



Jukka Similä 24.1.2020

Environmental research at Law Faculty



LAPIN YLIOPISTO
UNIVERSITY OF LAPLAND
For the North – For the World

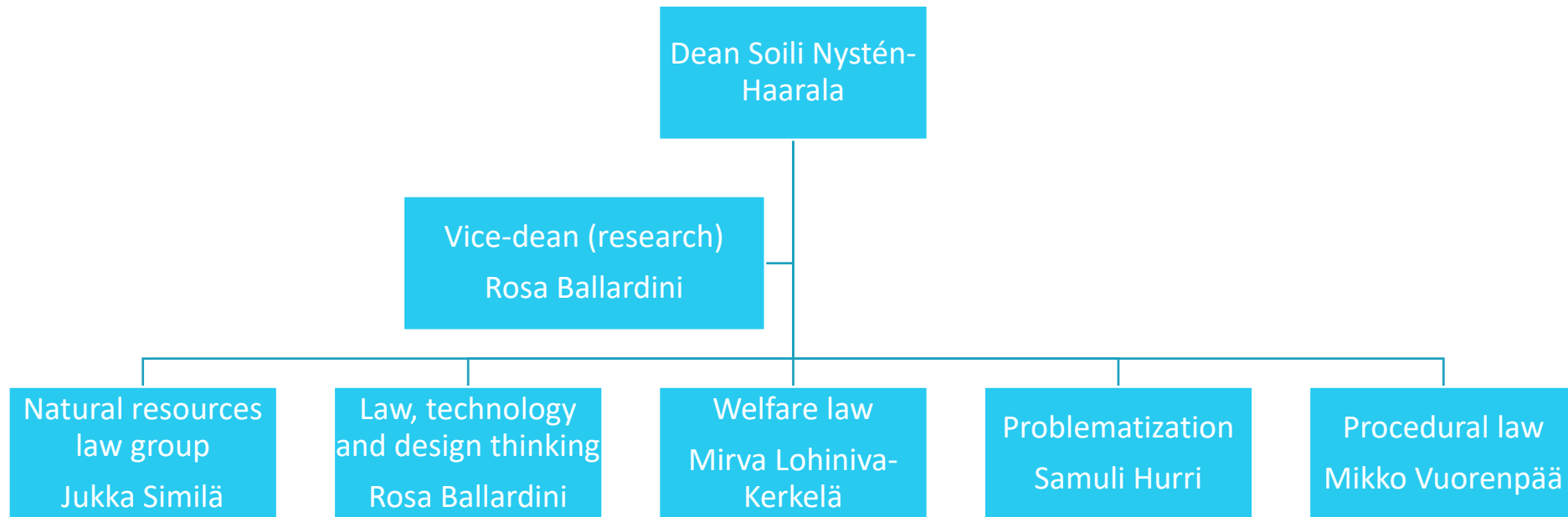
Goal of presentation

Give a broad idea what kinds of environmental research Law Faculty has done and is willing to do in the future

OTK's general interests

- Multidisciplinary research which aims to understand and develop law and policy relevant for environmental issues broadly
- OTK research has related to: mining, Russian natural resources (oil and gas), water resources, biodiversity, tourism, traditional livelihoods, indigenous people, renewable energy, circular economy ...
- In one word: focus is broad

Research Groups



Research Groups

- Natural Resources Law Group:
<https://www.ulapland.fi/FI/Kotisivut/Luonnonvararyhma/Research-Team>
- All groups: <https://www.ulapland.fi/EN/Units/Faculty-of-Law/Research> - Research groups

Oil Production Networks in the Russian Arctic: Societal Impacts and Future Possibilities

- Key OTK researcher: Soili Nystén-Haarala
- The project focused on global networks that shape the interaction among indigenous peoples, oil companies, and other actors in the Russian Arctic.
- Aim: how networks could be constructed to ensure the coexistence of profitable industries and sustainable indigenous communities.
- 3 types of transnational governance modes were revealed:
 - partnership mode
 - corporate social responsibility mode
 - paternalistic mode



FULBRIGHT ARCTIC INITIATIVE

Alaska Native Corporations and Indigenous Rights

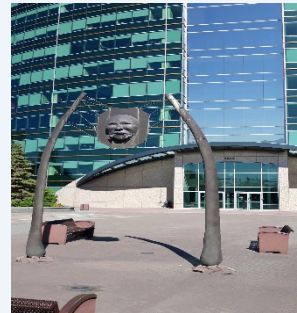
Soili Nysten-Haarala

Prof, University of Lapland, Faculty of Law; soili.nysten-haarala@ulapland.fi
Finland

Research:

Land rights of Alaska Natives were settled with ANCSA, a law passed by U.S. Congress in 1971, establishing Native Corporations (ANCs) and making Alaska Natives their shareholders .

- The law created a legal framework, which allowed Natives participate in making decisions on using natural resources and benefit from them.
- ANCs grew to be powerful economic players, which have shaped Alaskan economy
- Alaska Natives were integrated in a market economy
- ANCs support Native cultures and social development of rural communities as well as prepare for decrease of oil profits
- However, the ANCSA left traditional hunting and fishing rights unsolved and ignored tribal autonomy
- ANCSA created a unique and path-dependent legal framework, which has been developed and mended during the last fifty years.
- ANCSA is still a disputed model, which should be analyzed and compared with other models in finding better functioning solutions for protecting indigenous cultures, which are under a threat of economic development worldwide.



Responsible Tourism Planning/Profi5

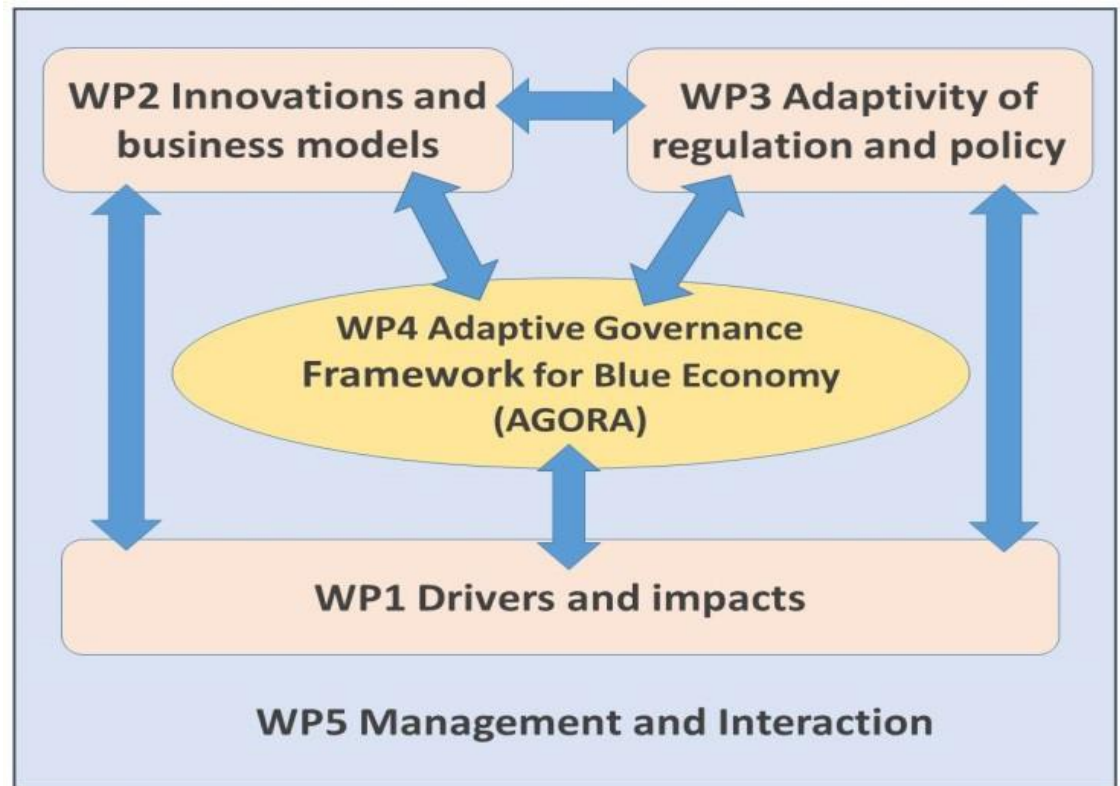
- Key OTK researcher: Ilari Hovila
- General
 - Funded by the Academy of Finland
 - led by Multidimensional Tourism Institute
- Responsible Tourism & Law– research topics
 - Contracting between landowners, entrepreneurs and municipalities
 - Responsible land use and planning
 - Social and environmental license to operate
 - Everyman's rights, status of common land and commons

BlueAdapt

- Key OTK researcher: Jukka Similä
- Focus: Blue Growth = assessing possibilities to combine economic growth and environmental protection (state of waters)
- Sectors: Food production, Energy and Tourism
- Funded by the Strategic Research Council of the Academy of Finland. 2018-2023.
- Multidisciplinary: law + natural sciences + economics + social science; Partners: SYKE + UH + UEF + LAY
- <https://blueadapt.fi/en/frontpage/>

BlueAdapt

General objective:
how the resilience of aquatic ecosystems could co-evolve with resilient social and economic systems, and what kind of shifts in governance and regulation are required to bring this resilience about



BlueAdapt

- WP3: Which legal factors and missing or ill-designed economic incentives limit the development of sustainable blue growth, and how these limitations could be overcome?
- An assessment of the current legal and policy obstacles and opportunities for sustainable blue growth, and an assessment of how the aquatic environmental regulations and policies should be designed in Finland and in the EU to achieve this overall policy objective.

Governing adaptive change towards sustainable economy in the Arctic

- Funded by the Finnish Academy
- LAY + GTK + LUKE
- 4 specific goals
 - develop and test a scenario methodology for predicting the development of the mining industry in the Arctic;
 - develop and test a GIS-based method for the adaptive management of mining environments;
 - assess how law supports or suppresses adaptive change;
 - examine the role of participation and develop mediation structures

GovAda cases

Mine	Stage	Economic history	Risks and conflicts
Kevitsa, Boliden	In operation 2012, New owner	Last years: some millions negative, previously good performance	Tailings dam dispute in Courts, level of env. Investment
Suurkuusikko Agnico Eagle	In operation 2008	Good economic performance	Tailings dam leakage, excavation fee
Hannukainen Tapojärvi Oy	Planning phase, new owner after bankruptcy	Turbulent and long; since 1978	Uncertainty among residents; tourism, risks in bankrupts
Pahtavaara Rupert Resources Ltd	In hold Possible new owner after bankruptcy	Turbulent and long; since 1985	Uncertainty among residents, risks in bankrupts
Sakatti Anglo- American	Exploration	In economic terms very promising	Natura 2000

Other mining projects

- DILACOMI – Different Land use Activities and local Communities in Mining projects – model for the best regulation and practices
 - With GTK and LUKE
 - 2011-2013, funded by Tekes, Eakr, Green mining etc..
- SUMILCERE - Sustainable Mining, local communities and environmental regulation in Kolarctic area
 - With GTK and LUKE
 - 2013-2014, funded by EU

Some research papers

- Similä, J. and Jokinen, M. Governing Conflicts between Mining and Tourism in the Arctic, Arctic review on law and politics
- Soininen - Belinskij – Similä - Kortet: Too big to fail? Evaluating legal adaptive capacity for increasing coastal and marine aquaculture production in EU-Finland. Marine Policy
- Hovila, Valtakunnansuunnittelun kehittäminen suurhankkeiden kaavoitukseen, Oikeus
- Tulaeva - Nysten-Haarala, Resource allocation in oil-dependent communities: oil rent and benefit sharing arrangements. Resources 2019
- Britcyna - Nysten-Haarala - Pappila, Minna. Extractive Industries and Public Participation in Russia: The case of the oil industry in Komi. Yearbook of Polar Law 2017
- Henry - Nysten-Haarala – Tulaeva - Tysiachniouk, Corporate Social Responsibility and the Oil Industry in the Russian Arctic: Global Norms and Neo-Paternalism. Europe Asia Studies, 2016.
- Similä, Regulating biodiversity offsets. in Därpö et al. (eds.), Miljörätten och den förhandlingsovilliga Naturen - Vänbok till Gabriel Michaneck, 2019



Thank you for listening

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