



Strasbourg, 31 May 1999

MIN-LANG/PR (99) 5

THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

**Initial Periodical Report
presented to the Secretary General of the Council of Europe
in accordance with Article 15 of the Charter**

NORWAY

THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES (ETS 148)

PERIODICAL REPORT

PART I

1 Implementation provisions

- Article 110 a of the Constitution of Norway
- Section 11 of Act of 18 May 1990 No. 11 relating to Place Names, Regulations of 5 July 1991 No. 456 laid down pursuant to section 12 of the Act
- Act of 12 June 1987 No. 56 relating to the Sameting (the Sami parliament) and other Sami legal matters (the Sami Act), Chapter 3 concerning the Sami language, Regulations of 30 January 1992 No. 79 regarding the language provisions of the Sami Act, laid down pursuant to sections 3-2, 3-3, 3-7, 3-10 and 3-12 of the Sami Act, Regulations of 31 March 1992 No. 204 laid down pursuant to section 3-8 of the Sami Act
- Act of 13 June 1969 No. 24 relating to primary and lower secondary education, Regulations of 16 July 1997 No. 791 relating to the National Curriculum for primary and lower secondary education, Regulations of 17 November 1989 No. 1184 relating to primary and lower secondary education
- Act of 17 July 1998 No. 61 relating to education, which will come into force on 1 August 1999 pursuant to Royal Decree of 17 November 1998, with certain exceptions

2 Regional or minority languages

- Sami
- Kven/Finnish

3 Number of users

Sami

All persons who make a declaration to the effect that they consider themselves to be Sami, and who either have Sami as their domestic language, or who have or have had a parent, grandparent or great-grandparent with Sami as his or her domestic language, or is the child of a person who is or has been registered in the Sami electoral register, may, pursuant to section 2-6 of the Sami Act, demand to be included in a separate register of Sami electors in their municipality of residence. In 1997, 5575 persons were registered in the Sami electoral register in Finnmark County, 1602 persons in Troms County and about 550 persons in Nordland County.

The number of persons who speak Sami is far higher than the number of persons registered in the Sami electoral register. It is estimated that some 40,000 Sami live in Norway and that the number of persons who speak Sami is slightly lower.

Kven/Finnish

No censuses have been carried out recently of Kvens as an ethnic group, and there are therefore no statistics showing the number of persons who speak Kven. However, the number of Kven speakers is presumed to be low.

4 Non-territorial languages

- Romanes
- Romani

There is no statistical data on speakers of Romanes and Romani. The number of speakers is presumed to be low.

5 Formally established body responsible for the protection and development of regional or minority languages.

Sami Language Council
Hánnoluohkká 45
N-9520 Guovdageaidnu-Kautokeino
Norway

The Sami Language Council is a body which serves in an advisory capacity to the Sameting and other public bodies in issues relating to the Sami language in Norway. Pursuant to section 2 of the Regulations relating to the language provisions of the Sami Act, the Sami Language Council is responsible for developing and protecting the Sami language in Norway. Among other things, the Council shall safeguard the cultural heritage embodied in the Sami language, both written and spoken, develop Sami terminology, determine the spelling of Sami words, advise and provide information on Sami language issues, maintain a list of qualified translators and interpreters and promote and participate in national and Nordic cooperation on Sami language issues.

The Sami Language Council prepares an annual report to the Sami Assembly on the situation as regards the Sami language in Norway.

The Sami Language Council allocates public grants for activities related to the Sami language. These include grants to municipalities and county municipalities to promote bilingualism, educational grants for Sami boys and girls and a grant to a Sami word data bank. In 1997 these grants totalled NOK 18,600,000.

6 The Sami Language Council submitted its annual reports for 1997 and 1998, which include a description of a language survey conducted by the Council in 1998.

In 1998 the Sami Language Council undertook a survey of the use of Sami in public bodies which are subject to the language provisions of the Sami Act. The Council concluded that the use of Sami in these agencies may appear to be less extensive than might be expected pursuant to the language provisions. According to the Council, cf. page 22 of the Sami Language Council's Annual Report for 1998, possible reasons for this are "a) insufficient knowledge and understanding of the rules, b) few employees with a knowledge of the Sami language and c) a lack of routines in the promotion of linguistic equality."

- 7 Measures to promote a broader knowledge of the rights and duties deriving from the implementation of the Charter's provisions in Norwegian law

The State has published a brochure in Sami and Norwegian on the language provisions of the Sami Act.

PART II

Examples of measures that the Norwegian authorities have implemented in relation to regional and minority languages, as well as non-territorial languages, as defined in Article 1 of the Charter, to comply with the obligations that follow from Article 7 of the Charter.

Support for the Kvæntunet Centre

For 1999 the State has granted NOK 550,000 for the development of Kvæntunet, a centre for Kven language and culture in Porsanger in the county of Finnmark. The centre also received a grant of NOK 300,000 in 1998.

Finnish library service

The Aust-Finnmark County Library is responsible at national level for Finnish library services, and has received state support since 1984. The object is to provide good library services to all persons wishing to read works in Finnish and to provide information on Finnish literature.

Statutory right to Finnish tuition in school

Section 2-7 of the new Education Act provides for a statutory right to Finnish tuition if at least three pupils of Kven-Finnish background attending a primary and lower secondary school in Troms and Finnmark request such tuition.

Use of Finnish place names

Section 3, second paragraph, in the Act relating to Place Names provides that Sami and Finnish names normally used by the local population shall be used by the public authorities on maps, signs, in registers, etc. Section 4, first paragraph, provides that the spelling of the place name shall be based on the traditional local pronunciation of the name. It also states that the spelling shall comply with current orthographic principles for Norwegian and Sami. The spelling of Finnish place names in North-Norway shall comply with current Finnish orthographic principles.

University principles

The University of Tromsø offers a semester course in Kven, in addition to a programme of Finnish studies up to graduate degree level.

PART III

1 Language: Sami

2 Articles

Article 8 Education

a) Paragraphs and sub-paragraphs:

Paragraph 1:

sub-paragraph a, iii)

sub-paragraph b, iv)

sub-paragraph c, iv)

sub-paragraph d, iv)

sub-paragraph e, ii)

sub-paragraph f, ii)

sub-paragraph g

sub-paragraph h

sub-paragraph i

Paragraph 2

b) Measures:

Section 3-8 of the Sami Act provides that any person is entitled to receive Sami tuition and that the rules in and pursuant to the Act relating to Primary and Lower Secondary Education and the Act relating to Upper Secondary Education shall apply to tuition in and through the medium of Sami in primary, lower and upper secondary schools. Pursuant to this provision, Regulations of 31 March 1992 No. 204 were laid down regarding the right to Sami tuition. The language provisions of the Sami Act apply in the Sami administrative district, cf. the definition set out in section 3-1, subsection no. 1, of the Sami Act.

paragraph 1:

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State,

sub-paragraph a (concerning pre-school education), *iii to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient.*

On page 32 of Report No. 41 (1996-97) to the Storting (Norwegian parliament) on Norwegian Sami policy, it states that Sami day-care centres receive a special operating subsidy, in addition to the ordinary operating subsidy provided by the State. This subsidy is intended “to cover the extra expenses entailed by the provision of Sami day-care services, thereby ensuring that Sami children in the day-care centres have an opportunity to develop and strengthen their Sami language and cultural background.”

sub-paragraph b (concerning primary education), *iv to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;*

Section 40 a, subsection 1, of the Act relating to Primary and Lower Secondary Education provides that children in Sami districts are entitled to receive tuition in or through the medium of Sami. Furthermore, section 40 a, subsection 3, provides for a statutory right to Sami tuition if at least three Sami-speaking pupils at a school outside Sami districts request such tuition.

The State has established grant schemes intended to cover the additional expense of providing Sami tuition in primary and lower secondary schools.

Section 6-2 of the new Education Act lays down that the right to tuition in Sami also applies to Sami pupils of primary and lower secondary school age outside the Sami districts.

sub-paragraph c (concerning secondary education), *iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families so wish, in a number considered sufficient*

The current Act of 21 June 1974 No. 55 relating to upper secondary education contains no provision regarding the right to upper secondary education in Sami.

However, the State provides full funding for certain schools which offer upper secondary education in Sami. State grants are also provided for Sami language tuition in upper secondary schools.

Section 6-3 of the new Education Act contains provisions regarding Sami upper secondary education. The first paragraph of this provision lays down that “Sami persons in upper secondary school are entitled to Sami tuition.”

sub-paragraph d (on technical and vocational education), *iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.*

In Report No. 41 (1996-97) to the Storting on Norwegian Sami Policy, it states on page 43 that “Sami constitutes the first or second language in both general subjects courses and vocational training courses.”

sub-paragraph e, ii to provide facilities for the study of these languages as university and higher education subjects

The University of Tromsø offers courses in Sami language, literature and culture up to graduate degree level. At the Tromsø Museum (University of Tromsø), research is conducted on Sami history, archaeology and ethnography. The University of Tromsø has also established a centre for Sami studies which is responsible for prioritising and coordinating research and education that has relevance for Sami society.

The Saami College is a research and educational institution established particularly with a view to meeting the educational needs of the Sami population.

sub-paragraph f, ii to offer such languages as subjects of adult and continuing education

Section 1 of the Regulations laid down pursuant to section 3-8 of the Sami Act states that Sami tuition for adults shall be in compliance with the provisions currently in force in the Adult Education Act. Furthermore, section 2, first paragraph, states that such tuition shall be arranged by an educational organization that is entitled to state funding, an educational association and/or a distance learning institution that is entitled to state funding. Pursuant to the second paragraph, the State shall provide full funding for courses completed at the primary and lower secondary school level.

sub-paragraph g to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language

Courses in Sami culture and history will be an integral part of the Sami teaching that is offered at all levels.

sub-paragraph h to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party

The Saami College offers general teacher training, which is normally a 4-year programme, and pre-school teacher training, which is normally a 3-year programme.

sub-paragraph i to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

The Sami Educational Council, which was established by Royal Decree of 8 December 1975, is placed directly under the Ministry of Education, Research and Church Affairs. Report (1996-97) No. 41 to the Storting on Norwegian Sami policy states on page 39 that this council is to be responsible for tuition measures for the Sami population, preparing and adapting study programmes within the Council's sphere of responsibility, approving textbooks, providing guidance for persons working in day-care centres, primary and lower secondary schools, upper secondary schools and adult education programmes, following up these efforts with written guidelines, monitoring continuing education and providing expert advice to school authorities at all three administrative levels.

Paragraph 2

With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

Pursuant to section 40 a, subsection 3 of the Primary and Lower Secondary Education Act, if there are at least three Sami-speaking pupils at a school outside a Sami district, they may demand tuition in Sami.

Section 6-2 of the new Education Act prescribes that the right to tuition in Sami also applies to Sami pupils of primary and lower secondary school age outside Sami districts.

ARTICLE 9 – JUDICIAL AUTHORITIES

a) Paragraphs and sub-paragraphs:

Paragraph 1:

sub-paragraph a, i):

sub-paragraph a, ii):

sub-paragraph a, iii):

sub-paragraph a, iv):

sub-paragraph b, i):

sub-paragraph b, ii):

sub-paragraph b, iii):

sub-paragraph d:

Paragraph 2:

sub-paragraph a

Paragraph 3:

b) Measures:

Section 3-4 of the chapter relating to the Sami language in the Sami Act lays down rules for the use of Sami in the judicial system. These rules apply to courts of law whose jurisdiction comprises all or part of the Sami administrative district, cf. section 3-1, subsection 1, to

police and prosecuting authorities whose jurisdiction comprises all or part of the same district and to prison institutions in Troms and Finnmark.

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

sub-paragraph a *in criminal proceedings, i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages*

Pursuant to section 3-4, subsection 4, the president of the court may decide that the language in which the proceedings are conducted shall be Sami when one party so requests.

Discretionary judgement must be exercised in the light of the obligation under international law laid down in Article 9, section 1, subsection a, which requires that legal proceedings are conducted in the regional or minority language at the request of one of the parties.

sub-paragraph a, ii *to guarantee the accused the right to use his/her regional or minority language*

Pursuant to section 3-4, subsection 3, every person has the right to speak Sami in legal proceedings.

sub-paragraph a, iii *to provide that requests and evidence, whether written or oral, shall not be considered inadmissible Solely because they are formulated in a regional or minority language;*

Pursuant to section 3-4, subsection 1, every person has the right to submit written pleadings with appendices, written evidence or other written applications in Sami.

sub-paragraph a, iv *to produce, on request, documents connected with legal proceedings in the relevant regional or minority language*

The obligation pursuant to this sub-paragraph is also deemed to be fulfilled by section 3-4, subsection 1.

sub-paragraph b in civil proceedings, i *to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages*

The obligation pursuant to this sub-paragraph is also deemed to be fulfilled by section 3-4, subsection 4.

sub-paragraph b, ii *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense*

The obligation pursuant to this subsection is deemed to be fulfilled by the provision in section 3-4, subsection 3.

sub-paragraph b, iii *to allow documents and evidence to be produced in the regional or minority languages*

The obligation pursuant to this subsection is deemed to be fulfilled by the provision in section 3-4, subsection 1.

sub-paragraph d *to take steps to ensure that the application of sub-paragraphs i and iii of paragraphs b and c above and any necessary use of interpreters and translations do not involve extra expense for the persons concerned.*

This obligation is deemed to be fulfilled in so far as courts have an obligation to conduct legal proceedings in Sami in certain cases and to allow written pleadings, etc. to be submitted in Sami.

Paragraph 2

The Parties undertake:

sub-paragraph a *not to deny the validity of legal documents drawn up within the State Solely because they are drafted in a regional or minority language*

Norwegian authorities do not deny the validity of legal documents drawn up within the State Solely because they are drafted in a regional or minority language.

Paragraph 3

The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided

The obligation to make available in Sami the most important national statutory texts and those relating particularly to users of Sami is fulfilled through section 3-2, first paragraph, of the Sami Act which provides that statutes and regulations of “particular interest” to all or parts of the Sami population shall be translated to Sami.

Article 10 – Administrative authorities and public services

a) Paragraphs and sub-paragraphs

Paragraph 1:

sub-paragraph a (iii)

sub-paragraph b

sub-paragraph c

Paragraph 2:

sub-paragraph a

sub-paragraph b

sub-paragraph c

sub-paragraph d

sub-paragraph e

sub-paragraph f

sub-paragraph g

Paragraph 3:

sub-paragraph b

Paragraph 4:

sub-paragraph a

Paragraph 5

b) Measures

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

sub-paragraph a, iii to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages

Pursuant to section 3-10 of the Sami Act, it may be determined that the provisions of the Sami Act relating to the Sami language, which are limited in application to local or regional public bodies in the Sami administrative district, cf. the definitions in section 3-1, shall wholly or partly also apply to other public bodies or private legal persons when they make decisions on behalf of the State or a municipality. Under section 6 of the Regulations laid down pursuant to the language provisions of the Sami Act, the rules in section 3-2, section 3-3, first paragraph, section 3-7 and section 3-11 shall also apply to the Sameting, the Sami Language Council, the Directorate of Reindeer Husbandry, the Saami College and state Sami schools. These provisions also apply to the Directorate for Nature Management and the University of Tromsø.

This means that these national institutions have an obligation to reply in Sami to both oral and written applications.

sub-paragraph b to make available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions

The obligation to make available “widely used administrative texts and forms” is deemed to be fulfilled by the provisions of section 3-2, second and third paragraphs, of the Sami Act.

Section 3-2, second paragraph, provides that “announcements by public bodies which are particularly addressed to all or parts of the Sami population shall be made in both Sami and Norwegian.”

Section 3-2, third paragraph, provides that “forms to be used in connection with a local or regional public body”, cf. the definitions in section 3-1, “shall be available in both Sami and Norwegian”.

sub-paragraph c to allow the administrative authorities to draft documents in a regional or minority language

The Norwegian authorities allow the administrative authorities to draft documents in Sami.

Paragraph 2:

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

sub-paragraph a the use of regional or minority languages within the framework of the regional or local authority

Norwegian authorities allow and encourage such use of regional or minority languages.

sub-paragraph b the possibility for users of regional or minority languages to submit oral or written applications in these languages

Pursuant to the provision in section 3-3, first paragraph, any person who makes an application in Sami to a “local public body”, cf. the definition in section 3-1, subsection 3, cf. subsection 2, in the Sami “administrative district”, cf. the definition in section 3-1, subsection 1, is entitled to a reply in Sami.

Pursuant to section 3-3, second paragraph, any person who makes a written application in Sami to a “regional public body”, cf. the definition in section 3-1, subsection 4, cf. subsection 2, in the Sami “administrative district”, cf. the definition in section 3-1, subsection 1, is entitled to a written reply in Sami.

sub-paragraph c the publication by regional authorities of their official documents also in the relevant regional or minority languages

sub-paragraph d *the publication by local authorities of their official documents also in the relevant regional or minority languages*

Norwegian authorities allow and encourage the publication of such documents in Sami.

sub-paragraph e *the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State*

Norwegian authorities allow and encourage such use of Sami.

sub-paragraph f *the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State*

Norwegian authorities allow and encourage such use of Sami.

sub-paragraph g *the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages*

Section 3, second paragraph, of the Act relating to Place-names provides that Sami and Finnish names that are ordinarily used among the local population shall be used by the public authorities on maps, signs, in registers, etc. Section 4, first paragraph, provides that the spelling of the place-name shall be based on the basis of the traditional local pronunciation. It also provides that the spelling shall comply with current orthographic principles for Norwegian and Sami.

Paragraph 3:

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible,

sub-paragraph b *to allow users of regional or minority languages to submit a request and receive a reply in these languages*

The provision in section 3-5 of the Sami Act concerns the right to use Sami in the health and social sector. Pursuant to this provision, any person wishing to use Sami to protect his or her own interests in respect of local and regional public health and social institutions in the administrative district, cf. the definition in section 3-1, subsection 1, is entitled to be served in Sami.

Pursuant to the provision in section 3-6, any person is entitled to receive individual church services in Sami in the congregations of the Church of Norway in the administrative district, cf. the definition in section 3-1, subsection 1.

Paragraph 4:

With a view to putting into effect those provisions of paragraph 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

sub-paragraph a *translation or interpretation as may be required*

The language provisions of the Sami Act provide for a statutory right to use Sami in certain circumstances. Correspondingly, this means that obligations are imposed on the bodies that are subject to the language provisions of the Sami Act. These obligations may be fulfilled by employees having an adequate knowledge of Sami or by the use of interpreters and translators.

The Sami Language Council is responsible for allocating state funds for Sami interpretation services. The Council also keeps a list of qualified interpreters and translators, in addition to which it serves in an advisory capacity to public bodies in connection with issues regarding the Sami language.

Furthermore, funds are granted each year to the county governor of Finnmark to cover additional expenses incurred in connection with the language provisions of the Sami Act. These funds are used for translation, announcements and interpretation.

Paragraph 5

The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

Norwegian authorities allow the use of Sami family names.

Article 11 – Media

a) Paragraphs and sub-paragraphs

Paragraph 1:

sub-paragraph a, iii)

sub-paragraph b, i)

sub-paragraph c, ii)

sub-paragraph e, i)

sub-paragraph f, ii)

sub-paragraph g

Paragraph 2

b) Measures

Paragraph 1:

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

sub-paragraph a, i *to the extent that radio and television carry out a public service mission:*

sub-paragraph a, iii *to make adequate provision so that broadcasters offer programmes in the regional or minority languages*

The Norwegian Broadcasting Corporation, which is a state-owned company, broadcasts radio and television programmes in Sami through Sámi Radio. In 1997 Sámi Radio, cf. page 28 of the Norwegian Broadcasting Corporation's annual report for 1997, broadcast for a total of 1359 hours, including 134 hours of programmes for national broadcasting.

sub-paragraph b, i *to encourage and/or facilitate the creation of at least one radio station in the regional or minority languages*

On page 28 of the National Broadcasting Corporation's annual report for 1997, it states that "a report on a joint Nordic Sami radio channel was presented to the Directors General of YLE, SR and NRK (the Finnish, Swedish and Norwegian broadcasting services), who have adopted a decision in principle to the effect that the channel shall be inaugurated by 2005."

sub-paragraph c, ii *to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis*

The Norwegian Broadcasting Corporation's Sámi Radio produces television programmes in Sami.

sub-paragraph e, i *to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages*

Regulations of 17 March 1997 No. 248 lay down rules regarding state grants for Sami newspapers. In 1999 funding for Sami newspapers will total approximately NOK 8,000,000.

sub-paragraph f, ii *to apply existing measures for financial assistance also to audio-visual productions in the regional or minority languages*

In 1994 the Norwegian authorities established an audio-visual production fund which, among other things, provides funding to cover operating costs, for the production of programmes and for measures to upgrade local broadcasting expertise. On page 16 of Report No.18 (1997-98) to the Storting, Supplement to Report No. 41 (1996-97) to the Storting regarding Norwegian Sami policy, there is an excerpt from the fund's guidelines for grants for local broadcasting activities: "In allocating funds for local radio activities, particular account shall be taken of

applications from radios with limited opportunities of obtaining revenues from advertising and applications from ethnic and linguistic minority groups.”

sub-paragraph g *to support the training of journalists and other staff for media using regional or minority languages*

At present there are no educational programmes in Sami for journalists and other media staff.

The Saami College is examining the possibility of establishing a 2-year programme in journalism and media.

paragraph 2

The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to a regional or minority language. The exercise of the above-mentioned freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Norway fulfils the obligations pursuant to this paragraph.

Article 12 – Cultural activities and facilities

a) Paragraphs and sub-paragraphs

Paragraph 1:

sub-paragraph a

sub-paragraph d

sub-paragraph e

sub-paragraph f

sub-paragraph g

sub-paragraph h

Paragraph 2

Paragraph 3

a) Measures

Paragraph 1:

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field

sub-paragraph a to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages

Examples of state grants for Sami culture

- Beivvás Sámi Teáhter, a Sami theatre

Beivvás Sámi Teáhter is wholly financed by the State. This theatre presents performances in Sami, thereby contributing towards strengthening the Sami language.

- a Sami music festival

This festival, which is held annually, comprises a range of cultural activities such as Sami music and *joik*, theatre performances and concerts.

- a specialised Sami library and other library services

The specialised Sami library is responsible for the purchase, storage and dissemination of books written in Sami and about matters relating to the Sami people. The institution is entirely funded by the State.

The State also provides funding to cover operating costs and investments for mobile libraries in Sami districts.

Furthermore, the Rana Branch of the National Library of Norway is responsible for building up a Sami bibliography.

- a Sami archive

The purpose of the Sami archive is to protect, conserve and make available private Sami archive materials. The archive is dependent on state grants to cover its operating costs.

- Sami museums

The State contributes towards the financing of a number of Sami museums. Moreover, the State has provided investment grants in connection with new buildings.

- a scholarship for Sami artists
- support for the press
- assistance for subtitling films in Sami
- assistance for the production of Sami films
- assistance for literature, pictorial art and *duodji* (Sami arts and crafts)

sub-paragraph d *to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing*

The Sameting is responsible for administering a number of state grants in the cultural sector.

sub-paragraph e *to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have at their disposal staff who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population*

This consideration is deemed to be taken into account by the transfer to the Sameting of responsibility for administering support schemes.

sub-paragraph f *to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities*

The State encourages the participation of users of the Sami language in the cultural sector by providing financial support for Sami cultural activities, such as investment grants for buildings to be used for cultural purposes.

sub-paragraph g *to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages*

The Rana Branch of the National Library of Norway is responsible for building up a Sami bibliography. The State also provides funding for Sami library services. The Sami Cultural Council, which is placed under the Sameting, administers state support for literature, which includes funding for publishers of Sami literature.

sub-paragraph h *if necessary, to create and/or promote and finance translation and terminological research services, particularly with a view to maintaining and developing appropriate administrative, commercial, economic, social, technical or legal terminology in each regional or minority language*

The Sami Language Council administers state funding aimed at promoting bilingualism. In 1998 the Council provided funds for the development of terminology.

Paragraph 2

In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.

The Norwegian authorities have provided financial assistance for cultural activities outside the municipalities which constitute the Sami administrative district pursuant to the language provisions of the Sami Act. Examples of such cultural activities include the Árran Lule Sami Centre in Tysfjord which receives state funding for museums via Nordland county municipality, a library project in Tysfjord and a mobile library project which is funded by the Norwegian Directorate for Public Libraries.

Paragraph 3

The Parties undertake to make adequate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

On page 98 of Report No. 41 (1997-98) to the Storting, it states that in its efforts to present Norwegian art and culture abroad, the Norwegian Ministry of Foreign Affairs places emphasis on “highlighting the Sami dimension of Norwegian society and on communicating Sami forms of cultural expression to an international public.” It also states that the Ministry of Foreign Affairs “considers it a priority to integrate information on Sami issues and to make active use of Sami art and culture in cultural interchanges and efforts to disseminate information on Norway abroad. An important objective in this connection is to emphasise the distinctive Sami culture and identity as key elements in presenting the diversity of Norwegian art and culture as a whole.” Specific measures include the drafting of articles and audio-visual material on the Sami people for use in respect of foreign media, the provision of information on Sami literature to educational institutions abroad which teach Sami, and assistance for Sami children’s literature and for the purchase and dissemination of Sami anthologies abroad.

Article 13 – Economic and social life

a) Paragraphs and sub-paragraphs:

Paragraph 2:

sub-paragraph c

sub-paragraph e

b) Measures:

Paragraph 2:

With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:

sub-paragraph c to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons

The provision in section 3-5 of the Sami Act concerns the right to use Sami in the health and social sector. It provides that any person wishing to use Sami to protect his or her own interests vis-à-vis local and regional public health and social institutions in the administrative district, cf. the definition in section 3-1, subsection 1, is entitled to be served in Sami.

sub-paragraph e to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.

The State has published a brochure containing a Sami translation of the most important consumer legislation.

Article 14 – Transfrontier exchanges

a) Paragraphs and sub-paragraphs:

sub-paragraph b

b) Measures:

The Parties undertake:

sub-paragraph b: for the benefit of regional or minority languages, to facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in identical or similar form

The Ministry of Foreign Affairs considers applications from the Sameting for support for international activities.

A Nordic committee of senior government officials dealing with Sami issues which consists of representatives from the relevant ministries in Norway, Sweden and Finland, examines issues and problems of relevance to the Sami as a people. The purpose is to ensure that national frontiers do not create obstacles to the protection and further development of Sami culture.

One example of a transfrontier cultural exchange is the tour of Sami districts in Norway, Sweden and Finland by the Beivvvás Sámi Teahtér, which receives State funding.