

Natural Livelihood Real Estates in Finland

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Key words: natural livelihood, right to land, restriction

SUMMARY

Natural conditions in the northern part of Finland greatly restrict agriculture. The growing season is short and the number of degree days is low. Because of the barren soil and sparse population there aren't many alternative livelihoods. Even forestry is marginal in this area.

In the 1980's a large share of population in this area earned a significant part of their living from not only agriculture and reindeer husbandry but also other natural livelihoods like fishing, hunting and gathering berries. The amount of agriculture and reindeer husbandry practiced by this group was minimal and supporting these livelihoods was not economically feasible.

For this reason the Natural Livelihoods Act was established in 1984. According to this Act, it was possible to employ State land use measures to form Natural Livelihood Real Estates and grant addition areas to the existing real estates to support natural livelihoods. Nowadays only reindeer husbandry is economically significant as a natural livelihood. Even the profitability of reindeer husbandry is low, owing to low producer prices, a growing amount of predators and diminishing supplies of lichen, reindeers' main natural food.

TIIVISTELMÄ

Suomen pohjoisosissa ankarat luonnonolot rajoittavat voimakkaasti maataloutta. Kasvukausi on lyhyt ja lämpösumma pieni. Elinkeinotoiminnan vaihtoehdot ovat tällä karulla ja harvaanasutulla alueella vähäiset ja metsätalouskin on marginaalista. Alueella oli 1980-luvulla runsaasti väestöä, joka sai merkittävän osan toimeentulostaan maa- ja porotalouden ohella harjoittamistaan muista luontaiselinkeinoista, kuten kalastuksesta, metsästyksestä ja marjastuksesta. Tämän väestöosan harjoittama maatalous sekä porotalous olivat siinä määrin vähäisiä, ettei niiden tukemista voitu pitää taloudellisesti perusteltuna.

Vuonna 1984 säädettiin luontaiselinkeinolaki, jonka nojalla voitiin valtion maankäyttötoimenpitein muodostaa luontaiselinkeinoja ja myöntää ennestään oleviin tiloihin lisäalueita luontaiselinkeinojen tukemiseksi. Luontaiselinkeinoista ainoastaan porotaloudella on nykyisin taloudellista merkitystä elinkeinona. Porotaloudenkin kannattavuus on alhainen tuottajahintojen alhaisuuden, petoeläinten määrän kasvun ja jäkälälaitumien kulumisen vuoksi.

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1. BACKGROUND

Natural conditions in the northern part of Finland greatly restrict agriculture. The growing season is short and the number of degree days is low. Because of the barren soil and sparse population, there aren't many alternative livelihoods. Even forestry is marginal in this area.

In the 1980s a large share of the population in this area earned a significant part of their living from not only agriculture and reindeer husbandry, but also other natural livelihoods like fishing, hunting and gathering berries. The amount of agriculture and reindeer husbandry practiced by this group was minimal and supporting these livelihoods was not economically feasible. For this reason the Natural Livelihoods Act was established in 1984. Natural livelihood area was determined by this Act (picture 1). This Act has been adapted to the Skolt Sámi people according to the Skolt Sámi Act. Before the establishment of the Natural Livelihoods Act, the number of people who earned their living primarily from natural livelihoods was estimated at about 700. At the same time it was possible to receive support for reindeer husbandry through the Reindeer Husbandry Act. These Acts were partly overlapping, and the level of support for the same purpose differed depending on which Act was applied. This resulted in inequality.

The Reindeer Husbandry and Natural Livelihoods Financing Act was established in 2000. It amalgamated the earlier laws. At the same time all regulations related to State land use and land acquisition were transferred to the Farm Livelihoods Financing Act. In the 2000s there was a need to contribute reindeer husbandry and natural livelihoods. In addition it was necessary to make financing systems clearer. As a result, the new Reindeer Husbandry and Natural Livelihoods Structural Support Act was just established, but it is not in force yet.

2. NATURAL LIVELIHOODS

According to the Natural Livelihoods Act, natural livelihoods were reindeer husbandry, fishing, hunting, gathering natural products and utilisation of natural resources based on continuous productivity. According to this Act, fish farming and small-scale agriculture, repairing and refining products obtained from natural livelihoods through handicrafts or other home industry, making and repairing tools needed in natural livelihoods, handicrafts and tourism accomodation, guidance and other kinds of services were also considered natural livelihoods when they are practiced in addition to natural livelihoods. According to the Skolt Sámi Act, other kinds of small-scale entrepreneurships are natural livelihoods also.

Reindeer owners in Finland belong to regional reindeer herders's associations. Decisions concerning reindeer herding, pastures and slaughtering of reindeer are made in these associations. In Finland the number of reindeer is regulated regionally. The total number of reindeer in Finland is now 200 000.

Game species include elk, wolverines, wolves, bears, hares, willow grouse and water birds. Fish species include trout, whitefish, perch, northern pike, arctic char and vendace. Natural products that are gathered include berries, mushrooms and herbs. In the northern part of Finland berries are gathered every year 0,5 -2,5 million kilos. Cloudberry is the most valuable of berries. During the short growing season, it is only possible to grow hay and potatoes as economically significant plants. Hay is used for cattle and reindeer feed. The northern part of Finland is popular with tourists because of its wilderness areas, mountains, Santa Claus and possibilities to enjoy winter sports.

3. NATURAL LIVELIHOOD REAL ESTATES

According to the Natural Livelihoods Act, it was possible to employ State land use measures to form Natural Livelihood Real Estates and addition areas to existing real estate to support natural livelihoods. These land use measures were for people who earned their living entirely or primarily from natural livelihoods and whom it was expedient to support. According to the Skolt Sámi Act, land use measures were intended for Skolt Sámi people who were living

permanently on Skolt Sámi homelands and whom it was expedient to support. Person who has been granted real estate or additional area according to these Acts could not receive unemployment benefits for a period of five years thereafter.

The maximum area of Natural Livelihood Real Estate or Skolt Sámi Real Estate was 30 hectares. In addition it could be granted an area for extraction of resources. In addition to land use measures, it was possible to get support for buildings, drainage, road building, water supply, field clearance and building electricity.

4. FORMING NATURAL LIVELIHOOD REAL ESTATE

The State bought land for land use measures and planned land use in these areas. The land use plan consisted of real estates and additional areas, prices and owners of the formed areas. Written applications for formed areas had to be submitted. The formed areas were sold by deeds of purchase signed by the parties involved. New real estate and additional areas were formed by legal cadastral surveying. These areas were purchased at their market price and were mostly paid for through long-term mortgages with a low interest rate. Altogether 113 Natural Livelihood Real Estate and 167 additional areas have been formed. One-third of the owners of the real estates and additional areas were Sámi people. In addition, about 200 real estate owners were granted financial support.

5. RESTRICTIONS

Judicial acts of selling or leasing Natural Livelihood Real Estate or additional areas or parts of these areas without a permit from the Agricultural Authority are null and void. Without this permit it is not permissible to subdivide the real estate or additional areas, either. These restrictions are effective 30 years from the signing of the deed of purchase. It is permissible to apply for a mortgage on the real estate or additional area. Judicial acts of selling Skolt Sámi Real Estate or additional areas or parts of these areas without a permit from the Agricultural Authority are null and void. These restrictions are effective 20 years from the signing of the deed of purchase. It is permissible to apply for a mortgage on the real estate or additional area.

These restrictions are registered to the Cadastre and the Land Registry. According to the cadastral data of 2011, there were 70 real estates in the Cadastre and the Land Registry which had restrictions according the Natural Livelihood Act. Twenty-seven real estates have been released from these restrictions upon application or after the effective period expired. Restrictions according to the Skolt Sámi Act were placed on 25 real estates and 12 of them have been released later.

6. RIGHTS TO LAND

Special rights to freely use State-owned areas were given to owners who live on their Natural Livelihood Real Estate and to Skolt Sámi people who live permanently on Skolt Sámi homelands. These rights were: 1) pasturage of cattle and gathering hay, leaves and other plants for cattle and 2) upon application, building necessary huts for hunting and fishing, fish cellars and shelters and gathering lichen. Permissions to building huts for hunting and fishing, fish cellars and shelters are granted to 59 Natural Livelihood Real Estate.

In addition, Skolt Sámi people who live permanently on Skolt Sámi homelands received the right to use State-owned areas freely to gather fallen and dry wood for firewood; get wood for necessary buildings and other household purposes; use areas for boats and fishing equipment; clear land for cultivation, meadows and pastures and fish in State-owned water areas. Permissions to building huts for hunting and fishing and clear land for cultivation, meadows and pastures are granted to ten Skolt Sámi people.

Natural Livelihood Real Estate owners and Skolt Sámi people who live permanently on Skolt Sámi homelands have many rights related to their livelihoods. These rights involve a mixture of ownership and rights to use the land. These people live on their own real estate and cultivate their own real estate or State-owned areas. Reindeer herding in private and State-owned areas is free for all reindeer owners. There are jointly owned water areas and special fishing rights as a usufruct. Fishing and hunting in State-owned areas are freely available on application to inhabitants of the area. There is Everyman's rights in Finland, and according to these rights berries, mushrooms and flowers may be picked freely.

7. NATURAL LIVELIHOODS TODAY

Nowadays land use and land acquisition for natural livelihoods are made by the Farm Livelihoods Financing Act, and formed real estate is legally as an ordinary real estate without any restrictions in the cadastral system. Breach of contract causes nowadays to the restoration of financial support.

Nowadays only reindeer husbandry is economically significant as a natural livelihood. Even the profitability of reindeer husbandry is low, owing to low producer prices, a growing amount of predators and diminishing supplies of lichen, reindeer's main natural food. Nowadays there are about 50 entrepreneurs who earn all or part of their living from other natural livelihoods than reindeer husbandry. The ageing of the population is a threat to the countryside and its livelihoods everywhere in Finland. Increasing mining is a threat especially in the northern part of Finland. Ratification of the ILO's Indigenous and Tribal People's Convention No. 169 is important, but its consequences to natural livelihoods are not yet known.

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