Rethinking the relationship between humans and nature in law: An Indigenous Peoples' perspective

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1. Introduction

In today's rapidly changing world, marked by climate and ecological crises, it is crucial to interrogate, as human species, our most basic notions of nature underpinning our relationship with the natural world reflected in our laws. Recognising how such notions rooted in our laws have traditionally guided our relationship with non-human nature and shaped our assumptions of our role vis-à-vis nature can help to understand the inability of the mainstream (Western) legal system to meaningfully contribute to tackle the climate and ecological crises. In doing so, it is important to acknowledge the historical context amply framed within colonialism, in which the prevalent legal system has been erected and matured in a way to reflect an anthropocentric approach of nature. An anthropocentric legal approach entails a "prevailing ethic, upon which the law is based, [which] is human-based (or anthropocentric), and … has directly contributed to the environmental crisis" (Taylor, 1998: 4). While the anthropocentric legal system is not the only factor contributing to the interlinked climate and ecological crises, law has a central role in shaping collective notions of nature and defining the boundaries of human behaviour towards the non-human natural world. As Grear points out (2015: 225), "[law] is often accused of being resolutely 'anthropocentric', of rotating, as it were, around an anthropos (human/man) for whom all other life systems exist as objects."

It falls beyond the scope of this article to discuss whether international law should be less anthropocentric or more ecocentric, or making a historical recount of the effects of colonialism in the development of anthropocentric notions of nature reflected in contemporary law, contributing thereby to environmental depletion (see, for e.g., Kotzé, 2019; Grear, 2017). Instead, this article seeks to reflect on foundational anthropocentric notions of nature imposed in colonised lands, which are present in the (Western) legal system and its interpretation, including in the context of 'green' transitional measures to address the climate and ecological crises. This article focuses on

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the anthropocentric notions of land embraced in the colonial context, which reverberate until today in the Arctic and elsewhere, inter alia, through law and its interpretation, including in courtrooms. With the help of a case study, concerning a litigation between Sámi Indigenous Peoples, Norwegian state authorities and companies regarding the use of lands, this article seeks to investigate how anthropocentric approaches to nature manifest, for example, in the implementation of measures aimed to transit into a 'green' sustainable future, and how the judiciary interprets and balances opposite views on land in this context. First, this article will discuss the anthropocentric relational approach between humans and nature and its emanation through law in the colonial context; and, in the next section, how Indigenous and Western opposing views on nature have been manifested in the Arctic environment. Finally, this article will examine how such opposing views and priorities pertaining the use of land have been interpreted and balanced by Norwegian courts in the renowned Fosen case; and provide concluding remarks at the end.

2. On anthropocentrism and the colonial legacy

The dominant anthropocentric notion on nature reflected in the relational approach between humans and nature has largely been linked to the Anthropocene – "a new geological era [which] is still "under review", [where humans have been] the physical force that, like asteroids and volcanoes before, abruptly redirected the context for life's evolution" (Crutzen & Stoermer, 2000: 1). Anthropocentrism has been given several definitions (Mylius, 2018), such as "human chauvinism" (Routley, 1973: 207), and characterised as "attitudes, values or practices which give exclusive or preferential concern to human interests at the expense of the interests or well-being of other species or the environment" (Hayward, 1997:50). This set of manifestations of anthropocentrism reflected in the relationship between humans and nature – where these two are not considered part of each of other but separated – has amply been infused across the world through Western thought.[1] Through this way of seeing the world, the environment and non-human beings are framed by a colonial legacy that is reflected, among other things, in Western(ised) law. With a central role in shaping individual and collective behaviour, mainstream law represents humans as separated from an externalised natural world and with innate authority over it[2] and, consequentially, as natural holders of hierarchical power to exploit nature. Grear (2015: 227) notes that "such hierarchies implicate a systemically privileged juridical 'human' subject whose persistence subtends – to a significant and continuing extent – the neoliberal global juridical order as a whole, and that these hierarchical commitments also significantly undermine the ability of the international legal order to respond to climate crisis…". Such exaltation of the human (subject) over nature (object), reflected in the prevailing neoliberal legal system, legitimises an exploitative approach to nature with catastrophic effects on the planet as a whole. This has been manifested in the global climate and ecological crises. In doing so, one (Western) anthropocentric view supresses "other" (Adelman, 2015) understandings of the natural world and their relationships with land.[3]

This anthropocentric relational approach to nature was thus projected to 'discovered' lands with the colonial enterprise, thereby neglecting distinct approaches to the natural world in colonised lands, such as those cultivated by Indigenous Peoples and is still present in contemporary law. As Merry points out (1991:890):

> Colonialism is an instance of a more general phenomenon of domination. Events that happened in the past, such as those in the period of colonial conquest and control, can provide insights into processes of domination and resistance in the

> present … Colonialism typically involved the large-scale transfer of laws and legal institutions from one society to another, each of which had its own distinct sociocultural organization and legal culture.

Such was the case of Indigenous Peoples, who while not necessarily share a unique approach to nature and had different colonial experiences and implications – for which, attempting to discern a pan-Indigenous approach to nature or colonial experience would be misleading – some commonalities in the human relationship with their lands are distinguishable. For example, in describing an Andean Indigenous approach to nature, Villalba (2013: 1431) notes that: "Indigenous world-views invoke a more cosmo-centric and/or eco-centric view that includes all forms of life, as opposed to the Western anthropocentric view … viewing the world as a machine, or nature as a series of resources to be exploited". Certainly, while a more intimate and respectful relationship with the land is core to Indigenous Peoples' understanding of nature, for colonisers, looking for 'new' lands for expansion, land had a different meaning. Colonisers saw the land as an object of appropriation over which to exercise ownership and authority for exploitation as a source of wealth. This is a central point where the colonisers and Indigenous' views of land collide (Payva Almonte, 2023).

The prevalence of one understanding of nature over the other was facilitated, among other things, by law. As Adelman (2015:14) argues: "Colonialism manifested itself primarily in physical violence and dispossession, but was also characterized by projects designed to colonise the minds of the 'natives' through the salvation of Christianity and the rule of law". As a result, Indigenous Peoples' relational approach to nature became peripheral or inexistent in colonial laws, reflecting a diametrically different relationship with land.[4] This does not imply to suggest homogeneity of diverse Indigenous Peoples' relationship with their lands disrupted through colonial law, but pointing out to the common clash of Indigenous and colonisers' views on the relational approach between humans and nature, and the dominance of one view over the other. Indeed, on one hand, the centrality of nature is present in diverse Indigenous Peoples' ontologies reflecting a close relationality with diverse components of the natural world. For instance, as Watson illustrates (2022: 355), "[the] natural world is referred to as 'mother' and features of the land are often known as places of the grandfather or grandmother. Arising from relationships to land are obligations to care for the country as one would care for oneself". On the other hand, the coloniser's understanding of the natural world is "one which is largely predicated upon an individualised connection to land as property and commodity".

Such colonial approaches to nature persist today and are echoed in contemporary law, which endorses the rapacious exploitation and depletion of nature (or 'natural resources') in the name of a Western idea of (economic) development at all cost as an ultimate goal of every society. As Stone (1972: 463) said in his renowned article *Should Trees Have Standing*, "[natural] objects have traditionally been regarded by the common law, and even by all but the most recent legislation, as objects for man to conquer and master and use". Changing this path requires rethinking our deepest notions of nature reflected in our (human) relational approach towards the natural world, which implies reconceptualising anthropocentric notions of nature inherited and expanded through colonialism and reflected in the legal system. This does not mean to deny our ineludible anthropocentric view of the world, but recognising ourselves as human nature and integral part of

the natural world, which we cohabit along with other non-human natural beings as worth of respect, care and protection as humans. In this respect, Grey (199: 466) aptly contends that:

> We should certainly abandon a crude conception of human needs which equates them (roughly) with the sort of needs which are satisfied by extravagant resource use. But the problem with so-called 'shallow' views lies not in their anthropocentrism, but rather with the fact that they are characteristically short-term, sectional, and self-regarding. A suitably enriched and enlightened anthropocentrism provides the wherewithal for a satisfactory ethic of obligation and concern for the nonhuman world.

Interrogating traditional economic growth-oriented approaches to nature reflected in our legal, policy and institutional frameworks, including those aimed to tackle the climate and ecological crises, should be a good start to 'enlighten' our anthropocentrism. In such a way, it incorporates an ecological awareness that corrects the exploitative approach to nature at its core. The next section will discuss how the discussed anthropocentric approach to nature has been manifested though the colonial Arctic experience.

3. Colliding approaches to nature in the Arctic

The Arctic is not an exception to the traditional exploitative anthropocentric approach to nature that expanded with colonialism. The region has experienced colonial incursions that continue leaving a harmful footprint on the environment and its Indigenous Peoples. As Csonka (2022: 23) recounts:

> Colonization had an impact on the ways of life of indigenous peoples that still reverberates today. These Peoples were affected by contact with incomers at different times, different rhythms, and in different ways… The exploitation of non-renewable resources of the North, such as mining, oil, and gas, and construction of hydroelectric dams increased, generally with little regard for environmental consequences or impacts on Indigenous societies…

Such impacts are present in the Arctic environment. These affect the ability of Arctic (Indigenous) Peoples to carry out their lifestyles that are closely connected with nature, and preserve their ancestral livelihoods and culture – thereby impinging their human rights. This has also been exacerbated by the effects of climate change in the fragile Arctic environment. Scientific studies have established that global warming is greater (IPCC, 2018) and "nearly four times faster in the Arctic than in the rest of the globe" (Rantanen et al., 2022). The consequences of maintaining an anthropocentric approach to the natural world, whereby nature continuous to be seen as a "storage bin of 'natural resources' or 'raw materials'" (Bookchin, 2018: 21) at the service of human beings, are particularly serious in Arctic ecosystems, given the accelerating rate of global warming there. These impacts of climate change impinge Indigenous Peoples' ancestral livelihoods and culture strongly integrated within the Arctic landscape. For instance, for Sámi Indigenous Peoples, the connection with the land is everywhere: "Language, humans and livelihoods are tied together: livelihood helps preserve culture but both are dependent on the land and its well-being" (Inari Siida Museum, 2023). Connected to this accelerating rate in the region are the decrease of snow cover, thawing permafrost and rapidly melting sea ice, which in turn are increasing accessibility to some regions of the Arctic and their resources (minerals such as, cobalt, lithium, nickel)[5] that are

necessary to cover the demands of development for the 'green' transition.[6] As a result, the interest of Arctic and non-Arctic states, as well as extractive industries in the region – notably, from China (Koivurova, 2020) – has grown in the last years, which will likely put under additional threat Arctic ecosystems and its inhabitants.

Development strategies that are considered necessary for a 'green' and sustainable transition into a carbon neutral economy often maintain an utilitarian understanding of nature, where this exists to satisfy human needs oriented to (unlimited) economic growth, which justifies the continuous exploitation of natural world and dispossession. Sustainability discourses thus risk reinforcing the depletion of nature in the name of development, and its (mis)understanding as an object for humanity's appropriation and exploitation. In a planet confronted with climate and ecological crises, it is thus unclear how the exploitation of natural 'resources' in the Arctic could be done in a sustainable way. On one side, there is the view that achieving development goals *through* 'sustainable' use of natural resources is unviable. As Finger (2022: 344) clearly points out:

> Resources extraction is overall predatory in nature; that is, it is not sustainable in itself and it does not sustain local communities and their economies. This will not be different in the Arctic… [The] very nature of the extractive Arctic industries will not allow for sustainable development of the Arctic and its communities. In other words, the sustainable development of the Arctic thanks to resources extraction is illusionary.

On the other hand, there is the view that energy transition is only possible through further extractivism and that, for example, we must "look underground for the solutions to our challenges" (Frederiksen, 2023).[7] There are certainly competing notions of sustainability and what exactly entails sustainable incursions in the Arctic. A 'green' transition from fossil fuels into an economy based on renewable sources of energy will have multifaceted implications. In any scenario (Indigenous or not), sustainability can only be achieved when the social and ecological implications of development projects have been thoroughly observed equality and in the context of all actors involved. As Bennett et al argue (2019: 11), "sustainability transformations cannot be considered a success without social justice… The road to environmental sustainability can be pursued in an inclusive or exclusionary manner and increase or decrease distributional justice".

All in all, the continuous clash between states' authorities and Indigenous Peoples' views on the use of lands embeds fundamental discrepancies in the understanding of the relationship between humans and nature – where the state has a privileged position at the centre of decision-making power and those directly affected by development projects are at the periphery – is what might continue determining the future of the Arctic. The following section presents an illustrative case concerning a legal dispute on land use, involving Sámi Peoples, Norway state authorities and companies, which was filed before Norwegian national courts in the context of climate change and the 'green' shift.

4. The Fosen Case: the clash of world views

As part of an energy development project to build four windfarms in the Trøndelag County, the government of Norway, through the Norwegian Water Resources and Energy Directorate office, issued licenses for the development of renewable energy infrastructure in 2010. This involved the

construction of the Roan and Storheia windfarms, and two power lines from Namsos, through Roan to Storheia, involving consent for expropriation of land rights.[8] Once the licenses were granted to companies[9] and the projects were completed, the operations started between 2019 and 2020, becoming the largest windfarms in Norway, "and the largest onshore wind power project in Europe" (Fosen, para.136). Roan started in 2019, with nearly 25 square kilometres and 71 turbines and, subsequently, Storheia, started in 2020, with nearly 38 kilometres and 80 turbines (Fosen, para. 6). Both areas have traditionally been used by Sámi in the Fosen peninsula for reindeer husbandry, for which the development of wind energy infrastructures was problematic.[10] While this kind of conflicts on the use of areas for reindeer husbandry and development projects have already arisen in Sámi lands in Nordic countries – for example, in "the northern region of Sweden, where the Sámi herding areas are located, has now become the cradle of the Swedish green transition" (Cambou, 2020: 315) – the Fosen case is the first in Norway involving impingement on areas for reindeer husbandry that has been grounded on the Sámi right to culture (Lingaas, 2021).

Both windfarms are located within the grazing area of the Fosen peninsula. The Roan windfarm is located within the pasture of Nord-Fosen siida,[11] while Storheia windfarm is located within the pasture of Sør-Fosen sijte (Fosen, para.8). In the case at hand, the licenses and expropriation decisions in favour of the development projects were appealed, inter alia, by Nord-Fosen siida (against Roan license), and Sør-Fosen sijte (against Storheia license, and Namsos-Roan-Storheia power line) without success. This was because the Ministry of Petroleum and Energy confirmed those decisions, although with some changes (Fosen, para.9). The Ministry was of the view that:

> [Roan windfarm] area could "be used for reindeer husbandry also *after* the development, even if it [would] demand more from the reindeer herders in the form of increased work". As concerned Storheia windfarm, the Ministry assumed that a development would "be negative" for reindeer husbandry, but that the area would not "be lost as winter pasture" (Fosen, paras.10-11).

The Ministry's view reflects the usual acquiescence of national authorities on the use of (Sámi) lands for development projects, which, is harder to challenge when these are presented as 'sustainable' projects and, accordingly as, 'green, good and necessary' (Fjellheim, 2023: 142) to produce renewable energy for the 'green' transition. Cambou (2020:315) points out that there is "a growing body of research [that] has confirmed that the impact of wind energy projects on reindeer husbandry is real and can significantly affect reindeer husbandry in some cases". In the present case, the use of lands for development projects was prioritised over reindeer husbandry, revealing the inherent anthropocentric and short-termed perspective with which development projects are usually evaluated and ultimately authorised, without actual and equal participation of Sámi reindeer herders in decision-making processes. As Fjellheim (2023: 160) argues: "As long as [Environmental Impact Assessment] processes are industry-led and solely based on environmental sciences, Saami reindeer herders will continue to lack trust in consultants and licensing processes which exclude them from being experts on their own livelihoods and culture". Besides, the state authority's assumption of limited 'negative' impact for reindeers as a result of the wind energy projects reflects a lack of interest and concern for non-human nature in resolving a non-entirely human dispute.

The case was appealed by the Sámi reindeer herders to the Court of Appeal, who found that the assumption that the reindeers would get used to the windfarms and eventually start grazing in those areas was 'speculative' (Fosen, para.80). In this way, the Court of Appeal somewhat acknowledged

the potentially serious ecological impact of the development project upon reindeers' feeding patterns. Yet, by ordering compensation to reindeer herders for, among other things, reindeers' feeding, the Court of Appeal showed its concern in reindeer husbandry as economic activity but not necessarily as an expression of Sámi traditional culture (Cambou et al., 2022). The Court of Appeal also acknowledges the irreparable damage from the Roan windfarm provoking "dramatic loss of pasture for the North Group, which in the long run will lead to a reduction of the number of reindeers" (Fosen, para.82); and goes further by acknowledging potential preventive measures by stating: "unless measures in the form of winter feeding are implemented" (ibid). Although it does not detail what kind of 'measures' or how these would prevent the adverse impacts of the windfarms upon reindeers' life or number, the Court of Appeal concludes that "the building of the windfarms in Storheia and Roan will *threaten* the existence of reindeer husbandry on Fosen, unless remedy measures are implemented" (Fosen, para.85). Thereby, the Court of Appeal conveys an extended criterion grounded on the affection to a traditional activity to determine the viability of the development projects, even if these are primarily considered to contribute to states' objectives in light of the 'green' transition. Yet, it does not expand the merely anthropocentric reasoning, thereby leaving aside the 'non-human' (reindeer) dimension of it. The Court of Appeal grounds its analysis of the potential disruption to reindeers' activity (such as, reindeer feeding patterns) on the basis of the impacts for reindeers herding as economic activity, even when discussing its cultural dimension. However, the Court does not question, for example, the impacts of the development projects on the basis of the potential breach of reindeers' life, health and ability to enjoy their natural environment in their own capacity as non-human beings, despite their centrality in reindeers' husbandry as traditional activity of Sámi reindeer herders in Norway.[12]

Subsequently, after appellation, the judgement of the Supreme Court builds upon the findings of the Court of Appeal which was favourable to the Sámi reindeer herders to the extent that it found that the development of Roan and Storheia windfarms interfere with their ability to enjoy their (collective) right to culture, linked to their right to livelihood and trade. However, the Supreme Court replicates the Court of Appeal's disregard for the reindeer as non-human being worth of respect, care and legal protection in its own capacity, as co-inhabitant of the Fosen peninsula.[13] Instead, the Supreme Court focuses in an anthropocentric analysis of the cultural and correlated economic aspects of the dispute, without taking a more holistic view that *also* encompasses ecological considerations for the non-human. It was of the view that:

> (…) the starting point must be that Article 27 aims at protecting the right to cultural enjoyment. As mentioned, reindeer husbandry is a form of protected cultural practice while at the same time a way of making a living. The economy of the trade is therefore relevant in a discussion of a possible violation. The relevance must be assessed specifically in each individual case and must depend, among other things, on how the economy affects the cultural practice. In my view, the rights in Article 27 are in any case violated if a reduction of the pasture deprives the herders of the possibility to carry on a practice that may naturally be characterised as a trade (Fosen, para. 134).

Accordingly, it is on the basis of the affection to the right to culture of reindeer herders under Article 27 ICCPR that the Supreme Court finds this provision was violated. Even if the judgement could be considered (more) favourable to reindeer herders in this respect, it should be borne in mind that the Court's reasoning was built upon a traditional anthropocentric perspective that does

not include a concern for the reindeers in themselves. Rather, the Supreme Court puts humans and the threat to their rights and economy at the centre, and assesses the impact of the two development projects upon reindeers only insofar such projects affect the profitability of reindeer husbandry as economic activity and the exercise of the right to culture. In a context of climate and ecological crises, it is relevant to (re)consider what 'green' or sustainable development actually means. A truly 'green' and just transition should endeavour to integrate an ecological approach to nature in the legal system, which includes the non-human natural world under its scope of protection and recognises its agency in shaping reality (regardless such recognition is legally framed as 'right' or not). As Celermajer at al. note, "agency is a feature of human and nonhuman networks, assemblages, and (inter)relationships" (Celermajer et al., 2021: 124).

In a similar vein, the Supreme Court continues its anthropocentric approach to the case when considering the application of the right to a healthy environment in the context of the 'green shift' in which the development projects are framed. The Court found that 'the 'green shift' and increased production of renewable energy are crucial considerations' (Fosen, para.143). However, Article 27 ICCPR does not allow for a balancing of interests that could preclude reindeer herders' right to culture in light, for example, of what is deemed necessary for the 'green' shift. This may be different in the event of conflict between different basic rights. The right to a clean, healthy and sustainable environment recognised in the Norwegian constitution (Article 112) should be increasingly considered to interpret and balance claims in the context of the 'green' shift, and provide legal avenues to integrate non-human nature under its scope of protection.[14] In the case at hand, the Supreme Court did not find a collision between basic rights and '[assumed] that 'the green shift' could also have been taken into account by choosing other – and for the reindeer herders less intrusive – development alternatives. Then, the consideration of the environment cannot be significant when assessing whether Article 27 has been violated in this case' (Fosen, para.143). One can thus conclude that, while the Supreme Court upheld the invalidity of the licensing of the development projects, its findings reflect the prevalence of a mere anthropocentric approach to nature and assessment of rights that does not consider the non-human in its own value despite its centrality in the case at hand.

Overall, an ecological approach to nature where it is valued in itself and not on the basis of its capacity to satisfy human (economic) needs, is predominantly absent in contemporary laws, policies and their interpretation (for example, by courts), including in those aimed to generate a 'green' shift. In a context of the 'green' transition, more ecologically aware approaches to law and respect for Indigenous Peoples' rights and knowledge of nature are needed, in order to meaningfully contribute to a 'green' transition that entails a truly more sustainable and harmonious relationship with nature and its non-human components.

5. Conclusion

The context of colonialism in which the Western legal system is rooted presents an anthropocentric approach to the natural world that continues to reverberate today. This one-sided view of the world is reflected in law and policy frameworks that put economic human interests at the centre and disregard the inherent value of the non-human world, independently of its utilitarian value for humans, legitimising thereby environmental depletion. The Arctic is not an exception to the traditional exploitative anthropocentric approach to nature. Despite the particularly serious and fast-paced impacts of the climate and ecological crises in fragile Arctic ecosystems, (neo) colonial

incursions seeking to exploit natural resources in the name of 'sustainable' development and the 'green' shift continue threatening the Arctic and its human and non-human inhabitants. The continuous tensions between states' authorities and Indigenous Peoples' views on the use of lands embed a fundamental difference in the understanding of the relationship between humans and nature. The Fosen case in Norway showed how differing views and relational approaches to nature collide in the context of the 'green shift'. In Norway, Sámi Indigenous Peoples rights are legally recognised and some advancements have been made to address the implications of sustainable development projects upon their livelihoods and culture that is traditionally connected to reindeer husbandry. However, in relation to the non-human elements of the case, despite the Sámi reindeer herders claim was to a good extent upheld, this has occurred only to the extent that it protects human entitlements (e.g. the right to culture and livelihoods), but not those of non-human beings, like reindeers in their own capacity, even if they are not legally considered 'subjects' of 'rights'. Also, it is important to note that, despite the outcome of the case in the courtroom, the implementation of the Supreme Court's order in the Fosen case by Norwegian authorities remains to be seen two years after the judgement, generating additional questioning of the (national) legal system and protests by affected parties.[15]

Despite conceptual and technical challenges, Rights of Nature and Multispecies Justice can provide underexplored theoretical frameworks to protect non-human nature and recognise its agency in the context of climate and ecological crises. Its application can introduce ecological considerations in law that help humanity to depart from the traditional economic growth-oriented anthropocentric approach to nature and our human role therein. The accelerating impacts of the context of climate and ecological crises should prompt a necessary rethinking of law that considers humans and non-human entities as part of nature within an interconnected web of life.

Notes

1. As Adelman notes, '[the] strain of Western thought separating humanity from nature has been traced back as far as the emergence of Christianity, but it is widely accepted that Enlightenment rationality and the Industrial Revolution greatly accelerated the tendency'. Adelman, 2015:11.
2. Grear argues that 'such separation between Anthropos and its feminised 'other/s-nature' is fundamental to understanding the foundations of the Anthropocene crisis'. Grear, 2015:235.
3. For a detailed discussion on how the relationship of dominance of wilderness by humans has been constructed, see, for example, De Luca, K. (1999). 'In the shadow of whiteness: The consequences of constructions of nature in environmental politics. Whiteness: The communication of social identity, 217-245.
4. For instance, in the context of colonisation of indigenous lands in Australia, Watson recounts that: 'Aboriginal laws live under the weight of the imposed colonial legal system. … There has never been a real understanding by non-indigenous peoples of the Aboriginal laws and their intricate and holistic relationship with all aspects of the environment and humanity. The law, land and peoples are one integrated whole'. Watson, 1996:107.

5. See Watson, B. et al (2023) 'Critical Minerals in the Arctic: Forging the Path Forward'. Wilson Center Critical Minerals, 10 July. https://www.wilsoncenter.org/article/critical-minerals-arctic-forging-path-forward.
6. At European level, see, for example, European Committee of the Regions (2022, 29 June), 'The EU must harness the potential of the Arctic to drive the green transition'. https://cor.europa.eu/en/news/Pages/Arctic-strategy.aspx.
7. See, for example, Frederiksen, M. (2023, 12 January) 'If we want energy transition, we must have more mining'. Arctic Economic Council. https://arcticeconomiccouncil.com/news/if-we-want-an-energy-transition-we-must-have-more-mining/.
8. Statnett v. Sør-Fosen sijte, Nord-Fosen siida and Fosen Vind DA; Fosen Vind DA v. Sør-Fosen sijte and Nord-Fosen siida; and Sør-Fosen sijte v. Fosen Vind DA and Ministry of Petroleum and Energy, Judgement HR-2021-1975-S, (Norway. Supreme Ct. 2021). https://www.domstol.no/globalassets/upload/hret/decisions-in-english-translation/hr-2021-1975-s.pdf [Hereinafter, 'Fosen'].
9. The licenses for Roan and Storheia windfarm projects were granted to Energi AS and Statkraft Agder Energi Vind DA, respectively. Although, in the case of the Roan project, the license was later transferred to another company and subsequently to Roan Vind DA. Ibid, para. 4.
10. It should be highlighted that the development projects were *also* problematic for reindeers as such. Studies have shown that '[despite] a long domestication, reindeer within Sámi reindeer-herding systems exhibit similar patterns of large-scale avoidance of anthropogenic disturbance'. Skarin & Åhman, 2014: 1051.
11. Reindeers' herders are traditionally organised in 'siidas' (in Sámi language) or 'sijtje' (in the South Sámi language), which are the Sámi words for a group of reindeer owners practicing reindeer husbandry jointly in specific areas. Reindeer Herding Act, Article 51.
12. In this respect, Rights of Nature provides an increasingly used theoretical framework to incorporate more than mere traditional anthropocentric approaches to address competing views on land use. See, for example, Jone, E. (2021). 'Posthuman international law and the rights of nature'. Journal of Human Rights and the Environment, 12 Special Issue,76–102.
13. For example, in the Colombian context, the Superior Tribunal of Bogotá took an innovative approach in a family dispute by recognising for the first time a dog as a member of multispecies family. Carlos López (2023, 12 October) 'Por primera vez en Colombia, Tribunal reconoció a un perro como miembro de una familia'. El Tiempo. https://www.eltiempo.com/justicia/investigacion/tribunal-de-bogota-reconocio-a-perro-como-miembro-de-una-familia-multiespecie-815308.
14. For example, a municipal Court of Colombia recognised the right of a dog to medical treatment and survival of a sentient being, as constitutional 'object' of protection. El Tiempo. (2020, 8 July). ' Juez le reconoce a perro derecho a tratamiento médico para epilelpsia'. https://www.eltiempo.com/justicia/servicios/juez-reconocio-derecho-de-un-perro-a-la-supervivencia-y-ordeno-darle-medicamento-515776.

15. See IGWIA. (2023, 14 October). 'Sámi Activists Demand Removal of Wind Turbines in Fosen'. https://www.iwgia.org/en/news/5278-press-fosen-oct2023.html.

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