natural values as either National Parks or Nature Reserves, although national legislation such as the Environmental Code and the Area Protection Ordinance are relevant to certain species and biotopes within the property, while the Reindeer Husbandry Act protects defined areas important for reindeer grazing in the property and its surroundings. Although the Convention does not in itself provide legal protection for the property at national level, it legally obliges

²⁵ <https://whc.unesco.org/document/154240>

²⁶ The full report is available at <https://rm.coe.int/de06e-2024-report-visit-finland-laponia-14-19-august-2023/1680ae196a> and the list of EDPS recommendations is included in Annex J for ease of reference.

Sweden to provide adequate long-term legislative, regulatory, institutional and/or traditional protection and management to ensure the safeguarding of the property's OUV. It therefore remains unclear under which provisions local and national authorities are obliged to consider impacts on OUV when assessing projects within the property. In the Mission's view, nature conservation, cultural heritage protection, including reindeer husbandry, should be treated as priorities within the World Heritage property and be assessed through OUV-focused HIA and EIA.

The areas of the property's immediate surroundings used for winter grazing, as well as the migration corridors between summer and winter grazing areas, lack comprehensive legal protection for their essential contribution to supporting the property's OUV. While most of these areas are designated of national interest for reindeer herding (see Fig. 11), these designations are not legally binding; rather, they serve as guidelines – a kind of preliminary status – for future decisions that could eventually become legally binding. In their current form, these designations lack the force of law, meaning that while they can inform policy and decision-making, they do not offer the same level of protection as formal legal frameworks. This gap in legal protection means that activities outside the designated boundaries – such as infrastructure development, resource extraction and industrial projects – can potentially disrupt the ecological balance and cultural practices that are vital to the property. Without stronger legal measures to regulate and monitor activities in these peripheral areas, there is an increased risk that the broader ecological and cultural context of the property could be irreversibly affected.

Management

The current management of the property is the result of a long history of intensive work that began in 1996 and ended with an agreement between the County Administrative Board of Norrbotten, the municipalities and the Sámi communities in 2011. It reflects the two main demands of the Sámi communities at the time: that they should be the majority in the steering committee of Laponiatjuottjudus and that the Reindeer Husbandry Act should be fully integrated into the management of the property. Despite limited influence on decisions concerning infrastructure development outside the property, even though this may affect reindeer husbandry, including migration corridors within the property, **the current management of the property by Laponiatjuottjudus is overall good and is to be credited for its state of conservation.** Laponiatjuottjudus is not an authority (the power to impose sanctions lies with the County Administrative Board), but rather an advisory body. Its role is to implement the Management Plan, coordinate the various partners in achieving this goal and work to generate knowledge and information about the property.

The current Management Plan valid for ten years from the date of its adoption by the stakeholders would have expired in 2021. It has since been tacitly renewed, and its update is linked to the evaluation of the Laponiatjuottjudus, whose test period has been extended to June 2026. The Management Plan provided for a mid-term evaluation (within five years) of the National Parks and Nature Reserves Regulations, the management organisation and the Plan itself, which did not take place. As a result, both the management body and its roadmap were renewed without a formal assessment of their effectiveness²⁷, for reasons that were not made clear to the Mission, but it is likely that this situation will lead to more precarious management of the property and the people employed to run it.

A revised Management Plan and management setting, based on an independent evaluation will be essential. Despite being a mixed property, there is no representation of cultural heritage institutions (in particular the Swedish National Heritage Board) in Laponiatjuottjudus or of those

²⁷ The state of conservation report submitted by the State Party on 3 February 2025, in accordance with Decision 46 COM 7B.45, notes that the Swedish Government has since commissioned the Swedish Agency for Public Management to review the existing protection and management measures.

responsible for cultural heritage in the institutions present (the County Administrative Board of Norrbotten is represented by the Nature Environment Unit, although it has separate Units responsible for the cultural environment and reindeer husbandry). The evaluation should lead to recommendations on how to implement the mixed World Heritage category in the governance, management and protection of the property.

The evaluation and update process of the Management Plan should also be used to enable more coordinated management of the various national and international designations within the World Heritage property, particularly those of national interest. In some cases, harmonisation of boundaries would simplify management and facilitate communication with the wider public.

The Management Plan acknowledges that the borders of 'Laponian Area' are artificial from a Sámi point of view. For the members of the Sámi village organisations who use Laponia, the World Heritage property is only part of the area in which they live and on which they depend. **Without the land used by the Sámi villages outside Laponia, there would be no functioning reindeer husbandry in Laponia, and thus no *mixed* World Heritage property.** For the Sámi, therefore, the 'Laponian Area' is only one part of a larger economic and geographical environment that enables them to live and develop. 'Laponian Area' is only part of the municipalities of Gällivare and Jokkmokk, and the development of other parts of the municipalities is linked to the future of the World Heritage area. It is therefore impossible to separate the 'Laponian Area' from the surrounding society, whether at local, regional, national or global level (pp. 20-21).

It follows that the land used by the Sámi adjacent to the 'Laponian Area' is critical to ensure the integrity of the property and is functionally important to support the property and its OUV. It would therefore be important to establish it as a buffer zone following the established procedures for a minor boundary modification as described in paragraph 164 of the *Operational Guidelines*. The process of updating the Management Plan should therefore provide an opportunity to further detail the attributes that underpin the OUV of the property and through which the three 'families of values' presented in the Management Plan are expressed ('the natural environment and its high values', 'the living Sámi culture and reindeer industry' and 'the historical heritage arising from previous usage of the land').

In addition, as outlined above, a Sustainable Development Strategy should be developed to integrate the management of the property and its immediate and wider setting into local and national plans to recognise and maintain important cultural, social and economic links.

Attributes of OUV

In order for the GIS system referenced in the Management Plan (section 4.1.5) but not presented to the Mission to achieve its stated objective of serving as a management tool (and not merely an information tool for visitors), it is essential that it records the attributes that underpin the Outstanding Universal Value of the property, including reindeer migration corridors. The identification of attributes should be followed by a determination of their state of conservation, its evolution since inscription on the World Heritage List and the actors responsible for their conservation – this will serve as a baseline for any impact assessment, including for projects envisaged outside the boundary of the property. To this end, Laponiatjuottjudus could set up a scientific advisory body that would bring together institutions carrying out research on the property and its immediate and wider setting, collect data and make use of research carried out outside the site (for example, on the multi-faceted impacts of existing mining operations on reindeer husbandry). Indeed, today there seems to be a lack of integrated system for measuring the impacts and changes on and within the World Heritage property as a result of the many activities, mainly related to energy production, taking place around it.

Communication

Although a visual identity has been created for the interpretation of the 'Laponia: World Heritage in Swedish Lapland', whether at Naturum, the central visitor centre for Laponia, in Stora Sjöfallet/Stuor Muorkke, or at the Sámi Museum (Ájtte Museum) in Jokkmokk (outside the perimeter of the property), the signage does not necessarily indicate that 'World Heritage' is an international designation. The information presented in both cases is of an excellent standard but focuses on different protected areas. In both cases, the presentation of the natural and cultural values of Laponia is balanced and integrated, with particular emphasis placed on the culture, history and traditions of the Sámi people. At Naturum, an exhibition introduces visitors to the history of the area, the flora and fauna and the life of the Sámi people, but presents the area as a collection of four National Parks without even mentioning the date of inscription on the World Heritage List.

Although the inscription on the World Heritage List was presented by several people interviewed during the Mission and in the Management Plan as a turning point in the management of the area, and even as the origin of the so-called 'Laponia process' that led to the creation of Laponiatjuottjudus, it appears that today, nearly three decades after the inscription, the approach proposed for the interpretation of the property primarily aligns with a national perspective, either in terms of raising awareness of the protection regimes or in terms of restoring the history of the site and its intrinsic link with the Sámi people and their culture. It is therefore recommended that the process of updating the Management Plan should also be an opportunity to reflect on an Interpretation Plan for the World Heritage property, to define how visitors learn about the World Heritage property (as an entity that cannot be reduced to the addition of National Parks) at Naturum and elsewhere.

V. CONCLUSIONS

The Outstanding Universal Value of the World Heritage property 'Laponian Area' remains intact for now. However, the proposed Kallak mining development, which has already been given an Exploitation Concession is a matter of serious concern. The Mission observed that the mining project in the immediate setting of the property would sever a key migration corridor, disrupt traditional reindeer migration routes and devastate winter pastures, thus threatening the resilience of the Sámi reindeer transhumance system, which has already been weakened by other development pressures and the inadequate active involvement of Indigenous Sámi people in decision-making processes.

The Mission concludes that the proposed Kallak mine poses a significant threat to the OUV of the 'Laponian Area', particularly in relation to Sámi reindeer transhumance, as a key cultural attribute underpinning the OUV of the property. The integrity of the property relies on the connectivity between summer grazing lands within the property and winter grazing lands in its immediate setting, facilitated by vital migration corridors, such as the Jåhkågasska tjiellde corridor where the proposed mine is located, which span both the property and its immediate setting. While these corridors are protected within the property boundaries, they remain inadequately safeguarded in the surrounding landscape, undermining the integrity of the overall transhumance system.

As the mine would have irreversible consequences for both the cultural and natural values of the property, the Mission considers that an Environmental Permit for the mine, which would allow extraction to be activated, should not be approved. Until such a decision to refuse a permit has been taken, the property is in potential danger, as it faces a threat that could have a detrimental impact on its inherent characteristics and on its OUV.

The existing legal framework emphasises national protection but falls short of ensuring the preservation of both the OUV and the broader landscape that supports it. The absence of clear definitions for the attributes underlying the OUV, coupled with a lack of a coordinated protection strategy, weakens the decision-making process – as evidenced by the inadequate Environmental Impact Assessment for the mine's Exploitation Concession (i.e. the IDIA) and the lack of any requirement for FPIC of Indigenous Sámi communities in relation to major projects.

Fundamental changes, including targeted protection of migration corridors and winter grazing areas, both within the property and its immediate setting, are essential to safeguard the OUV of the 'Laponian Area', as is the need for more strategic approaches to development and a robust Management Plan firmly based on detailed attributes of OUV.

Large-scale construction, both inside and outside the property, such as hydroelectrical stations, dams and artificial lakes built prior to the property's inscription, has already disrupted reindeer migration corridors. Climate change is further compounding these challenges, particularly by affecting winter grazing conditions and narrowing migration routes. Commercial forestry practices, including large-scale logging and the slow restoration of lichen-rich forests vital to reindeer, further exacerbate these challenges. Addressing all these issues calls for an integrated approach, well embedded in planning tools.

The Mission emphasises the need for a comprehensive Sustainable Development Strategy to address these interrelated challenges in order to ensure the sustainability of the Sámi reindeer transhumance and culture that underpins OUV in the face of a range of pressures and challenges, including climate change. Such a Strategy could inform the integration of the property into its immediate and wider setting and into the economic and social structures of the wider region, in line with the 2015 *Policy on the integration of a sustainable development perspective into the processes of the World Heritage Convention*. It should also provide a framework for the Management Plan and allow the specific needs of the property to be reflected in local and regional plans.

The Mission identified several planned and potential infrastructure projects, beyond those connected to the mine, within and around the World Heritage property, highlighted their potential individual and cumulative impacts on its OUV, particularly on reindeer migration routes, landscape and wildlife migration. These projects include the planned extension of the National Grid and reinforcement of the railway and road systems, all part of broader industrial development in the wider region. Given the vast size of the World Heritage property and the growing pressures from energy production and related infrastructure projects, there is a need for a comprehensive framework to guide future Heritage and Environmental Impact Assessments. A Strategic Environmental Assessment is needed to consider their cumulative effects on the cultural and natural values for which the property was inscribed, such as landscape, reindeer migration, scenic value and wildlife, including during construction. Such an SEA should inform a strategic approach to infrastructure development that respects OUV.

The legal protection of the 'Laponian Area' World Heritage property consists of multiple national laws and designations, which refer to national values and also primarily to natural values, and do not define how OUV is to be protected, particularly at a landscape scale, and do not apply to the immediate setting of the property. This leads to inconsistencies in the safeguarding of the property's OUV and these weaknesses require urgent attention.

In addition, a robust Management Plan for the property that integrates protective measures into local, regional, and national development frameworks is essential to effectively safeguard its OUV. A revised Management Plan must widen the scope of the existing Plan to include the immediate and wider setting of the property; and be firmly based on the attributes of OUV rather than on individual protective designations such as National Parks. It should also provide clarity in linking protection measures to the specific attributes that define OUV and consider the forthcoming establishment of a buffer zone to encompass the property's immediate setting. This is currently lacking, making it difficult to resolve conflicts between competing national interests such as mining, reindeer husbandry and environmental protection. Detailed guidelines are needed to prioritise OUV considerations in decision-making processes and to ensure a coherent approach to the whole property and its defined immediate setting. Strengthening the representation of cultural heritage institutions and Sámi organisations in governance structures is also essential to reflect the mixed World Heritage status of the property. A revised Management Plan also provides an opportunity to develop an Interpretation Plan to help visitors appreciate the 'Laponian Area' as a cohesive World Heritage property of equal cultural and natural value, rather than a collection of separate National Parks and protected areas.

Recommendations of the Mission

Based on this full analysis, the Mission makes the following recommendations:

- 1. The State Party should not grant any further permits for the Kallak mine, including the Environmental Permit that could allow its operation, in view of the potential highly adverse disruptive impacts of the mine, its operations, ancillary structures and infrastructure on reindeer husbandry, which pose a potential threat to the Outstanding Universal Value of the World Heritage property.** The Jåhkågasska tjiellde corridor in the immediate setting of the property provides an essential migration route with grazing grounds for reindeer herds between summer pastures within the property and winter pastures and is a crucial component of the overall reindeer transhumance system within the property that underpins the property's OUV. Threats to the corridor in relation to disruption to migration and grazing areas are therefore threats to the OUV in terms of the integrity of the transhumance social systems for which the property was inscribed as an 'exceptional testimony to the tradition of reindeer herding' and 'one of the last and unquestionably the largest and best preserved examples of an area of transhumance, a practice once widespread in northern Europe'.

2. **The State Party should, in full consultation with the concerned Sámi communities, develop a Sustainable Development Strategy for the property and its immediate and wider setting. The aim should be to better align sustainable development and heritage conservation and management,** recognising the symbiotic relationship between culture and nature as fundamental to the well-being of the communities, while respecting OUV. The Strategy should overlay, rather than replace, the Management Plan and provide a framework for the property and its supporting wider setting to be integrated into local and national plans, and should ensure full compliance with human rights obligations.
3. To address the lack of adequate protection of areas in the immediate setting of the property that support its OUV for their contribution to the transhumance processes in the property, **it is essential to clearly define and protect the property's immediate setting as a designated buffer zone to safeguard areas such as migration corridors and grazing grounds that have a symbiotic relationship with the property, supporting reindeer migration processes.** It is also crucial to thoroughly document the contribution of these areas to the property's OUV. The World Heritage Committee may therefore encourage the State Party to initiate a minor boundary modification procedure, in accordance with Paragraph 164 of the Operational Guidelines, to establish a formal buffer zone.
4. **The State Party should clearly define, through a participatory process, the cultural and natural attributes underlying the property's OUV, both individually and collectively, and embracing both tangible and intangible aspects,** including how the ecology of the landscape reflects reindeer migration processes within and in the vicinity of the property, and ensure these attributes underpin the updated Management Plan and form the basis for any Heritage/Environmental/Strategic Environmental Impact Assessment (HIA/EIA/SEAs).
5. **The State Party should ensure that all developments, including infrastructure projects, are subject to HIA/EIA based on a detailed delineation of the attributes underpinning the property's OUV,** including migration corridors, migratory routes, grazing areas of national importance, and the need to protect those aspects of the immediate setting (or buffer zone) that support OUV. HIA/EIAs should be carried out at the earliest stage, before the siting of developments is determined and when alternatives can still be considered. **HIA/EISs should consider cumulative impacts, taking into account what already exists and other projects that may be forthcoming.**
6. **Given the size of the World Heritage property and the pressures associated with energy production and the many resulting proposed projects, the State Party should undertake a Strategic Environmental Assessment that considers all cultural and natural aspects that contribute to and support the OUV of the property.** And since, according to the legal and organisational arrangements for SEAs in Sweden, the 'public' and the 'authorities concerned' are defined on a case-by-case basis, with each authority/municipality concerned being determined by the specific situation of each plan/programme²⁸, the SEA should involve all stakeholders concerned with the World Heritage property, including the Swedish National Heritage Board.
7. **The State Party should better define the legal protection measures in place for the property in relation to the safeguarding of its OUV, outlining how national laws, regulations as well as customary law align with international obligations under the Convention and international human rights standards.**

²⁸ Application and effectiveness of the SEA Directive (Directive 2001/42/ec) in Sweden, available at <https://circabc.europa.eu/ui/group/3b48eff1-b955-423f-9086-0d85ad1c5879/library/879f1afe-9261-4353-afb3-7c97319db6cc/details?download=true>. It is noted that Sweden has chosen, in principle, not to go further than is strictly required in the EU Directive. However, SEAs may be required for Municipal energy plans, Management plans for national parks and natural and cultural reservations and Designations as being of national interest.

8. **The State Party should promptly initiate the updating of the Management Plan, with a focus on ensuring a better integration of the legal protection regimes and international designations. It should also aim for a more precise definition of the attributes that support the property's OUV, which should underpin the primary objectives of the Management Plan.** The updating process should be used as an opportunity to evaluate the management body (*Laponiatjuttjudus*) in order to improve governance. This includes:
- a. A more balanced distribution of responsibilities between the Swedish National Heritage Board and the Swedish Environmental Protection Agency reflecting the mixed nature of the World Heritage property,
 - b. Improved coordination, informed by the best available data, by expanding the scope of ongoing research to include both traditional and scientific knowledge, possibly through a scientific advisory body, and
 - c. Considering the transition from its provisional to its permanent status, recognising that it has operated in a provisional capacity for over a decade.
9. **The State Party should improve communication and interpretation of its World Heritage status by promoting a thorough shared understanding of not only its OUV but also its national and local value, both at the property and in its awareness, outreach and evaluation materials.**

VI. ANNEXES

ANNEX A TERMS OF REFERENCE

Joint World Heritage Centre/ICOMOS/IUCN Reactive Monitoring Mission
Laponian Area, Sweden

27-31 May 2024 (excluding travel)

The Laponian Area World Heritage property was inscribed on the World Heritage List in 1996 under criteria (iii), (v), (vii), (viii) and (ix), and the retrospective Statement of Outstanding Universal Value (SOUV) was adopted by the Committee in 2016 (Decision 40 COM 8E).

In November 2020, the Government of Sweden proposed an exploitation concession for the Kallak (Gállak) mine development project, located southwest of the World Heritage property at Jokkmokk. In May 2021, the In-Depth Impact Assessment (IDIA) commissioned by Beowulf Mining underwent a technical review by ICOMOS and IUCN and was found to be inadequate in assessing the project's impacts on all attributes underlying the Outstanding Universal Value (OUV) of the property, which is dependent on reindeer herding cultural practices that are important for the integrity and authenticity of the property, as well as the attributes that underpin criteria (iii) and (v). The UNESCO World Heritage Centre requested that a revised and expanded impact assessment be submitted before any mining exploitation be approved. The exploitation concession was granted in March 2022, before a new impact assessment had been prepared to address the issues raised.

The World Heritage Centre encouraged cooperation between the State Party and the mining company, adherence to World Heritage procedures and the use of updated impact assessment methodologies. In addition, the UN Special Rapporteurs on indigenous peoples and on human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment denounced the potential impact of the mine on traditional Sámi practices and lands and stressed the importance of recognising indigenous values in decision-making processes for sites such as the Laponian Area. Further details of the context are outlined in Decision 45 COM 7B.32.

In its [Decision 45 COM 7B.32](#) (Riyadh, 2023), the World Heritage Committee requested (Annex I):

[...] 'the State Party to invite a joint World Heritage Centre/ICOMOS/IUCN Reactive Monitoring mission to the property to ascertain the present condition of the property, the nature and extent of the threats to the property, to provide guidance on the IDIA revision process including the efficacy of the criteria defined for the evaluation of potential impacts of the proposed mining and ancillary activities, and to propose measures to facilitate the conservation of attributes which support the OUV of the property' [...]

In response to the concerns expressed by the World Heritage Committee, on 19 October 2023 the State Party of Sweden invited, the UNESCO World Heritage Centre and Advisory Bodies to conduct a Reactive Monitoring mission to the property.

In line with Decision **45 COM 7B.32**, the mission shall address the following:

1. Ascertain details of the approved exploitation concession for the proposed Kallak mining development in the setting of the property, and consider in detail its impact on the OUV of the property, in relation to the practice of reindeer husbandry within and in the immediate and wider setting of the property, and, in relation to the Committee's concerns, on the rights of the indigenous Sámi people;
2. Review the proposed process for the revision of the IDIA, which is required by the concession conditions prior to the application for a mining permit, and assess whether the process will adequately address the potential impacts of the mine (and ancillary

activities) on the OUV of the property in accordance with the Guidance and Toolkit for Impact Assessments in a World Heritage Context;

3. Review whether the definition of the attributes of the OUV, and the definition of how the immediate and wider setting of the property supports the OUV in relation to traditional reindeer herding practices has been adequately defined as a basis for the IDIA process;
4. Evaluate the overall state of conservation of the property, including the current management system and protection of the property and its wider setting, and the nature and extent of other existing and potential threats to its OUV, in particular existing and proposed electrical transmission lines within the property;
5. Assess any other relevant conservation issues that may have the potential to impact the OUV of the property, including the conditions of integrity, protection and management;
6. Propose any necessary measures to facilitate the protection and conservation of attributes which support the OUV of the property;

The State Party is requested to facilitate field visits to key sites within the property and in its immediate and wider setting, and necessary consultations with all relevant stakeholders and rightsholders, including government authorities at the national and local levels, the property management authorities, relevant scientists and scientific institutions, NGOs, local communities, and particularly representatives of the indigenous Sámi people.

In order to facilitate the preparation of the mission, the State Party, in cooperation with the World Heritage Centre, ICOMOS and IUCN, should prepare a detailed mission programme, including locations to be visited and a list of persons and institutions to be consulted, which should be submitted in draft form to the World Heritage Centre for review as soon as possible, and no later than two weeks before the start of the mission.

The mission will also take into account the report on the state of conservation of the property submitted by the State Party on 30 January 2024. In order to facilitate the preparation of the mission, the State Party is requested to provide all relevant documentation requested by the World Heritage Centre and the Advisory Bodies as soon as possible, and no later than three weeks prior to the mission. Should the need for additional information be identified during the mission, this should be provided by the State Party no later than two weeks after the completion of the mission.

The mission will prepare a concise report of findings and recommendations as soon as possible after the completion of the site visit, using the standard report format (Annex II). Following the transmission of the final report to the State Party, the competent authorities will have one month to raise any factual errors before publication on the UNESCO World Heritage Centre's website.

In view of the timing of the mission in relation to the 46th session of the World Heritage Committee to be held New Delhi, India, from 21 to 31 July 2024, the results of the mission shall be reported to the Committee at its 47th session, with the understanding that the report on the state of conservation to the 46th session, in accordance with Decision 45 COM 7B.32, will not be informed by the findings of the mission.

The mission will not engage with the media and its recommendations will be presented in the final mission report, which will be provided in the mission report and not during the course of the mission.

ANNEX B COMPOSITION OF THE MISSION TEAM

Susan Denyer, World Heritage Adviser, ICOMOS International.

Pierre Galland, IUCN Expert.

Berta de Sancristóbal, Head of Europe and North America Unit, UNESCO World Heritage Centre.

ANNEX C MISSION PROGRAMME AS IMPLEMENTED

Reactive Monitoring Mission to Laponian Area World Heritage property
26-31 May 2024

FINAL PROGRAMME

Sunday 26 May

Travel from Paris/Stockholm to Luleå

Gathering of delegation in Luleå at Clarion Hotel

UNESCO delegation and hosts (Elene Negussie, Focal point for World Heritage, Swedish National Heritage Board, Mattias Schönbeck, Acting Head of Landscape division, Swedish National Heritage Board, Olof Ekström, Legal advisor, Swedish Environmental Protection Agency)

Monday 27 May

08.15-10.45: Travel from Luleå to Jokkmokk (2.5 hrs inkl. marginal)

11.00-12.00: Meeting Jokkmokk Iron Mines AB, **Ed Bowie** Chief Executive Officer and **Dmytro Siergieiev** Project Manager

12.00-12.55: Lunch in Jokkmokk at Ájtte Museum

13.00-14.15: Travel by bus/car

14.15-16.00: Site visit to Laponia (Gállok/Kallak): Meeting with **Jan-Erik Länta**, Former Chairman Jåhkågasska village. (3 hrs travel)

19.00-20.30: Arrival at naturum Laponia at Stuer Muorkke/ Stora Sjöfallet: welcome by **Åsa Nordin**, Site Manager Laponiatjuottjudus followed by dinner

20.30: Check in at accommodation nearby (staff accommodation Laponiatjuottjudus and Fiskflyg)

Tuesday 28 May

07.30-08.30: Breakfast at naturum Laponia

08.30-09.00: Factors affecting Laponia, presentation by **Åsa Nordin**, Site Manager Laponiatjuottjudus

9.00-09.45: Significance of Sámi culture: presentation of exhibition at naturum Laponia, **Åsa Nordin** Site Manager Laponiatjuottjudus

09.45-10.00: Coffee

10.00-11.00: Interview Sirges Sámi village (**Mats-Peter Åstot**, reindeer keeper)

11.00-12.00: Interview Tuorpon Sámi village (**Per Jonas Parffa**, Chair)

12.00-13.00: Lunch

~~13.00-14.00: Interview Jåhkågasska tjiellde Sámi village, Jan-Erik Länta, Former Chairman~~

14.00-15.00: Interview with **Anders Forsgren** [and Ed Bowie], specialist/consultant Jokkmokk Iron Mines AB

15.00-15.30: Coffee

15.45-19.00: Outdoor activity and site visit

19.00-20.00: Dinner

Wednesday 29 May

07.30-08.30: Breakfast at naturum Laponia

08.30-09.30: Spare time

9.30-10.30: Online meeting: Swedish Energy Transmission, **Caroline Lundgren**, project manager

10.00-11.00: Interview: Randijaur local community, **Tor Tuorda**, resident

11.00-12.00: The Swedish Society for Nature Conservation, **Guilhem Moulin** and **Annsofi Lehman**

12.00-13.00: Lunch at naturum Laponia

13.00-14.00: Jokkmokk municipality (**Henrik Blind**, Councillor and Deputy Mayor/Chair of Executive Committee **Lars Eriksson**, Chief Executive Officer)

14.00-15.00: Spare time

16.00-19.00: Helicopter tour for overview of area (1-2 h)

19.00-20.00: Dinner

Thursday 30 May

07.30-08.30: Breakfast at naturum Laponia

09.00: Departure from naturum Laponia to Luleå (4-5 hr travel) lunch in Jokkmokk (2 hrs to Jokkmokk)

11.00-12.30: Meeting with **Eva Sundin**, Head of Environment and **Erik Graneröth**, Head of Nature Environment, Norrbotten County Administrative

12.30-13.30: Lunch in Jokkmokk, Ájtte Museum

13.30-16.00: Travel to Luleå Airport

17.30-18.50: Flight from Luleå to Stockholm, taxi to hotel

20.00: Arrival hotel

Friday 31 May

Venue: Wegraeus

09.00-09.45: Rest/spare time

09.45-10.45: Interview **Jenny Wik Karlsson** (Head of operations/legal advisor) Sámi Association in Sweden

10.45-11.45: Meeting with Svemin (industry association of mines, mineral and metal producers) - **Maria Sunér**, CEO and mining company, **Johan Röstin**, Executive Chairman Beowulf Mining plc and **Ed Bowie**, Chief Executive Officer Jokkmokk Iron Mines AB.

12.00-13.00: Lunch

13.00-15.45: Meeting at Swedish National Heritage Board

13.00-13.15: Introduction and background to the Reactive Monitoring Mission

- **Elene Negussie** Swedish National Heritage Board, National Focal Point World Heritage
- **Berta de Sancristóbal**, Head, Europe and North America Unit, UNESCO World Heritage Centre, **Susan Denyer**, Expert ICOMOS and **Pierre Galland**, Expert IUCN

13.15-14.00: Role of national authorities in relation to World Heritage and the conditions for mining concession

- Swedish National Heritage Board (Riksantikvarieämbetet), **Susanne Thedéen**, Acting Director General Swedish National Heritage Board
- Swedish Environmental Protection Agency (Naturvårdsverket), **Björn Risinger, Director-General**
- Mining Inspectorate of Sweden (Bergsstaten), **Helena Kjellson**, Chief Mining Inspector
- Sámi Parliament (Sametinget), **Stefan Mikaelsson, Board member** and **Eli Larsdotter, planner**
- Swedish National Commission for UNESCO (Svenska Unescorådet), **Karin Stenson, Acting Secretary-General**

14.00-14.45: Legal perspectives on the process ahead (interpretation of concession conditions, environmental permit and judicial review)

- **Nils Åberg**, legal advisor Swedish National Heritage Board
- **Olof Ekström**, legal advisor Swedish Environmental Agency

14.45-15.00: Coffee

15.00-15.45: Discussion, questions closing remarks

(15.45-17.00: Closed working session of the mission team)

ANNEX D LIST OF PEOPLE MET

State Party participants throughout the Mission included:

1. Susanne Thedéen, Acting Director General, Swedish National Heritage Board (Riksantikvarieämbetet)
2. Elene Negussie, Focal point for World Heritage, Swedish National Heritage Board (Riksantikvarieämbetet)
3. Mattias Schönbeck, Acting Head of Landscape division, Swedish National Heritage Board (Riksantikvarieämbetet)
4. Nils Åberg, Legal Advisor, Swedish National Heritage Board, (Riksantikvarieämbetet)
5. Olof Ekström, Legal Advisor, Swedish Environmental Protection Agency (Naturvårdsverket)
6. Karin Stenson, Acting Secretary-General, Swedish National Commission for UNESCO (Svenska Unescorådet)
7. Åsa Nordin, Site Manager, Laponiatjuottjudus
8. Caroline Lundgren, Project Manager, Swedish Energy Transmission (Svenska Kraftnät)
9. Guilhem Moulin, Swedish Society for Nature Conservation (Naturskyddsföreningen Jokkmokk)
10. Annsofi Lehman, Swedish Society for Nature Conservation (Naturskyddsföreningen Jokkmokk)
11. Björn Risinger, Director-General, Swedish Environmental Protection Agency (Naturvårdsverket)
12. Helena Kjellson, Chief Mining Inspector, Mining Inspectorate of Sweden (Bergsstaten)
13. Eva Sundin, Head of Environment, Norrbotten County Administrative (Länsstyrelsen i Norrbottens län)
14. Erik Graneröth, Head of Nature Environment, Norrbotten County Administrative (Länsstyrelsen i Norrbottens län)
15. Henrik Blind, Councillor and Deputy Mayor/Chair Executive Committee, Jokkmokk Municipality (Jokkmokks kommun)
16. Lars Eriksson, Chief Executive Officer, Jokkmokk Municipality (Jokkmokks kommun)

Indigenous Peoples organisations and civil society representatives included:

1. Stefan Mikaelsson, Board member, Sámi Parliament (Sametinget)
2. Eli Larsdotter, Planner, Sámi Parliament (Sametinget)
3. Jenny Wik Karlsson, Head of Operations/Legal Advisor, Sámi Association in Sweden
4. Jan-Erik Länta, Former Chairman, Jåhkågasska Sámi village
5. Mats-Peter Åstot, Reindeer keeper, Sirges Sámi village
6. Per Jonas Parffa, Chair, Tuorpon Sámi village
7. Tor Tuorda, Resident, Randijaur Sámi village
8. Dag Avango, Professor at the Luleå University of Technology and member of ICOMOS Sweden

Representatives of the Mining Companies included:

1. Ed Bowie, Chief Executive Officer, Jokkmokk Iron Mines AB
2. Dmytro Siergieiev, Project Manager, Jokkmokk Iron Mines AB
3. Anders Forsgren, Specialist/Consultant, Jokkmokk Iron Mines AB
4. Maria Sunér, CEO, Svemin
5. Johan Röstin, Executive Chairman, Beowulf Mining plc.

List of organizations involved in the 'Laponian Area' World Heritage property:

National Authorities

The Sámi Parliament (*Sametinget*)

Mining Inspectorate of Sweden (*Bergsstaten*)

Swedish Environmental Protection Agency (*Naturvårdsverket*)

Swedish National Heritage Board (*Riksantikvarieämbetet*)

Swedish Commission for UNESCO (*Svenska Unescorådet*)

Regional and local authorities

County Administrative Board (*Länsstyrelsen i Norrbottens län*)

Jokkmokk Local Authority (*Jokkmokks kommun*)

Site management body

Laponiatjuottjudus

Sámi villages and local community

Sirges Sámi village

Tuorpon Sámi village

Jåhkågasska tjiellde Sámi village

Randijaur local community

Associations

Sámi Association in Sweden (*Samernas Riksförbund*)

The Swedish Society for Nature Conservation (*Naturskyddsföreningen Jokkmokk*)

Mining company and association

Jokkmokk Iron Mines AB

Svemin (industry association of mines, mineral and metal producers)

University Sector

Luleå University of Technology (*Luleå Tekniska Universitet*)

ANNEX E DOCUMENTS PROVIDED

Submitted before the Mission:

Laponia Management Plan 2014: Regulations and Maintenance Plan for the National Parks

State Party state of conservation report for the Laponian Area (2024)

State Party state of conservation report for the Laponian Area (2022)

Map of the Laponian Area World Heritage property

Information about the decision on an exploitation concession for Kallak K no 1

File Note on Kallak prepared by Kurt Budge, CEO

Summary on planned extensions of the national grids between Gällivare and Kiruna and to Naalojärvi-Messaure

Brief description of national authorities with a role in World Heritage and the exploitation concession for mining at Gállok/Kallak, as well as Site Management Body for the Laponian Area

Research

Beland Lindahl K. et al. (2023) "Factors affecting local attitudes to mineral exploration: What's within the company's control?" In: Resources Policy 84: 103715.

Beland Lindahl K. et al. (2024) "To Approve or not to Approve? A Comparative Analysis of State Company-Indigenous Community Interactions in Mining in Canada and Sweden". In: Environmental Management. <https://doi.org/10.1007/s00267-024-01949-7>

Beland Lindahl K. et al. (2023) "Competing pathways to sustainability? Exploring conflicts over mine establishments in the Swedish mountain region". In: Journal of Environmental Management, Vol. 218, pp. 402-415.

MacPhail F., Beland Lindahl, K and Bowles, P. (2022) "Why do Mines Fail to Obtain a Social License to Operate?: Insights from the Proposed Kallak Iron Mine (Sweden) and the Prosperity/ New Prosperity Gold-Copper Mine (Canada)". In: Environmental Management, <https://doi.org/10.1007/s00267-021-01587-3>

Zachrisson A. and Beland Lindahl, K. (2019) "Political opportunity and mobilization: The evolution of a Swedish mining sceptical movement". In: Resources Policy, Vol. 64, 101477

Submitted after the Mission:

Presentations including maps on the Kallak project and Heritage Impact Assessment by Jokkmokk Iron Mines AB

Consultation document for the Environmental permit for the Kallak or Gállok Iron Ore Project

Diverse maps of the Laponian Area and the Kallak project by Jokkmokk Iron Mines with Swedish and English legends

Presentation by the Swedish Mining Inspectorate

Presentation on planned extensions of the national grids between Gällivare and Kiruna and to Naalojärvi-Messaure

Information from the Swedish Environmental Protection Agency about difference between natural park and reserve when it comes to prohibition of power lines

Additional information on protected areas and within the Laponia Area

Maps by the Swedish Environmental Protection Agency indicating areas designated for protection within and beyond the World Heritage property

Presentation by the legal advisors to the Swedish National Heritage Board and the Swedish Environmental Protection Agency

Presentation on factors affecting the property

Presentation on the management of the property

Map produced by the Sámi Parliament indicating areas of national interest for reindeer husbandry

A document which describes the areas outlined on the above map (in Swedish)

Maps for each Jåhkågaska Tjiellde, Sirges, and Tuorpon Sámi villages including the areas for reindeer grazing, seasonal grazing, national interest and strategic areas

Document with translation of the legends of the above maps

Map of the Sámi villages

Brochure on the Sámi with general information

ANNEX F LEGAL FRAMEWORK AND MANAGEMENT

Sámi Parliament Act (1992:1433)

<https://www.sametinget.se/9865>

The Reindeer Husbandry Act (1971:437)

<https://www.pileosapmi.com/wp-content/uploads/2017/11/reindeer-husbandry-act-english.pdf>

Historic Environment Act (1988:950) (Heritage Conservation Act / Act concerning Ancient Monuments and Finds)

https://www.raa.se/app/uploads/2017/08/se_ordincehertgeconservat1998_engtno.pdf

The Swedish Environmental Code (1998:808)

<https://www.government.se/contentassets/be5e4d4ebdb4499f8d6365720ae68724/the-swedish-environmental-code-ds-200061/>

The Building and Planning Act (2010:900)

<https://www.boverket.se/en/start/building-in-sweden/swedish-market/laws-and-regulations/national-regulations/pbl-pbf/>

National Parks Ordinance (1987:938)

https://www.riksdagen.se/sv/dokument-och-lagar/dokument/svensk-forfattningssamling/nationalparksforordning-1987938_sfs-1987-938/

Area Protection Ordinance (1998:1252)

<https://www.naturvardsverket.se/en/topics/protected-areas/different-types-of-nature-conservation/nature-reserve>

The Instrument of Government

<https://www.riksdagen.se/globalassets/05.-sa-fungerar-riksdagen/demokrati/the-instrument-of-government-2023-eng.pdf>

Mining Act (1991:45)

<https://www.sgu.se/en/mining-inspectorate/legislation/>

Minerals Act (2018:742)

<https://www.riksdagen.se/>

Mineral Strategy

https://single-market-economy.ec.europa.eu/sectors/raw-materials/eip/raw-materials-commitment/swedens-minerals-strategy_en

Laponia Management Plan: Regulations and Maintenance Plan for the National Parks

https://laponia.nu/wp-content/uploads/2014/08/Laponia-forvaltningsplan-eng-web-150327_2.pdf

Species Protection Ordinance (2007:845)

Electricity Act (1997:857)

Electricity Certificate Act (2011:1200)

Regulations and Guidelines for World Heritage Sites

ANNEX G CONDITIONS OF THE EXPLOITATION CONCESSION²⁹

- 1 As regards precautions, protective measures and compensatory measures, the company must use the land in accordance with what is specified in the application, including annexes and supplements, as well as the other commitments made by the company in this matter, in addition to that which is specified in the decision.
- 2 Construction work resulting from use of the concession must be done during periods when it has the least possible negative impact on ongoing reindeer husbandry in the surrounding areas.
- 3 The concession area must use as little land as possible. As far as possible, impact on reindeer migration routes must be avoided. When using the concession, the company must otherwise ensure the least possible negative impact when migration routes and grazing areas adjacent to the concession are in use.
- 4 When using the concession, the additional costs to the Jåhkågasska Tjiellde reindeer herding community resulting from impacts on their ability to use reindeer migration routes and grazing areas must be reimbursed. Compensation will be determined and any disputes concerning compensation examined based on the provisions of the Minerals Act.
- 5 If, despite the measures to enable reindeer migration, the Jåhkågasska Tjiellde reindeer herding community needs to use a lorry to transport their reindeer past the concession area, the company must pay for such transport.
- 6 The company must set up protective fences, dykes or other installations to minimise the risk of accidents involving reindeer in the concession area. The installations must be designed to allow safe crossings for reindeer through or past the concession area.
- 7 Each year, the company must prepare a report of the consequences that use of the concession has for reindeer husbandry and present this to the Chief Mining Inspector, the Sami Parliament and the Norrbotten County Administrative Board.
- 8 The company must regularly consult with the Jåhkågasska Tjiellde, Sirges and Tuorpon reindeer herding communities in order to assess the need for measures and resources to ensure compliance with conditions 1–7, and to otherwise prevent disruptions to reindeer husbandry. Such consultations must be conducted with a view of reaching agreement with the Sami reindeer herding communities and must be documented. The company must present an annual report of the consultations conducted to the Sami Parliament, the Norrbotten County Administrative Board and the Chief Mining Inspector. Following the consultations, the Chief Mining Inspector must determine whether there is any need to change the conditions under Chapter 6, Section 4 of the Minerals Act.
- 9 When using the concession, the company must engage in dialogue with the Swedish National Heritage Board and the Swedish Environmental Protection Agency to ensure that necessary account is taken of Lapponia's status as a World Heritage Site.
- 10 When operations have been completed, the company must ensure that the concession area is restored so that the land can again be used for reindeer husbandry. A post-treatment plan must be drawn up in consultation with the relevant reindeer herding communities at an early stage of the mining operations and updated regularly.

²⁹ Information about the decision on an exploitation concession for Kallak K no 1, Official document from the Government of Sweden available in English at <https://www.government.se/contentassets/869eca46e00d456998085324289a0159/minister-for-business-industry-and-innovation-karl-petter-thorwaldsson-all-content-2021-2022.pdf>.

- 11 The company must deposit a financial guarantee of SEK 1 000 000 with the Chief Mining Inspector. The guarantee must be deposited no later than when notifying commencement of mining operations under Section 57 of the Minerals Ordinance (1992:285).
- 12 Should the applicant intend to use the concession to apply for a permit under the Swedish Environmental Code for mining activities in the concession area, this application must include an in-depth impact assessment carried out in accordance with the principles of the IUCN World Heritage Advice Note on Environmental Assessment, and that has previously been sent to the World Heritage Centre of the United Nations Educational, Scientific and Cultural Organisation.

ANNEX H RELEVANT WORLD HERITAGE COMMITTEE DECISIONS

Decision 46 COM 7B.45

Laponian Area (Sweden) (C/N 774)

The World Heritage Committee,

1. Having examined Document WHC/24/46.COM/7B.Add.4,
2. Recalling Decision **CONF 201 VIII.B** adopted at its 20th session (Merida, 1996), by which the Committee recommended that the Swedish authorities continue to work with local Sámi people, Decision **37 COM 7 (Part III)** adopted at its 37th session (Phnom Penh, 2013), which urges all States Parties and leading industry stakeholders to respect the International Council on Mining and Metals “No-go” commitment by not permitting extractive activities within World Heritage properties and by making every effort to ensure that extractive companies located in their territory cause no damage to World Heritage properties, in accordance with Article 6 of the Convention, and Decision **45 COM 7B.32**, adopted at its extended 45th session (Riyadh, 2023),
3. Takes note that the World Heritage Centre/ICOMOS/IUCN Reactive Monitoring mission to the property was undertaken in May 2024, and that its conclusions and recommendations will be presented to the Committee at its 47th session;
4. Reiterates its concern that the State Party has granted an exploitation concession for the proposed Kallak mining development in the vicinity of the property which, if implemented, could impact on the Outstanding Universal Value (OUV) of the property, which is dependent on the wider cultural practices of reindeer husbandry that are important to the integrity and authenticity of the property and the attributes that underpin criteria (iii) and (v);
5. Expresses its concern that the Kallak mining concession may gain legal force now that the Supreme Administrative Court has dismissed an appeal by the Swedish Society for Nature Conservation and the Sámi village of Jåhkågasska against the approval of the concession;
6. Notes that a further Environmental Permit would be required under the Swedish Environmental Code for any mining operations to proceed, and that the concession stipulates that the proponent must complete an impact assessment in accordance with the Guidance and Toolkit for Impact Assessments in a World Heritage Context, and that various conditions must be met in relation to indigenous Sámi communities and reindeer herding practices recognised as part of the OUV of the property;
7. Reiterates its request to the State Party to ensure that a revised impact assessment of the potential impacts of the proposed Kallak mine on the OUV of the property is completed in accordance with the Guidance and Toolkit for Impact Assessments in a World Heritage Context, specifically addressing the Statement of OUV of the property and its supporting attributes, and to submit the assessment to the World Heritage Centre for review by the Advisory Bodies prior to making any decision that would be difficult to reverse, including in relation to the Environmental Permit that would be required for the mining operation to proceed;
8. Invites the State Party to submit the terms of reference for the revised Impact Assessment to the World Heritage Centre for review by the Advisory Bodies;
9. Takes note of the State Party’s position that it is addressing the concerns raised by the UN Special Rapporteurs on the rights of Indigenous Peoples and the UN Special Rapporteur on the human right to a clean, healthy and sustainable environment regarding the free, prior and informed consent (FPIC) of the Sámi indigenous peoples as part of the conditions for the proposed Kallak mining concession, and that the Reactive Monitoring mission will provide further recommendations on this matter, and reiterates its request to the State Party to ensure that any further consideration of

mining permits guarantees the FPIC of the Sámi indigenous peoples, in accordance with international norms and standards, including the Convention;

10. Expresses concern about the planned extensions of the national grids to Gällivare and Kiruna and to Naalojärvi-Messaure, one of which passes through the Stubba Nature Reserve within the World Heritage property, and which could impact the OUV of the property, as well as the new hydrogen manufacture and the upgrading of a windmill, which might affect the OUV of the property in particular its visual integrity, and requests the State Party to provide project documentation and associated impact assessments to the World Heritage Centre for review by the Advisory Bodies;
11. Requests the State Party to ensure that there is an effective means in place for the full and complete consideration of the cumulative impacts of multiple developments on the OUV of the property, to not permit individual projects on a case-by-case basis, if the cumulative impacts on OUV have the potential to be unacceptable, and to take timely action in response to the recommendations of the 2024 Reactive Monitoring mission in this regard;
12. Reiterates the importance of assessing the potential impacts of any proposed development within the property or in its immediate or wider setting that may impact on its OUV, through an impact assessment conducted in accordance with the Guidance and Toolkit for Impact Assessments in a World Heritage Context, in line with Paragraph 118bis of the Operational Guidelines, before making any decision that would be difficult to reverse;
13. Urges the State Party not to approve any permits or licences related to the Kallak mining concession or any other proposed development with potential negative impacts on the OUV of the property, until the recommendations of the May 2024 Reactive Monitoring mission have been considered by the Committee at its 47th session;
14. Finally requests the State Party to submit to the World Heritage Centre, by **1 February 2025**, an updated report on the state of conservation of the property and the implementation of the above and in response to the recommendations of the mission report, for examination by the Committee at its 47th session.

Decision 45 COM 7B.32

Laponian Area (Sweden) (C/N 774)

The World Heritage Committee,

1. Having examined Document WHC/23/45.COM/7B,
2. Recalling Decision **CONF 201 VIII.B** adopted at its 20th session (Merida, 1996) by which the Committee “recommended that the Swedish authorities continue to work with local Sámi people”, and Decision **37 COM 7** (Part III) adopted at its 37th session (Phnom Penh, 2013) which urges all States Parties and leading industry stakeholders to respect the International Council on Mining and Metals “No-go” commitment by not permitting extractive activities within World Heritage properties and by making every effort to ensure that extractive companies located in their territory cause no damage to World Heritage properties, in line with Article 6 of the Convention
3. Expresses its utmost concern that the State Party approved an exploitation concession for the proposed Kallak mining development in the vicinity of the property, which could potentially impact on the Outstanding Universal Value (OUV) of the property which is dependent on wider cultural practices of reindeer husbandry that are important to the integrity and authenticity of the property, and the attributes that underpin criteria (iii) and (v);

4. Notes the concerns raised by the UN Special Rapporteur on the rights of indigenous peoples and the UN Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment on the failure to obtain the free, prior and informed consent of the Sámi for this project and the threats to the rights of the Sámi as indigenous people and to the protection of their environmental and cultural heritage rights, and urges the State Party to:
 - a) Ensure that the practice of reindeer husbandry outside the boundaries of the property and directly related to reindeer husbandry within the property is adequately protected,
 - b) Ensure that any further consideration of the proposed Kallak mining development guarantees the free, prior and informed consent of the Sámi indigenous people, consistent with international legal obligations, including under the Convention;
5. Considers that the 2017 In-depth Impact Assessment (IDIA) commissioned by the mining company, which underpins the approval of the exploitation concession issued by the State Party in March 2022, does not adequately assess the potential impacts of the proposed project on the OUV of the property, and deeply regrets that the exploitation concession was granted before the assessment was revised to address the issues raised in the 2021 joint ICOMOS/IUCN Technical Review of the IDIA;
6. Notes the requirement in the concession conditions to revise the IDIA prior to an application for a mining operation in the concession area, and requests the State Party to ensure that a revised integrated IDIA is completed to assess the potential impacts on the OUV of the property in line with the Guidance and Toolkit for Impact Assessments in a World Heritage Context, specifically addressing the Statement of OUV for the property and the attributes which support it, and to submit the assessment to the World Heritage Centre for review by the Advisory Bodies prior to taking any decision regarding the potential issuing of a permit for a mining operation;
7. Further requests the State Party to invite a joint World Heritage Centre/ICOMOS/IUCN Reactive Monitoring mission to the property to ascertain the present condition of the property, the nature and extent of the threats to the property, to provide guidance on the IDIA revision process including the efficacy of the criteria defined for the evaluation of potential impacts of the proposed mining and ancillary activities, and to propose measures to facilitate the conservation of attributes which support the OUV of the property;
8. Finally requests the State Party to submit to the UNESCO World Heritage Centre, by **1 February 2024**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 46th session.

Decision 37 COM 7

Emerging trends and general issues

The World Heritage Committee,

1. Having examined Documents WHC-13/37.COM/7A, WHC-13/37.COM/7A.Add, WHC-13/37.COM/7A.Add.2, WHC-13/37.COM/7B, WHC-13/37.COM/7B.Add and WHC-13/37.COM/7B.Add.Corr,

2. Expresses its utmost concern about the many conflicts which are affecting World Heritage properties and in particular the recent cases where World Heritage properties are intentionally destroyed by parties involved in the conflict, and the people in charge of their protection targeted;
3. Takes note of the efforts of the World Heritage Centre and partners to try to minimize the impacts of conflicts on the properties by raising the awareness of the parties concerned and mobilizing financial support for their conservation, and appreciates the United Nations Security Council resolution 2100 of 25 April 2013 to ensure that, for the first time, the protection of cultural and historical sites, in collaboration with UNESCO, has been included in the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA);
4. Launches an appeal to UNESCO and to the Parties to The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), seeks their support for Mali and their cultural and technical cooperation, in particular for establishing property inventories and also requests the implementation of conservation measures for cultural properties threatened by armed conflict in other countries;

II

5. Also expresses its utmost concern about the impacts on World Heritage properties due to the rising poaching pressure on African elephants and rhinoceros linked to a growing illicit trade to Asia, fuelled by soaring prices for rhino horn and ivory and the increasing involvement organized crime in this lucrative business;
6. Welcomes the measures taken by the 16th Conference of the Parties of the Convention on International Trade in Endangered Species (CITES) to help address this poaching crisis and requests the World Heritage Centre and IUCN to strengthen its cooperation with the CITES Secretariat to assist States Parties to implement these measures;

III

7. Also welcomes the relevant conclusions of the “Living with World Heritage in Africa” Conference held in Gauteng, South Africa (26-29 September 2012), which build on the recommendations of the independent review of the “No-go” commitment of the International Council on Mining and Metals (ICMM) concerning mining exploration/exploitation in World Heritage properties, noted in Decision **36 COM 7C**;
8. Notes with concern the growing impact of the extractive industries on World Heritage properties, and urges all States Parties to the Convention and leading industry stakeholders, to respect the “No-go” commitment by not permitting extractives activities within World Heritage properties, and by making every effort to ensure that extractives companies located in their territory cause no damage to World Heritage properties, in line with Article 6 of the Convention;
9. Also requests the World Heritage Centre and the Advisory Bodies to continue a dialogue with the extractive industries on extending the commitment made by Shell and the International Council on Mining and Metals (ICMM) to not explore or develop oil, gas and mineral resources within World Heritage properties to other companies and parts of the industry, and also to ensure that existing and future operations in areas surrounding World Heritage properties are compatible with the protection of their Outstanding Universal Value and do not threaten their integrity;

IV

10. Takes note that guidance on impact assessments is now available from the Advisory Bodies for both natural and cultural properties, and that more detailed joint guidelines are needed to provide a comprehensive overview of how the results of these

assessments can be successfully integrated into decision-making processes for land-use planning;

V

11. Thanks the State Party of the Netherlands, and the European Union for their support for the publication of the Managing Natural Heritage Resource Manual in printed versions and encourages other States Parties to the Convention to support translation and dissemination of this resource manual in a range of regional languages.

Decision 20 COM VIII.B

Inscription: The Laponian Area (Sweden)

The Laponian Area

774

Sweden

C (iii) (v) N (i) (ii) (iii)

The Committee decided to inscribe the nominated property on the basis of natural criteria (i), (ii) and (iii) and cultural criteria (iii) and (v). The Committee considered that the site is of outstanding universal value as it contains examples of ongoing geological, biological and ecological processes, a great variety of natural phenomena of exceptional beauty and significant biological diversity including a population of brown bear and alpine flora. It was noted that the site meets all conditions of integrity. The site has been occupied continuously by the Saami people since prehistoric times, is one of the last and unquestionably largest and best preserved examples of an area of transhumance, involving summer grazing by large reindeer herds, a practice that was widespread at one time and which dates back to an early stage in human economic and social development.

The Committee underlined the importance of the interaction between people and the natural environment. Furthermore, it recommended that the Swedish authorities continue to work with local Saami people, extend the inventories on species, consolidate the management plan for this site and would welcome the consideration of a transboundary site with Norway.

The name of the property has been changed to “**The Laponian Area**”.

ANNEX I LIST OF RECOMMENDATIONS OF THE EUROPEAN DIPLOMA FOR PROTECTED AREAS³⁰

1. Merge the 2 EDPA sites into a larger one, including the whole territory of the World Heritage property Laponian area.
2. Set up a coordinating mechanism considering all the national and international designation (EDPA, WH, Ramsar, Natura 2000, National parks and reserves). Organize a joint international workshop including UNESCO and the CoE as appropriate.
3. Finalize and adopt the new Laponia management plan and take a rapid decision regarding the future management, with extension without time limit of the special government regulation about the management organization of Laponiatjuttjudus.
4. Continue and possibly intensify the research on the impact of climate change on food availability, reindeer herding and predators' populations, and accordingly regulate the grazing intensity as appropriate.
5. Continue the predators' inventories and use the results in order to help conserve the exceptional predator populations Monitor illegal hunting and increase the number of field staff for this purpose accordingly. Take appropriate measures to stop the declining of Eurasian lynx population.
6. Reconsider the compensations paid for reindeer losses caused by large carnivores; increase them according to inflation rate as stated in the reindeer herding law.
7. Encourage research on the use of helicopters and drones and their impact on reindeers and wildlife, and accordingly bring restrictions, if necessary. Reconsider the frequency of the use of 6 and 4-wheel drive ATVs.
8. Continue the visitors' survey and consider possible emergence of new tourism activities such as paragliding, base jumping, ice climbing and heli-skiing. Explore ways of improving public transportation service to the 3 National Parks to decrease the carbon footprints of visitors
9. Continue to build up a centralized database for the whole area, or at least ensure an easy access to the different databases.
10. Pay a special attention and bring restrictions as appropriate to the construction of technological /energy projects outside of the protected areas that may have a negative impact on the reindeer herding system and the fauna including birds (planned mining, existing hydro power plant, housing, wind turbines, etc.).
11. Promote the EDPA in the information material and in particular in the Naturum exhibition and Ajtte Sami culture Museum in Jokkmokk. Improve communication for visitors to deter tourists from camping at reindeer herding sites and to disturb grazing reindeer herds.

³⁰ The full 2023 report is available at <https://rm.coe.int/de06e-2024-report-visit-finland-laponia-14-19-august-2023/1680ae196a>.

ANNEX J LIST OF ACRONYMS AND GLOSSARY

Acronyms

CAB: County Administrative Board (of Norrbotten)
EDPA: European Diploma for Protected Areas
EIA: Environmental Impact Assessment
FPIC: Free, Prior and Informed Consent
GIS: Geographic Information System
HIA: Heritage Impact Assessment
ICCM: International Council on Mining and Metals
ICOMOS: International Council on Monuments and Sites
IDIA: In-Depth Impact Assessment
IUCN: International Union for Conservation of Nature
JIMAB: Jokkmokk Iron Mines AB
OHCHR: United Nations Office of the High Commissioner for Human Rights
OUV: Outstanding Universal Value
Reindeer Husbandry Plans (renbruksplan): RBP
Sustainable Development Goal: SDG
SEPA: Swedish Environmental Protection Agency
SGU: Geological Survey of Sweden
SNHB: Swedish National Heritage Board
SOC: State of Conservation report
SOUV: Statement of Outstanding Universal Value

Terminology

Sámi³¹: The Indigenous Peoples of the northern Scandinavian Peninsula and large parts of the Kola Peninsula and they live in Sweden, Norway, Finland and Russian Federation. The Sámi community is the broader collective of Sámi individuals and families who share cultural, linguistic, and traditional ties across Sápmi.

Sápmi: The name given by the Sámi to their traditional territory. It is the traditional homeland and territory where the Sámi have preserved their language, traditions, and reindeer-herding practices.

Sameby: A Sámi reindeer-herding community/family recognised under Swedish law that manages grazing rights and land use for reindeer herding within a designated area.

Sámi Parliament: The Sámi people are represented by three Sámi parliaments, one in Sweden, one in Norway and one in Finland. In this report, the term refers to the formal

³¹ The correct spelling of Sámi, using the diacritical mark, is in line with the official orthography of the Indigenous Sámi people. However, when referring to decision of the World Heritage Committee or other adopted texts where an alternative spelling (e.g., Sami or Saami) is used, the original spelling as it appears in these documents is retained in order to maintain accuracy and consistency with the cited sources.

government representative body for the Sámi people in Sweden, which is tasked with safeguarding Sámi rights, promoting their culture and acting as a government advisory agency.

Laponian Area/Laponia: The area included within the boundaries of the World Heritage property.

Exploration Permit: An Exploration Permit allows grants permission to survey, assess, and evaluate the presence, quantity, and quality of resources in a specified area, possibly including geological surveys, sampling, drilling, or seismic testing, without extraction rights.

Exploitation Concession: An Exploitation Concession allows the actual commercial extraction and use of the resources found after the exploration phase. With an exploitation permit, companies can mine, drill, or pump resources and sell them, usually on a long-term basis and under regulatory terms and conditions. A Concession may include additional rights, such as land use, infrastructure development, and even exclusive control over a resource within a specific area. However additional permits, such as an Environmental Permit under the Environmental Code and, where applicable, a land lease or building permit, are required for the actual start of mining operations.

Environmental Permit: An environmental permit is a key regulatory tool to protect the environment while balancing economic and industrial development. It is often required in addition to other permits, such as Exploration Permits or Exploitation Concessions, particularly for mining, industrial, agricultural, or large-scale development projects.