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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**

SWEDEN

Swedish report on the Council of Europe Charter for Regional or Minority Languages

Initial Periodical Report
presented in accordance with Article 15 of the Charter



REGERINGSKANSLIET
**Ministry of Industry, Employment
and Communications**

Foreword

The European Charter for Regional or Minority Languages was opened for signature on 5 November 1992. The Charter entered into force on 1 March 1998. Sweden ratified the Charter in February 2000 and the Charter entered into force for Sweden on 1 June 2000.

Since the year 2000, Sweden has a comprehensive and clear policy on national minorities. The Swedish minority policy is still new and the Government is aware of the need of further development. The Swedish minority policy of today is a first step. Hence, as a minister with responsibilities for the policy on national minorities, it is a great pleasure for me to present this initial report to the Secretary General of the Council of Europe on Sweden's implementation of the Charter.

The information is provided in accordance with the instructions set out in the Outline, adopted by the Committee of Ministers at its 648th meeting.

Stockholm 1 June 2001

Mona Sahlin

Minister responsible for Sweden's policy on national minorities

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General remark: Whenever possible, accepted English names of Swedish organisations are used in the report. When no established names exist, the Swedish names are merely translated into English.

PART I

1. Please state the main legal act(s) whereby the European Charter for Regional or Minority Languages has been implemented in your State. If you so desire, please mention the general considerations which have guided your country in the ratification process.

As a direct result of the ratification of the Charter, two legal acts have been adopted– the Act on the right to use Sami in administrative authorities and courts of law (SFS 1999:1175¹) and the Act on the right to use Finnish and Meänkieli in administrative authorities and courts of law (SFS 1999:1176). These Acts entitle persons to use Sami, Finnish and Meänkieli (Tornedal Finnish) in their contacts with administrative authorities and courts of law in geographical areas where these languages have traditionally flourished and continue to be used to a sufficient extent. The Acts entered into force on 1 April 2000.

The legislation passed as a consequence of the Swedish ratification of the European Charter for Regional or Minority Languages was limited, in view of the fact that the Swedish legislation at the time of the ratification already fulfilled many of the provisions of the Charter.

2. Please indicate all regional or minority languages, as defined in paragraph a of Article 1 of the Charter which exist on your State's territory. Indicate also the parts of the territory of your country where the speakers of such languages(s) reside.

Sami

The Sami language consists of several varieties. In Sweden three varieties are spoken (North Sami, Lule Sami and South Sami). Upon ratification the three varieties were ratified as one minority language.

The Sami live mainly in areas traditionally inhabited by Samis, stretching from Idre in the region of Dalarna to Kiruna in the county of Norrbotten. Nowadays many Sami live even in the coastal regions in northern and central Sweden as well as in Stockholm. The administrative district for Sami comprises the municipalities of Arjeplog, Gällivare, Jokkmokk and Kiruna.

Finnish

The Finnish language is spoken all over Sweden with some concentrations in the county of Norrbotten and in the region around the Lake Mälaren in central Sweden (Mälär Valley). Historically the geographic base for the Finnish language has been in the region of Norrbotten, close to the Finnish border. The administrative districts for Finnish are the five northernmost municipalities in Sweden – Gällivare, Haparanda, Kiruna, Pajala and Övertorneå.

Meänkieli (Tornedal Finnish)

Meänkieli is a regionally based language, spoken by people in the region of Tornedalen. The majority of the Tornedalers live in the municipalities of Haparanda, Övertorneå and Pajala and in parts of the municipalities of Kiruna and Gällivare. These municipalities are also the administrative district for Finnish and Meänkieli.

¹ SFS means Swedish Code of Statutes.

3. Please indicate the number of speakers for each regional and minority language. Specify the criteria for the definition of “speaker of regional or minority language” that your country has retained for this purpose.

No official data is kept in Sweden on grounds of ethnic, linguistic or cultural origin. The figures given below are rough estimates. The figures presented are medians from different sources, figures provided by professional researchers, estimates from the own linguistic group etc. These figures can be found in the Government Bill *Nationella minoriteter i Sverige* 1998/99:143 (National Minorities in Sweden).

Sweden has no official definition of “speaker of a regional or minority language”. Sweden applies the definition given in the Article 1 of the European Charter for Regional or Minority Languages. A regional- or minority language should have been used in a certain territory within a state by its citizens and it should differ from the official language. Moreover, the language should be spoken by a sufficient number. If a language does not fulfil the criteria of being historically geographically based, it could be included by the Convention as a non-territorial language.

Sami

The Sami population in Sweden amounts to approximately 15 000 – 20 000 people. There are about 9 000 speakers of Sami in Sweden.

The Sami are an indigenous population. According to the Sami Parliament Act (Sametingslagen) (SFS 1992:1433) a Sami is a person who considers him- or herself to be Sami and who speaks or has spoken the Sami language at home, or whose parents or grandparents speak or have spoken Sami at home or has a parent who is or has been registered in the electoral register of the Same Parliament.

Finnish

The Swedish-Finnish population amounts to approximately 450 000 people and it has been estimated that half of the population use the Finnish language to some degree. Approximately 16 000 Finnish-speakers live in the county of Norrbotten.

Meänkieli

Approximately 50 000 Tornedalers lives in the municipalities of Haparanda, Övertorneå and Pajala and in certain areas of the municipalities of Kiruna and Gällivare. A figure mentioned is that roughly 40 000 has some knowledge of Meänkieli. In the 1950'-s a remarkable movement of people took place from the region of Tornedalen to the southern part of the county of Norrbotten and the whole country.

4. Please indicate the non-territorial languages, as defined in paragraph c, Article 1 of the Charter, used on your State's territory and provide statistical data concerning speakers.

Romani Chib

As in the case of Sami, the different varieties of Romani Chib spoken in Sweden are ratified as *one* minority language.

The number of Roma living in Sweden is approximately 35 000 – 40 000 people. The Roma population consists of several groups, 2 500 so-called Swedish Roma, 3 200 Finnish Roma and 10 000 who come from countries outside Scandinavia. In addition to this there are around 20 000 travellers in Sweden who speaks a variety of Romani Chib called Swedish Romani. There are no figures available of the number of persons having a command of any variety of Romani Chib.

Yiddish

The Jewish community in Sweden amounts to 20 000 - 25 000 people and includes those with two parents of Jewish origin as well as those with one parent of Jewish origin. It is estimated that today 3 000 have a command of Yiddish in Sweden.

In the case of Yiddish, it is important to remember that the number of Yiddish-speakers has decreased unnaturally in the whole of Europe due to the Holocaust. Today efforts are being made by the Jewish congregations to increase the use of Yiddish in Sweden.

5. Please indicate if any body or organisation, legally established, exists in your State which furthers the protection and development of regional or minority languages. If so, please list the names and addresses of such organisations.

The Finnish Language Council in Sweden

The Swedish state finances - with a contribution from the Finnish state - the Finnish Language Council in Sweden. The Council was established in 1975 in order to provide support for systematic scientific work in the Finnish language in Sweden. The Council compiles dictionaries, gives advice in questions regarding the Finnish language and proposes translations of concepts which describe Swedish society. The Finnish Language Council in Sweden has three employees.

The Sami Parliament and the Sami Language Council

In 1993 Sweden established a Sami Parliament whose duties and authority are prescribed by the Sami Parliament Act. According to the Act, the Sami Parliament is a public authority and at the same time a representative body for the Sami. One of the tasks of the Sami Parliament is to lead the work for the Sami language in Sweden. For that purpose, a group of experts has been set up, the Sami Language Council. The Council consists of six members, with substitutes, representing North-, Lule- and South Sami.

The Sami Language Council is responsible for developing the Sami language in Sweden. Among other things, the Council shall promote the Sami language in society; support the use of Sami language in private as well as public life, determine the spelling of Sami words, advise and provide information on Sami language issues and generally inform about the language.

The Sami Language Council employs three persons, two language consultants and one language desk officer.

Names and addresses of the organisations are given in Appendix 1.

6. Please indicate if any body or organisation has been consulted on the preparation of this periodical report. In the case of an affirmative answer, specify which one(s).

The report has been drafted at the Ministry of Industry, Employment and Communications with contributions and comments given by different ministries and authorities. According to the Government's wish to involve and inform the national minorities in matters concerning them, the report has been sent for pronouncements² to six organisations representing the minorities' interests:

² The pronouncements from the minority organisations on this report are enclosed in a separate leaflet. The texts are, however, only available in Swedish.

- Sametinget (the Sami Parliament)
- Sverigefinländarnas delegation (The Delegation of the Swedish Finns)
- Svenska Tornedalingars Riksförbund - Tornionlaaksolaiset (The Swedish Tornedalian Association)
- Romernas Riksförbund (Roma National Union)
- Judiska centralförbundet (Official Council of Jewish Communities in Sweden)
- SWEBLUL, den nationella kommittén för den Europeiska Byrån för Mindre använda Språk (the Member State Committé for the European Bureau for Lesser Used Languages)

7. Please indicate the measures taken (in accordance with Article 6 of the Charter) to make better known of the rights and the duties deriving from the application of the Charter.

In December 2000 the Government implemented an extensive dissemination of information concerning the Swedish policy on national minorities to all Swedish municipalities and county councils and a great number of state authorities. The Government has also distributed some thousands of fact sheets to citizens and non-governmental organisations upon request. Furthermore, the fact sheet is to be found on the Government's homepage in English and Swedish. Furthermore, in 2001 a survey of human rights in Sweden³, including the rights of national minorities, has been distributed to municipalities, state authorities etc.

The Government has also distributed a booklet with the Act on the right to use Sami in administrative authorities and courts of law (SFS 1999:1175) and the Act on the right to use Finnish and Meänkieli in administrative authorities and courts of law (SFS 1999:1176). The acts are translated into North-, Lule- and South Sami, Finnish and Meänkieli.

The Ministry of Industry, Employment and Communications has made the European Charter for Regional or Minority Languages available at the Ministry's homepage (www.naring.regeringen.se) in English and Swedish.

It may, however take time to establish a new policy area and the Swedish Government will continue its efforts to make the policy on national minorities a national concern.

³ Mänskliga rättigheter i Sverige – en kartläggning (Ministry report 2001:10).

PART II

1. Please indicate what measures your State has taken to apply Article 7 of the Charter to the regional or minority languages referred to in paragraphs 2 and 4 of part I above, specifying the different levels of government responsible.

Measures that the Swedish authorities have implemented in relation to regional- or minority languages and non-territorial languages in accordance with Article 7 of the Charter:

Article 7 Objectives and principles

1. In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:

a) the recognition of the regional or minority languages as an expression of cultural wealth;

It is vital that pupils in the Swedish school, from children to adult- students, learn about the history of the country's national minorities, their culture, language and religion. The school curricula (Lpo 94 and Lpf 94) has therefore been amended to include instruction on national minorities and minority languages. National minorities and minority languages have also been taken into account in the recent revision of school syllabuses.

b) the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;

The Act on the prerequisites for changes in the divisions in municipalities and county councils (1979:411) is sufficient to fulfil the demands of the European Charter for Regional- or Minority Languages. In Chapter 1, Section 1 of the Act it is stated that changes in the country's division into municipalities can be done if such a change may be assumed to be of lasting value to a municipality or a part of a municipality or if the change may be assumed to have other advantages from a general point of view. Particular consideration should be given to the opinion of those municipalities most concerned by the change. If a municipality opposes a change, a decision contrary to the municipality's wish can only be made if there are very strong reasons for such a change. Particular consideration should also be given to the views of the population.

In accordance with the statement made in the preparatory work in connection with this law, a change of the administrative division ought not to be carried out without, from an objective point of view, sound reasons for such a change (Government Bill 1978/79:145). The reasons for the proposed change and the importance they should be given in relation to possible reasons against a change, should take established practice into account. All the pros and cons shall be weighed up carefully. The assessment should be based on the circumstances of the population.

In the light of these facts, the Government considers that the legislation provides sufficient safeguards to ensure that a change based on administrative division will not take place if it would impede the promotion of a regional or minority language.

c) the need for resolute action to promote regional or minority languages in order to safeguard them;

In December 1999, the Swedish Riksdag (parliament) made a historic decision when the proposals in the Government Bill 1998/99:143 *National Minorities in Sweden* were adopted (Parliamentary Standing Committee on the Constitution report 1999/2000:KU6, Government Communication 1999/2000:69). Since then Sweden has introduced an integrated policy on minorities and appointed a minister responsible for the policy on national minorities.

The Government subsequently ratified the Council of Europe's Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages.

The decision of the Riksdag that Sweden has five minority languages was an important step for the minority groups and the speakers of the minority languages. It gave the languages status and restored what previously had been counteracted through periods of "swedishization" and assimilation policy.

As a new area, minority policy is in need of further development. An inter-ministerial Working Group on issues related to national minorities has been established in the Government Offices. The Group shall contribute to the development of policies of national minorities; ongoing activities and undertakings should be followed up and evaluated.

d) the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;

Facilitation and encouragement to use regional or minority languages are interlinked with the opportunity to learn these languages as well as the accessibility to public arenas.

Statutory right to mother tongue instruction in school

Pupils that speak Sami, Finnish, Meänkieli, Romani chib and Yiddish as their mother tongue are entitled to mother tongue instructions in school. Especially favourable rules are valid for mother tongue instruction in Sami, Meänkieli and Romani Chib. The speaker of these languages are entitled to mother tongue instruction even if the number of pupils is less than five, which otherwise is the minimum level for mother tongue instruction offered by municipalities.

Pupils of Finnish origin speaking Romani Chib are the only group entitled to receive mother tongue instruction in two languages, Finnish and the Finnish variety of Romani Chib. Several municipalities have however had shortcomings in providing mothertongue instruction in Romani chib and relatively few pupils take part in mothertongue instruction in Romani chib.

Media

Public subsidies for the press include special rules on the allocation of funds to newspapers that address minorities in their own languages. The public service companies in Sweden have as one of their duties to provide programmes for TV and radio in minority languages.

- e) *the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;*

The European Bureau for Lesser Used Languages (EBLUL), within the European Union, is financed by the union and is represented also in Sweden. The Swedish branch, the Member State Committé for the European Bureau for Lesser Used Languages (SWEBLUL), is an association involving the five national minorities in Sweden in the field of regional and minority languages.

- f) *the provision of appropriate forms and means for the teaching and study of regional and minority languages at all appropriate stages;*

Teaching and study of regional and minority languages are provided for at all levels in the Swedish educational system. (It may not necessarily mean that all minority languages are available at all levels in the educational system.)

- In the administrative districts for Sami and Finnish and Meänkieli pre-school activities are offered which involves some or all of the activities in the regional languages
- Mother tongue instruction is offered at compulsory school and upper secondary schools
- Private schools with public funding provides education in regional and minority languages
- The Sami school, provides education in Sami for pupils with Sami as their mother tongue
- Adult and continuing education courses are given in regional and minority languages. Language courses are, however, not available in Romani Chib, but some courses in other subjects are held in Romani Chib for Roma.
- Folk high schools offer courses in regional and minority languages
- Universities offer education and research on regional and minority languages, except on Romani Chib.

- g) *the provision of facilities enabling non- speakers of a regional or minority language living in the area where it is used to learn if they so desire;*

Adult education associations

Language courses in all minority languages are provided for through the Swedish adult education associations.

Universities

University courses in Finnish and Sami are available at a number of Swedish universities. The universities of Uppsala, Luleå and Umeå offer education and carries out research in the Sami languages. Studies in the Finnish languages are offered at several universities in Sweden, for example in Lund, Stockholm, Umeå and Uppsala.

Folk high schools

Several folk high schools offer instruction of regional based minority languages. Education for speakers of the non-territorial language Romani Chib is also offered at a number of folk high schools. For further information, refer to Article 8, part III.

h) the promotion of study and research on regional or minority languages at universities or equivalent institution;

The Government stated in its latest research policy Bill (Government Bill 200/2001:3) that, as a consequence of the policy on national minorities, it is important that education and research on minority languages and the national minorities continue and develop. It is therefore essential that research done in Sami, Finnish and Meänkieli carries on. Furthermore, in the Bill the need for research in Romani Chib and Yiddish and about the culture, religion and history of the national minorities is emphasised.

The Bill also addresses the question of so called minor subjects. It is announced that the National Science Council is given the nation-wide responsibility for promoting a holistic approach to the allocation and use of resources for such subjects.

Study and research on regional or minority languages and/or on minority cultures are carried out at following universities:

Sami: the universities of Umeå and Uppsala and the Technical University of Luleå.

Finnish: the Universities of Lund, Stockholm, Uppsala and Umeå

Meänkieli study and research in Meänkieli is integrated with the study and research in Finnish.

Judaistic: the University of Lund (it is not possible to study Yiddish at any Swedish university).

Romani chib: Courses in and on Romani Chib is not available at any Swedish university.

The Technical University of Luleå has a special assignment to offer teacher training education for the compulsory school in Sami, Finnish and Meänkieli.

The Central Bank Jubilee Foundation has recently decided to grant 40 million Swedish kronor for a Jewish institute in Stockholm. The institute will offer academic studies in Jewish and other related subjects.

Furthermore, research on national minorities and immigrants is carried out at the universities of Malmö, Stockholm and Uppsala.

i) the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.

Sami

Transnational co-operation across the borders of Finland, Norway, Russia and Sweden is extensive, both in the private sector as well as among associations. Examples of the later are the Sami Council established in 1956 and Nordic Sami Institute (Nordiskt Samiskt institut) established in 1973. Of great importance is also the work carried out within the Sami language councils.

For further information, please refer to Part III, Article 14.

Finnish

Transnational exchanges take place across the borders between Sweden and Finland in all forms covering the economic, cultural and social life, in the public and the private sector.

Meänkieli

Transfrontier co-operation is carried out in the region of Tornedalen through the Tornedal Council (Tornedalsrådet) and between the frontier municipalities, Haparanda in Sweden and Torneå in Finland.

Romani Chib

Co-operation in Roma affairs is present within the Council of Europe, the Organisation for Security and Co-operation in Europe (OSCE) and the European Union.

2. The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language nor intend to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely used languages.

There is nothing in Swedish legislation or public administration that supports any unjustified distinction, exclusion, restriction or preference relating to the use of regional or minority languages or intending to discourage or endanger the maintenance or development of such languages.

3. The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.

Education

Knowledge of different cultures contributes to a process of understanding and respect. All pupils in the Swedish school, from children to adult- students, shall in school learn about the history of the country's national minorities, their culture, language and religion. The school curricula (Lpo 94 and Lpf 94) have been amended to include instruction on national minorities and minority languages. Knowledge of national minorities and minority languages have also been included in the recent revision of school syllabuses.

Information

The Government initiated in December 2000 a national information drive concerning the Samis as the autochthonous population of Sweden and about the Sami culture. The Swedish Riksdag has decreed⁴ that the information drive will be launched and considers it to be a matter of urgency for the whole population. The drive will have the nature of a long-term commitment and is ment to last for five years. One of the aims with the campaign is to promote respect and tolerans for the Samis and knowledge and understanding of the Sami culture.

Mass media

Broadcasting licences for public service companies, Swedish Television, the Swedish Broadcasting Company and the Swedish Educational Broadcasting Company require that these companies take the needs of national minorities and their languages into account. In the broadcasting licence it is stated that Sami, Finnish and Meänkieli must be given special status in the programme production. In the Public Service Radio and Television Bill 2002 – 2005 (Government Bill 2000/01:94) concerning broadcasting licences entering into force in 2002, it is stated that Romani Chib must also be given special status in the programme production.

⁴ (bet. 2000/01:MJU2)

Furthermore, the Government proposes that the broadcasting companies shall take account of the fact that Yiddish also has the status of minority language in Sweden.

4. In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.

Giving national minorities the opportunity to influence decisions affecting the minority community is an important part of Sweden's policy on national minorities. A range of measures has accordingly been adopted, aimed at giving national minorities a greater say in public decision-making. These measures include consultative meetings between representatives of the Government and minority organisations. Special funds have also been allocated to organisations representing national minorities in order to strengthen their ability to participate in decision-making that may affect them.

All five minority groups in Sweden have bodies which represent the minorities and with which the Government communicates. The largest minority group in Sweden, the Swedish Finns, established in 2000 the Delegation of the Swedish Finns. The primary aim of the Delegation is to guard the interests of the Finnish-speaking minority in Sweden in dealings with the Government and authorities in matters concerning the minority.

The following bodies represent the minority groups in contacts with the Government:

- Sametinget (the Sami Parliament)
- Sverigefinländarnas delegation (The Delegation of the Swedish Finns)
- Svenska Tornedalingars Riksförbund-Tornionlaaksolaiset (The Swedish Tornedalian Association)
- Romernas Riksförbund (Roma National Union)
- Judiska centralförbundet (Official Council of Jewish Communities in Sweden)

5. The parties undertake to apply, mutandis mutandis, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.

There are two languages in Sweden which correspond to the definition of non-territorial languages in the Charter, namely. These languages are Romani Chib and Yiddish. In the Swedish policies on national minorities these languages are to a large extent treated as the territorial languages, except as regards the regional measures carried out in the seven northernmost municipalities. The organisations representing the national minorities take part in consultative meetings with the Government and government officials and in 2000 they received the same financial support for consultation and influence as the organisations representing territorial languages.

The needs and prerequisites for all the five minority languages in Sweden differ a lot from each other. Important factors such as the number of speakers, the level of education within the group, the existence of a written language, etc. vary remarkably between all the regional and minority languages in Sweden. With regard to the different needs, it is considered important that those affected by the minorities policy are able to make their views and wishes known before decisions are made. One form of influence for the Roma population is the activity carried out by the Roma Working Group at the Ministry of Industry, Employment and Communications, which has been working to improve the situation of the Roma.

2. If appropriate, state any future measures which are envisaged in your country.

The Government has recently received four reports⁵ from national authorities concerning national minorities and minority languages, each from their field of expertise; from the National Agency for Education, the National Council for Cultural Affairs, the Swedish National Council of Adult Education and the County Administrative Board of the County of Norrbotten. The reports contain proposals to the Government that are to be considered in due course.

⁵ Names and references of the reports are given in appendix 2.

PART III

For each regional or minority language chosen at the moment of ratification, as follows from paragraph 2, Article 2 of the Charter, please indicate in which way the paragraphs and/or sub-paragraphs⁶ have been implemented.

When indicating the measures taken in order to implement each paragraph or sub-paragraph chosen, please specify the relevant legal provision and the territory where they are applicable.

Language: SAMI

Article 8 – Education

Sweden has undertaken to provide education in Sami as follows:

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:

- a.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; or**
- b.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**
- c.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**
- d.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;**
- e.iii) if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;**
- f.iii) if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education;**
- g.) to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;**
- h.) to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;**
- 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.**

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.

⁶ For an index of the paragraphs and sub-paragraphs Sweden has ratified, please see appendix 3 .

Pre-school activities, 8.1.a.iii

The Act on the right to use Sami in administrative authorities and courts of law requires municipalities in the administrative districts for Sami to offer parents or guardians of a child the option of placing their children in pre-schools where parts or all of the activities are conducted in Sami.

Pre-school activities in Sami existed in the municipalities of Gällivare, Jokkmokk and Kiruna before the Act on the right to use Sami in administrative authorities and courts of law entered into force.

Pre-school education is carried out in co-operation with respective Sami school.

Primary school education 8.1.b.iv

The Sami School (Sameskolan) carry out instruction from first to sixth grade for the Sami-speaking children. In the school year 2000/2001, there were six Sami schools. According to the school curricula (Lpo 94), the Sami school, beside the goals of the compulsory school has a responsibility to ensure that every pupil is familiar with the Sami heritage and can speak, read and write Sami when leaving the school.

The school syllabus for the compulsory school applies also to the Sami school, but for the Sami school a syllabus is added for the subject Sami. There are different goals for those who learn Sami as a first language or as a second language.

After the sixth grade the pupils of the Sami school enter the ordinary compulsory school. They can then continue to learn Sami as their mother tongue since Sami is taught as the mother tongue for those pupils who want to learn it and are of Sami origin.

Integrated Sami education is provided and regulated by agreements between the Sami School Board and the municipalities. Sami pupils attend the compulsory school but are taught the Sami language, Sami culture and the Sami way of living. The most common subjects are the Sami language, Sami handicraft and society oriented subjects.

Upper secondary school education 8.1.c.iv

Sami pupils from all over Sweden can apply to the Sami branch of the Bokenskolan Secondary School, in the municipality of Jokkmokk. At Bokenskolan it is possible to carry out ordinary upper secondary studies with a Sami specialisation.

Technical and vocational training 8.1.d.iv

Bokenskolan, mentioned under 8.1.c.iv, also offers vocational training with a Sami-specialisation. In contrast to the secondary education the pupils at the vocational training do not have any language studies.

University education 8.1.e.iii

Study and research on Sami is carried out at the universities of Umeå and Uppsala and teacher training education in Sami is offered at the Technical University of Luleå.

Adult and continuing education 8.1.f.iii

The Sami Education Centre (Samernas utbildningscentrum) in the municipality of Jokkmokk offers adult education at the Centre and distance tuition. The courses are generally of one to two years of length. They offer technical and vocational courses, as Sami handicraft, Sami entrepreneurship, Sami tourism and Sami language and culture.

Ensure teaching of history and culture 8.1.g.

The Swedish Government consider it vital that all pupils in the Swedish school, from children to adult students, learn about the history of the country's national minorities, their culture, language and religion. The school curricula (Lpo 94 and Lpf 94) have therefore been amended to include instruction on national minorities and minority languages. National minorities and minority languages have also been taken into account in the recent revision of school syllabuses.

In addition to that, the folk high schools (independent adult education colleges) and the adult education associations play an important role in disseminating knowledge about national minorities and their languages.

Teacher training 8.1.h

The Technical University of Luleå is commissioned by the Government to offer teacher training education for compulsory school in Sami, Finnish and Meänkeili.

The Ordinance of Higher Education (SFS 1993:100) enables high schools to instruct teacher training students about national minorities and minority languages. Regulations for the examination system ensures that teachers who have passed examination have the knowledge required to fulfil the goals of the curricula decided by the Government.

Supervision 8.1.i

As part of its supervisory responsibility, the National Education Agency is required in its regulating instrument to monitor the development of bilingual and mother tongue instruction for national minorities.

The Sami School Board is an administrative authority for the National Sami schools and other activities belonging to and regulated by the Sami School ordinance. The Sami School Board deals with the following type of Sami education forms: pre-school, Sami primary school and integrated Sami education in the primary school. The board has total responsibility for school operations, its political steering and finances. The Sami School Board determines a plan of operations.

A special Working Group has been set up by the Norrbotten County Administrative Board to ensure that measures are implemented at regional level. The Group consists of representatives from the local and regional authorities and from the national minorities. The Group shall report to the Government once a year.

Education outside the regional territories 8.2

University education and research in Sami is available at Uppsala University, which is outside the regional territory of the Sami language.

The adult education associations offer courses in the Sami language at a number of places in Sweden outside the administrative districts for Sami.

Article 9 – Judicial authorities

Sweden has undertaken to ensure the use of Sami before judicial authorities as follows:

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

a. in criminal proceedings:

- ii) to guarantee the accused the right to use his/her regional or minority language; and/or**
- 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; and/or**
- iv) to produce, on request, documents connected with legal proceedings in the relevant regional or minority language, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned**

b. in civil proceedings:

- 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; and/or**
- iii) to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations**

c. in proceedings before courts concerning administrative matters:

- 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; and/or**
- iii) to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations**

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 does not involve extra expense for the persons concerned

2. The Parties undertake:

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; or

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 right to use Sami in criminal proceedings, civil proceedings and proceedings before courts concerning administrative matters 9.1

According to Section 4 of the Act on the right to use Sami in administrative authorities and courts of law, anybody who is a party or alternate for a party in a judicial procedure in a court of law is entitled to use Sami in the proceedings, if the judicial procedure has a connection to the administrative district for Sami. This right applies to district and city courts, county administrative courts, certain special courts and to courts of appeal.

According to Section 5 of the Act the right to use Sami includes the right to speak any form of Sami when a person appears before the court, to present both oral and written requests, evidence and other documents connected with the proceedings in Sami and to have requests, evidence and documents in another language orally translated to Sami. It is for the court to ensure that documents and evidence are translated into Swedish, if it is not obviously unnecessary.

If somebody wishes to use Sami in a judicial procedure, according to Section 6 of the act, he or she has to make a request for this in connection to when the procedures are initiated. If such a request is made later, it may be refused. A request may also be refused if it is obvious that the request has an improper purpose. This right is not associated with any costs for the

accused in criminal procedures or a litigant in civil procedures or proceedings concerning administrative matters.

Translation and interpretation involves no extra expense for the persons concerned. Costs related to translation and interpretations are paid for by the court. To cover translation as pursuant to the Acts 1999:1175 and 1176, the Government has provided one million Swedish kronor to the courts administration.

Validity of legal documents 9.2

According to Swedish legislation the validity of a legal document cannot be denied on account of it being drafted in a regional or minority language.

Important national statutory texts 9.3

The Act on the right to use Sami in administrative authorities and courts of law has been translated into the Sami varieties, North-, Lule- and South Sami and has been made available to the public through a booklet free of charge and on the Ministry's homepage (www.naring.regeringen.se).

The National Courts Administration has also translated information related to the legislation on the right to use Sami in courts into the three Sami varieties.

Article 10 – Administrative authorities and public services

Sweden has undertaken to ensure the use of Sami before administrative authorities and public services as follows:

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:

- a.iii) to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages;**
- a.v) to ensure that users of regional or minority languages may validly submit a document in these languages**
- c) to allow the administrative authorities to draft documents in a regional or minority language**
- 2.b the possibility for users of regional or minority languages to submit oral or written applications in these languages**
- 2.c the publication by regional authorities of their official documents also in the relevant regional or minority languages**
- 2.d the publication by local authorities of their official documents also in the relevant regional or minority languages**
- 2.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**

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

- a. translation or interpretation as may be required**

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

Use of Sami in public 10.1.a.iii, 10.1.a.v, 10.1.c and 10.2.b

Section 2 of the Act on the right to use Sami in administrative authorities and courts of law entitles a person to use Sami in his or her dealings – both oral and written - with administrative authorities in a case that involves exercise of official power concerning him or

her. If the person concerned in a case uses Sami in any form, the authority in question is obliged to respond orally in Sami. Moreover, a written decision in such a case must contain information in Sami that the decision can be translated orally into Sami by the authority upon request. The Act also states that authorities should strive to answer Sami-speaking people in Sami. The authorities may decide to receive Sami-speaking visitors and phone calls from Sami-speaking people in certain hours during the week.

This right applies to dealings with local and regional state authorities, such as county administrative boards, regional public prosecution offices, police authorities, tax authorities and employment offices and to county council and municipal administrative authorities.

Moreover, municipalities in the administrative district for Sami are required to offer care services for the elderly in which some or all activities are conducted in Sami.

Publication in regional languages 10.2.c, 10.2.d

The Government states (1998/99:143) that statutes that especially concern the rights of Sami as a national minority should be translated into Sami.

The Act on the right to use Sami in administrative authorities and courts of law has been translated into the Sami varieties, North-, Lule- and South Sami and has been made available to the public through a booklet free of charge and on the Ministry's homepage (www.naring.regeringen.se).

Traditional forms of place- names 10.2.g

The Riksdag has decided⁷ that great attention must be paid to the Sami and Finnish minorities in northern Sweden when establishing names on maps and when raising road sign. When place-names shall be established in multi-lingual areas they are to be produced in the languages spoken in the region. The minorities' way of spelling should be adopted.

The maps produced by the National Land Survey mark place-names, beside Swedish, also in Sami and Finnish. The National Road Administration started in 1995 gradually to supplement signs of place-names in Norrbotten and Västerbotten with names in Sami and Finnish.

Translation and interpretation 10.4.a

The regional municipalities and county councils shall provide translation or interpretation as may be required for the fulfilment of the above listed provisions of paragraphs. A state subsidy is given to cover costs related to the Act 1999:1176. The Norrbotten County Administrative Board administer the state grant.

Family names 10.5

There is nothing in Swedish legislation that impedes individuals to keep their family name or surname.

The Names Act (SFS 1982:670) contains rules on how names are acquired. If a person wishes to adopt the last name of one or both of his or her parents, he or she can do so by a notification to the local tax office. Those who otherwise want to change family names can apply to the Swedish Patent and Registration Office, which deal with applications for change of names and amendment of names. Newly created family names must have a pronunciation and spelling and such a linguistic correctness that it is suitable as a family name in Sweden.

⁷ Government Bill 1984/85:100

When considering appropriateness, the Sami and Finnish language constructions are considered to comprise national parlance.

Article 11 - Media

Sweden has undertaken to ensure the use of Sami in the media as follows:

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:

- a.iii) to make adequate provision so that broadcasters offer programmes in the regional or minority languages**
- d) to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages**
- e.i) to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages**
- f.ii) to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages**

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

Provision of programmes in Sami on TV and radio 11.1.a.iii

The public service companies in Sweden have as one of their duties to provide programmes for TV and radio in minority languages. Sami along with Finnish and Meänkieli must be given special status. TV-programmes are produced in different genres as children programmes, news etc. In 1999, Swedish Television broadcasted 21 hours in Sami.

Sámi Radio broadcasts daily news in Sami. In 1999, Sámi Radio produced 204 hours of radio programmes.

The public service companies in Finland, Norway and Sweden have agreed upon co-operation in the field of programmes in Sami. One ambition is to accomplish a common radio channel in Sami languages.

Filmpool Nord is a regional resource centre for film and video production in the county of Norrbotten and a regional film production centre. Short films and documentary film about the Sami people have been produced by Sami and other Swedes. Filmpool Nord has been assigned by the Swedish Film Institute the task of being a regional actor to co-produce regional films.

Encouragement and facilitation of production and distribution 11.1.d

State funded broadcasting licences for public service companies, Swedish Television, the Swedish Broadcasting Company and the Swedish Educational Broadcasting Company require that these companies take the needs of national minorities and their languages into account. In the broadcasting licence it is stated that Sami must be given special status.

Encouragement of conditions for newspapers 11.1.e.i)

The terms and conditions governing public subsidies for the press include special rules on the allocation of funds to newspapers that address minorities in their own languages. Newspapers in Sami can obtain state subsidies through the Sami Parliament.

The National Council for Cultural Affairs is responsible for the allocation of funds and shall give special consideration to minorities when allocating public funds to cultural publications.

Equal financial support for media using Sami 11.1.f.ii)

Refer to 11.1.d.

Right to reception of media from neighbouring countries 11.2

There are no restrictions whatsoever on the 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, nor on the retransmission of radio and television broadcasts from neighbouring countries in any language.

Article 12 – Cultural activities and facilities

Sweden has undertaken to ensure the use of Sami in cultural activities and facilities as follows:

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:

- 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**
- b) **to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities**
- c) **to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;**
- 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;**
- 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**
- f) **to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities**
- 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**

- 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*

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

Encouragement of cultural activities 12.1.a

The Sami people have a rich historic culture, which is closely linked to nature. It consists of dance and music, handicraft, clothing, an oral tradition with long historical roots, etc.

The fundamental duty of the Sami Parliament is to promote a vital Sami culture. The Sami Parliament Culture Council allocates governmental subsidies, resources from the Sami Fund and also from other means made available to the Sami, to Sami culture and Sami organisations. Among the receivers are the Sami Theatre, the Sami Handicraft Foundation, the Sami Library and the Sami newspaper Tidningen Samefolket.

The Swedish Film Institute takes part in an investigation initiated by the municipality of Kiruna concerning the establishment of a resource centre for Sami and Tornedal film production. The investigation shall also consider in what way film culture and film production promote the minority languages. The result will be presented at the Umeå Film Festival in September 2001.

See also 12.1.a in the Finnish section.

To foster access to works produced in regional languages 12.1.b

The National Council for Cultural Affairs should give special consideration to minorities when allocating public funds to literature and cultural publications.

The National Council for Cultural Affairs proposes that the Filmpool Nord (se under 11.1.a.iii) probably could be a resource in the future to encourage new ways to write and produce texts. Manus writing and development of manus would probably promote interest especially among youth, states the Swedish Film Institute.

To foster access to works produced in other languages 12.1.c

Refer to 12.1.b regarding the National Council for Cultural Affairs.

Within the Sami Theatre works produced in other languages have been translated and performed in Sami, reshaped to a Sami performance.

Ensure bodies responsible for organising cultural activities 12.1.d

The National Council for Cultural Affairs is responsible for cultural support in Sweden that includes the national minorities. The Sami Parliament Culture Council plays an important role concerning the Sami culture as is mentioned in 12.1.a.

Promote measures to ensure staff speaking Sami 12.1.e

Within the Sami Parliament, there is a Council for Cultural Affairs that handles most of the questions related to Sami cultural activities. The Parliament serves as a public authority and is at the same time a representative body for the Sami. The staff of the Sami Parliament has a command of Sami and of Swedish. Several of the employees have knowledges in the minority languages Finnish and Meänkieli as well.

Encouragement of participation by Sami representatives 12.1.f

The Sami have a far-reaching autonomy in the cultural field thanks to the Sami Parliament. The Parliament receives a state grant to cultural activities, which is distributed by the Council for Cultural Affairs within the Sami Parliament. The Sami Parliament can freely raise and make suggestions in any area which the Parliament deems of special interest to a vital Sami culture.

The non-governmental organisation the Sami Council is also a forum for the Sami to influence issues that concern them.

See also 12.1.f in the Finnish section.

Archives 12.1.g

In the year 2000, the Government set up a comission to investigate archive-related issues. One aim of the investigation is to find suitable forms to preserve documents in minority languages. As a starting point the investigation shall describe where documents are today, their form and under what conditions they are available for the general public.

The investigator shall present the result 30 November 2001.

Language councils etc.12.1.h

For further explanation of the Sami Language Council, refer to Part I, 4.

Cultural activities outside the region 12.2

One of the goals of the National Council for Cultural Affairs is to promote cultural diversity and exchange of cultures between different cultures in the country.⁸

The Government consider it vital that all pupils in the Swedish school, from children to adult students, learn the history of the country's national minorities, their culture, language and religion. The school curricula (Lpo 94 and Lpf 94) have therefore been amended to include instruction on national minorities and minority languages. National minorities and minority languages have also been taken into account in the recent revision of school syllabuses.

Article 13 – Economic and social life

Sweden has undertaken to ensure the use of Sami in economic and social life as follows:

1. With regard to economic and social activities, the Parties undertake, within the whole country:

- a) to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations**

⁸ Government Bill 1996/97:3, Government Communication 19996/97:129.

There is no legislation in Sweden that prohibits or limits the use of regional or minority languages in documents relating to economic or social life.

Article 14 - Transfrontier exchange

Sweden has undertaken:

- a) *to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education*
- 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*

Co-operation concerning all national minorities

The Nordic countries⁹ have concluded agreements on co-operation in the field of culture, on co-operation between local authorities and on the right of a citizen of a Nordic country to use his or her own language in the other Nordic countries.

The co-operation between Finland, Sweden and Norway in the fields of education and culture is included in the 1971 cultural co-operation treaty of all the five Nordic countries. The co-operation is realised by institutions and committees operating under the Nordic Council of Ministers. The major part of the measures taken by the Nordic Council of Ministers concern the various sectors of culture, information services and education, where language is a central element. These projects include, for example, the financial support for translating literature, the co-operation between the Nordic languages boards and the platform of language instruction, NORDMÅL. The Nordic Council of Ministers has a specific language programme.

Initial contacts have taken place between Sweden and both Finland and Norway concerning exchange of experiences of policy-making on national minorities.

Co-operation especially concerning the Sami

Transnational exchanges are common among the Sami especially in the border region between Finland, Sweden and Norway where Sami is spoken. The Sami Parliaments of Finland, Sweden and Norway co-operate in several fields. As far as languages are concerned the Sami language councils play an important role. Each national Sami Parliament has its own language council which, together with the Samis in Russia, co-operates in a common Sami Language Council. One important task for the language council is to develop common standards for the Sami languages in Sápmi, e.g. harmonizing the varieties spoken in the different countries and the terminology.

Other fora for transnational co-operation are the non-governmental organisations, the Sami Council and the Nordic Sami Institute (Nordiskt Samiskt institut).

⁹ Finland, Sweden, Denmark, Norway and Iceland.

The activities of the Sami Council is being financed by the Nordic Council of Ministers. It is a common non-governmental body for the Sami in Finland, Norway, Russia and Sweden with the task to safeguard the interests of the Sami people in economic, social and cultural fields.

The Nordic Sami Institute has as one of its missions to improve the situation for the Sami population socially, judicially and economically through research and information.

The Nordic countries have agreed upon joint co-operation in radio broadcasting and production of TV programmes in Sami.

Language: FINNISH

Article 8 – Education

Sweden has undertaken to provide education in Finnish as follows:

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:

- a.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; or**
- b.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**
- c.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**
- d.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;**
- f.iii) if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education;**
- g.) to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;**
- h.) to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;**
- 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.**

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.

Pre-school activities, 8.1.a.iii

The Act on the right to use Finnish in administrative authorities and courts of law requires municipalities in the administrative districts for Finnish to offer parents or guardians of a child the option of placing their children in pre-schools where parts or all of the activities are conducted in Finnish.

The administrative district for Finnish comprises the municipalities of Gällivare, Haparanda, Kiruna, Pajala and Övertorneå, which are all situated in the north of Sweden.

Primary and secondary education 8.1.b.iv and 8.1.c.iv

Finnish may be taught as the mother tongue in both primary and secondary education. In the school year 1999/2000 tuition in Finnish as mother tongue took place in 111 out of 289 municipalities at compulsory school level.

Eight private Swedish-Finnish schools conduct bi-lingual education in the school year 1999/2000.

Bilingual Swedish-Finnish classes in schools provided by the municipalities were widely spread just a decade ago. Their numbers were almost 300 in the beginning of the 90s, compared to 76 in 1997. The negative trend for this form of education will probably continue, according to the National Agency for Education¹⁰.

Technical and vocational training 8.1.d.iv)

Mother tongue instruction should be offered to all pupils for whom Finnish is a language used within the family and if the number of pupils demanding mother tongue instruction in Finnish is five or more in the same municipality. The offer of mother tongue instruction applies to the compulsory school, and upper secondary school, including technical and vocational training.

Adult and continuing education 8.1.f.iii

The National Association of Finns in Sweden has close relations to three folk high schools (independent adult education colleges) that offer courses in Finnish; Swedish-Finnish Folk High School in Haparanda, Axevalla Folk High School in Skövde and Finnish Folk High School in Gothenburg.

The Swedish- Finnish minority participates to a great extent in the activities carried out by the adult education associations. The National Association of Finns in Sweden co-operates with one of the adult education associations, ABF (Workers' Educational Association), and is represented on its board. The minorities that took part in the activities of the adult education associations to achieve a completed nine- year compulsory education were mainly the Swedish Finns and the so called Finnish Roma.

Ensure teaching of history and culture 8.1.g.

Refer to 8.1.g in the Sami section.

Teacher training 8.1.h

Refer to 8.1.h in the Sami section.

Supervision 8.1.i

Refer to 8.1.i in the Sami section.

Education outside the regional territories 8.2

Due to the large immigration inflows of Finns in the 60s and 70s, there are a considerable number of Swedish-Finns outside the administrative regions in northern Sweden. Education in Finnish is found at all levels outside the regional territories.

One of the aims for the Finnish-Swedish Education Council (Finsk-svenska utbildningsrådet) is to facilitate the educational situation for the Finnish minority in Sweden.

Article 9 – Judicial authorities

Sweden has undertaken to ensure the use of Finnish before judicial authorities as follows:

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

¹⁰ Skolverket (File ref. 97:1292)

a. in criminal proceedings:

- ii) to guarantee the accused the right to use his/her regional or minority language; and/or**
- 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; and/or**
- iv) to produce, on request, documents connected with legal proceedings in the relevant regional or minority language, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned**

b. in civil proceedings:

- 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; and/or**
- iii) to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations**

c. in proceedings before courts concerning administrative matters:

- 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; and/or**
- iii) to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations**

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 does not involve extra expense for the persons concerned

2. The Parties undertake:

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; or

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 right to use Finnish in criminal proceedings, civil proceedings and proceedings before courts concerning administrative matters 9.1

According to Section 4 of the Act on the right to use Finnish in administrative authorities and courts of law, anybody who is a party or alternate for a party in a judicial procedure in a court of law is entitled to use Finnish in the proceedings, if the judicial procedure has a connection to the administrative district for Finnish. This right applies to district and city courts, county administrative courts, certain special courts and to courts of appeal.

According to Section 5 of the Act the right to use Finnish includes the right to speak Finnish when a person appears before the court, to present both oral and written requests, evidence and other documents connected with the proceedings in Finnish and to have requests, evidence and documents in another language orally translated to Finnish. It is for the court to ensure that documents and evidence are translated into Swedish, if it is not obviously unnecessary.

If somebody wishes to use Finnish in a judicial procedure, according to section 6 of the Act, he or she has to make a request for this in connection to when the procedures are initiated. If such a request is made later, it may be refused. A request may also be refused if it is obvious that the request has an improper purpose. This right is not associated with any costs for the accused in criminal procedures or a litigant in civil procedures or proceedings concerning administrative matters.

Translation and interpretation involves no extra expense for the persons concerned. Costs related to translation and interpretations are paid for by the court. To cover translation pursuant to the Acts 1999:1175 and 1176 the Government has provided one million Swedish kronor to the courts administration.

Validity of legal documents 9.2

According to Swedish legislation the validity of a legal document cannot be denied on account of it being drafted in a regional or minority language.

Important national statutory texts 9.3

The Act on the right to use Finnish in administrative authorities and courts of law has been translated into Finnish and has been made available to the public through a booklet free of charge and on the Ministry's homepage (www.naring.regeringen.se).

The National Courts Administration has also translated information related to the legislation on the right to use Finnish in courts into Finnish.

Article 10 – Administrative authorities and public services

Sweden has undertaken to ensure the use of Finnish before administrative authorities as follows:

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:

- a.iii) to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages;*
- a.v) to ensure that users of regional or minority languages may validly submit a document in these languages*
- c) to allow the administrative authorities to draft documents in a regional or minority language*
- 2.b the possibility for users of regional or minority languages to submit oral or written applications in these languages**
- 2.c the publication by regional authorities of their official documents also in the relevant regional or minority languages**
- 2.d the publication by local authorities of their official documents also in the relevant regional or minority languages**
- 2.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**

4. With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures a translation or interpretation as may be required

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

Use of Finnish in public 10.1.a.iii, 10.1.a.v, 10.1.c and 10.2.b

Section 2 of the Act on the right to use Finnish in administrative authorities and courts of law entitles a person to use Finnish in this or her dealings – both oral and written - with administrative authorities in a case that involves exercise of public authority concerning him or her. If the person concerned in a case uses Finnish, the authority in question is obliged to respond orally in Finnish. Moreover, a written decision in such a case must contain information in Finnish that the decision can be translated orally into Finnish by the authority upon request. The Act also states that authorities should strive to answer Finnish-speaking people in Finnish. The authorities may decide to receive Finnish-speaking visitors and phone calls from Finnish-speaking people in certain hours during the week.

This right applies to dealings with local and regional state authorities, such as county administrative boards, regional public prosecution offices, police authorities, tax authorities and employment offices and to county council and municipal administrative authorities.

Moreover, municipalities in the administrative district for Finnish are required to offer care services for the elderly in which some or all activities are conducted in Finnish.

Publication in regional languages 10.2.c, 10.2.d

The Government states (1998/99:143) that statutes that especially concern the rights of national minorities should be translated into Sami, Finnish and Meänkieli.

The Act on the right to use Finnish and Meänkieli in administrative authorities and courts of law has been translated into Finnish and Meänkieli and has been made available to the public through a booklet free of charge and on the Ministry's homepage (www.naring.regeringen.se).

Traditional forms of place- names 10.2.g

Refer to 10.2.g in the Sami section.

Translation and interpretation 10.4.a

Refer to 10.4.a in the Sami section.

Family names 10.5

Refer to 10.5 in the Sami section.

Article 11 - Media

Sweden has undertaken to ensure the use of Finnish in the media as follows:

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:

- a.iii) to make adequate provision so that broadcasters offer programmes in the regional or minority languages**
- c.i) to encourage and/or facilitate the creation of at least one television channel in the regional or minority languages; or**
- d. to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages**
- e.i) to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages**
- f.ii) to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages**

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

Provision of programmes in Finnish on TV and radio 11.1.a.iii

The broadcasting licences for public service companies, Swedish Television, the Swedish Broadcasting Company and the Swedish Educational Broadcasting Company, require that these companies take the national minorities and their languages into account. Finnish along with Sami and Meänkieli must be given special status. Swedish Television broadcast daily programmes in Finnish. Programmes in Finnish are produced in different genres such as news broadcast, children programmes and documentary films etc. In the year 1999, Swedish Television broadcasted 107 hours in Finnish.

The production of radio programmes in Finnish is extensive. Swedish Radio give special consideration to Finnish as a result of the historic links between Sweden and Finland and to the large number of Swedish Finns in Sweden. Swedish Radio broadcasted 4 487 hours in Finnish/Meänkieli in 1999. Since 1998, Radio P 7 Finnish is broadcasted by the digital net.

Encouragement of a TV channel in Finnish 11.1.c.i

In the Radio and TV Act (SFS 1996:844) there is a provision for terrestrial transmission of a Finnish TV-channel via Stockholm. The transmission is carried out through an agreement of reciprocity. Finland bears the costs for a Swedish programme channel in Finland and for the transmission of a Finnish programme channel to Sweden. Correspondingly, Sweden bears the costs for a Finnish programme channel in Sweden and for the transmission of the Swedish channel to Finland. In 1998, the Finnish TV broadcasted to the entire Stockholm region and 26 localities in the country via a cable. In total these broadcasts have a potential audience of 2.5 million.

Encouragement and facilitation of production and distribution 11.1.d

Refer to 11.1.a.iii in this section.

Encouragement of conditions for newspapers 11.1.e.i)

The terms and conditions governing public subsidies for the press include special rules on the allocation of funds to newspapers that address minorities in their own languages. Finnish language newspaper Ruotsin Suomalainen, and Haparandabladet, which is partly written in Meänkieli, can receive support via the Press Subsidies Council.

The National Council for Cultural Affairs shall give special consideration to minorities when allocating public funds to cultural publications.

Equal financial support for media using Finnish 11.1.f.ii)

Refer to 11.1.a.iii in the Finnish section.

Right to reception of media from neighbouring countries 11.2

There are no restrictions on the 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, nor on the retransmission of radio and television broadcasts from neighbouring countries in any language.

Article 12 – Cultural activities and facilities

Sweden has undertaken to ensure the use of Finnish in cultural activities and facilities as follows:

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:

- 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**
- b.) **to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities**
- c.) **to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;**
- d.) **to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;**
- f.) **to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities**
- 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**
- 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**

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

Encouragement of cultural activities 12.1.a

The Swedish National Council for Cultural Affairs is responsible for implementing the national cultural policy determined by the Government and Riksdag. The Council shall allocate national-government funds to cultural operators in cultural areas as drama, dance, music, literature, public libraries, cultural periodicals, museums, exhibitions and art. One task is to promote meetings between different cultures within Sweden.

The National Council for Cultural Affairs should give special consideration to minorities when allocating public funds to literature and cultural publications. With this aim, from the beginning of 2000, the allocation was increased by SEK 1 million.

The Finnish Language Council in Sweden and the Finnish Theatre are two important Swedish-Finnish cultural institutions that are financed by means of the Swedish Government. For the fiscal year 2001, the financial support to the Finnish Theatre was increased by 100 000 Swedish kronor. The Ministry of Culture has in its Terms of Reference¹¹ for 2001

¹¹ =Regleringsbrev

directed Sweden's Nationwide Theatre to increase the offer of Finnish theatre through co-operation with the Finnish theatre.

One of the aims of the Swedish and Finnish Cultural Foundation is to promote the Finnish-speaking culture in Sweden.

A publishing house, Finn Kirja, exists for the Swedish Finns and is mainly run on a non-profit basis. Finn Kirja has over the years received financial support from the National Council for Cultural Affairs.

In addition, the National Council for Cultural Affairs has, at the request of the Government, examined ways of affording the Sami, Finnish, Tornedal Finnish, Roma and Jewish cultures sufficient space in Swedish cultural life. The report¹² was submitted to the Government in the spring 2001 and is to be considered.

To foster access to works produced in regional languages 12.1.b

Since 1961 Sweden has supported, through an agreement between Sweden and Finland, the translation into Swedish of some specialist literature written in Finnish. The work is carried out by the Committee of Experts for translation of Finnish specialist literature into Swedish (Expertkommittén för översättning av finsk facklitteratur till svenska).

The task of the National Council for Cultural Affairs to give special consideration to minorities when allocating public funds to literature and cultural publications is also of importance in this context.

There is a lively writing activity among the Swedish Finns on an amateur level. The non-governmental organisation the Swedish Finns Writers Association (Föreningen Sverigefinska Skribenter) has occasionally published anthologies with support from the National Council for Cultural Affairs.

To foster access to works produced in other languages 12.1.c

The supply at Swedish libraries meets the needs of Swedish Finns for access to literature originally produced in Swedish or other languages, translated into Finnish.

The National Council for Cultural Affairs has in two reports¹³ to the Government suggested that a post for a Finnish library consultant with special responsibility for the library sector for the Finnish language should be created. The Government will in due course consider this proposal.

Ensure bodies responsible for organising cultural activities 12.1.d

By financing the Swedish National Council for Cultural Affairs, a central government authority responsible for cultural support in Sweden, which also includes the national minorities, Sweden meets the needs for bodies responsible for organising cultural activities. One task of the Council is to promote meetings between different cultures within Sweden.

¹² De nationella minoriteterna och kulturlivet (2001:4) Statens Kulturråd.

¹³ "Har Pekka slutat läsa?", Göteborgs bibliotek (1995), De nationella minoriteterna och kulturlivet (2001:4) Statens Kulturråd.

Encouragement of participation by Finnish representatives 12.1.f

Sweden has a long tradition of involving non-governmental organisations through participation in parliamentary committees. That is also true regarding organisations representing national minorities.

An important part of Sweden's policy on national minorities is that those affected by the policy are able to make their views and wishes known before decisions are made. The consultative meetings between representatives of the Government and minority organisations are of particular value.

Representatives for the national minorities shall to some extent be involved in activities concerning them, as was the case with the recently produced reports from e.g., National Council for Cultural Affairs and the National Agency for Education.

In order to monitor regional measures a Regional Working Group has been set up under Norrbotten county Administrative Board, made up of representatives of municipalities, county councils and users of Sami, Finnish and Meänkieli.

Special funds have been allocated for organisations representing national minorities in order to strengthen their influence in areas and issues that concern them.

Archives 12.1.g

Finlandshuset in Stockholm, an institute for Finnish culture, is financed by the Finnish state with a contribution from the Swedish state. Finlandshuset has a Swedish-Finnish library.

As regards the investigation of archive-related issues, see also Article 12.g in the Sami section.

The Swedish Finns has for several years had their own archive: the Swedish-Finns Archive (Sverigefinländarnas arkiv) The archive, which exists since 1977, receives annually financial support from the National Archives. The archive is, according to the National Association of Finns in Sweden (Sverigefinska Riksförbundet), merely an embryo of an archive.

Language councils etc. 12.1.h

The Language Council of the Finnish Language in Sweden was established in 1975. The Language Council has three language experts employed. The main task of the council is to protect and promote the Finnish language in Sweden. The Language Council co-operates with the Language Council for the Swedish Language and with its counterpart in Finland for the Finnish language.

Cultural activities outside the region 12.2

A large group of Finns immigrated to Sweden at the end of the 60s and the 70s and they settled all over Sweden. The National Association of Finns in Sweden (Sverigefinska Riksförbundet) is divided into 10 districts, which house around 155 clubs that take care of social, cultural and other needs of their members. The National Association of Finns in Sweden receives financial support from the National Integration Office.

See also 12.2 in the Sami section.

Article 13 – Economic and social life

Sweden has undertaken to ensure the use of Finnish in economic and social life as follows:

1. *With regard to economic and social activities, the Parties undertake, within the whole country:*
 - a) *to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations*

There is no legislation in Sweden that prohibits or limits the use of regional or minority languages in documents relating to economic or social life.

Article 14 - Transfrontier exchange

Sweden has undertaken:

- a) *to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education*
- 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.*

Finland and Sweden has a long history in common. The two countries were one state from 1100 to 1809. The countries also have common languages. Swedish is an official language in Finland and Finnish is a minority language in Sweden. Therefore, it is natural that the language councils that exist for Finnish and Swedish in the both countries co-operate.

The Finnish-Swedish Education Council (Finsk-svenska utbildningsrådet), has been assigned the task of facilitating the educational situation for the Finnish minority in Sweden and promoting increased knowledge and understanding for the common history and cultural heritage of Finland and Sweden.

There are current plans to create a Finnish-Swedish Working Group at governmental level. The Working Group will, among other things, focus on the situation for the Finnish language in Sweden and the Swedish language in Finland and other questions of common interest regarding the national minorities.

Since decades, co-operation is carried out over the borders between Swedish-Finnish organisations in Sweden and organisations in Finland, e.g. Pohjola-Norden, Finlandssamfundet and Svenska Finlands Folkting. Such co-operation is important for the Swedish-Finnish minority in Sweden in order to preserve and develop its language and culture.

Transfrontier co-operation in the cultural fields is mentioned under Article 12.

See also Article 14 in the Sami section; co-operation concerning all national minorities.

Language: MEÄNKIELI

Article 8 – Education

Sweden has undertaken to provide education in Meänkieli as follows:

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:

- a.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; or***
- b.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***
- c.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***
- d.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;***
- f.iii) if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education;***
- g.) to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;***
- h.) to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;***
- 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.***

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.

Pre-school activities, 8.1.a.iii

The Act on the right to use Meänkieli in administrative authorities and courts of law requires municipalities in the administrative districts for Meänkieli to offer parents or guardians of a child the option of placing their children in pre-schools where parts or all of the activities are conducted in Meänkieli

The administrative district for Meänkieli comprises the municipalities of Gällivare, Haparanda, Kiruna, Pajala and Övertorneå, which are all situated in the north of Sweden.

Primary education 8.1.b.iv

Mother tongue instruction in Meänkieli is offered in three out of five of the administrative districts concerned by the law mentioned under 8.1.a.iii. (1999:1176). One municipality stated that there is no demand for language tuition in Meänkieli.

In the Pajala and Övertorneå municipalities, where both Finnish and Meänkieli is taught, the number of participants was about the same for the two languages.

Upper secondary education 8.1.c.iv

One municipality offered tuition in Meänkieli at upper secondary school level before the 1 April 2000 when the Act entered in to force. Two municipalities offer Meänkieli at that level after that date.

No upper secondary pupil took part in mother tongue instruction in Meänkieli in the school year 2000.

Technical and vocational training 8.1.d.iv

Refer to 8.1.d.iv. in the Finnish section.

Adult and continuing education 8.1.f.iii

Refer to 8.1.f.iii in the Finnish section. Meänkieli is sometimes integrated in the ordinary instruction in Finnish at the Finno-Ugric institutions.

In the 90s 16 students passed their exams in courses in Meänkieli at the Technical University of Luleå (courses of five to twenty weeks of length). Courses in “The language and history of Tornedalen” were offered in 1996 – 1999. 12 students passed these courses during the years.

At folk high school level, Tornedalens Folk High School has close co-operation with Meänkieli-speaking Tornedalers.

Ensure teaching of history and culture 8.1.g.

Refer to 8.1.g. in the Sami section.

Teacher training 8.1.h

Refer to 8.1.h in the Sami section.

Supervision 8.1.i

Refer to 8.1.i. in the Sami section.

Education outside the regional territories 8.2

Meänkieli-speakers are to a large extent concentrated to the administrative district of the Act 1999:1176. There has not been any demand for providing education in Meänkieli outside the region. Yet the language has received more interest since it got status as a minority language in December 1999.

Adult education associations have sometimes offered courses in Meänkieli outside the regional territories.

The organisation Meän Akateemi/Academia Tornedaliensis offers language courses in Meänkieli and operates in the whole region of Nordkalotten.

Article 9 – Judicial authorities

Sweden has undertaken to ensure the use of Meänkieli before judicial authorities as follows:

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

a. in criminal proceedings:

- ii) to guarantee the accused the right to use his/her regional or minority language; and/or**
- 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; and/or**
- iv) to produce, on request, documents connected with legal proceedings in the relevant regional or minority language, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned**

b. in civil proceedings:

- 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; and/or**
- iii) to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations**

c. in proceedings before courts concerning administrative matters:

- 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; and/or**
- iii) to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations**

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 does not involve extra expense for the persons concerned

2. The Parties undertake:

- 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; or**

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 right to use Meänkieli in criminal proceedings, civil proceedings and proceedings before courts concerning administrative matters 9.1

According to Section 4 of the Act on the right to use Meänkieli in administrative authorities and courts of law, anybody who is a party or alternate for a party in a judicial procedure in a court of law is entitled to use Meänkieli in the proceedings, if the judicial procedure has a connection to the administrative district for Meänkieli. This right applies to district and city courts, county administrative courts, certain special courts and to courts of appeal.

According to Section 5 of the Act the right to use Meänkieli includes the right to speak Meänkieli when a person appears before the court, to present both oral and written requests, evidence and other documents connected with the proceedings in Meänkieli and to have requests, evidence and documents in another language orally translated to Meänkieli. It is for the court to ensure that documents and evidence are translated into Swedish, if it is not obviously unnecessary.

If somebody wishes to use Meänkieli in a judicial procedure, according to Section 6 of the Act, he or she has to make a request for this in connection to when the procedures are initiated. If such a request is made later, it may be refused. A request may also be refused if it is obvious that the request has an improper purpose. This right is not associated with any costs

for the accused in criminal procedures or a litigant in civil procedures or proceedings concerning administrative matters.

Translation and interpretation involves no extra expense for the persons concerned. Costs related to translation and interpretations are paid for by the court. To cover translation pursuant to the Acts 1999:1175 and 1176 the Government has provided one million Swedish kronor to the courts administration.

Validity of legal documents 9.2

According to Swedish legislation the validity of a legal document cannot be denied on account of it being drafted in a regional or minority language.

Important national statutory texts 9.3

The Act on the right to use Meänkieli in administrative authorities and courts of law has been translated into Meänkieli and has been made available to the public through a booklet free of charge and on the Ministry's homepage (www.naring.regeringen.se).

The National Courts Administration has also translated information related to the legislation on the right to use Meänkieli in courts into Meänkieli.

Article 10 – Administrative authorities and public services

Sweden has undertaken to ensure the use of Meänkieli before administrative authorities as follows:

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:

a.iii) to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages;

a.v) to ensure that users of regional or minority languages may validly submit a document in these languages

c) to allow the administrative authorities to draft documents in a regional or minority language

2.b *the possibility for users of regional or minority languages to submit oral or written applications in these languages*

2.c *the publication by regional authorities of their official documents also in the relevant regional or minority languages*

2.d *the publication by local authorities of their official documents also in the relevant regional or minority languages*

2.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*

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

a) translation or interpretation as may be required

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

Use of Meänkieli in public 10.1.a.iii, 10.1.a.v, 10.1.c and 10.2.b

Individuals are entitled to use Meänkieli in dealings with administrative authorities in the administrative district for Meänkieli according to the Act mentioned under Article 9 (SFS 1999:1176). This right applies to dealings with local and regional State authorities (such as county administrative boards, regional public prosecution offices, police authorities, tax authorities and employment offices), county council and municipal administrative authorities.

In the administrative district for Meänkieli individuals are entitled to communicate with administrative authorities in Meänkieli. The authority must give oral replies in Meänkieli and generally endeavour to respond in Meänkieli.

Moreover, municipalities in the above-mentioned administrative districts are required to offer care services for the elderly in which some or all activities are conducted in Meänkieli.

The administrative district for Meänkieli comprises the municipalities of Gällivare, Haparanda, Kiruna, Pajala and Övertorneå.

Publication in regional languages 10.2.c, 10.2.d

Refer to 10.2.c. in the Finnish section.

Traditional forms of place- names 10.2.g

Refer to 10.2.g in the Sami section

Translation and interpretation 10.4.a

Refer to 10.4.a in the Sami section.

Family name 10.5

Refer to 10.5 in the Sami section.

Article 11 - Media

Sweden has undertaken to ensure the use of Meänkieli in the media as follows:

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:

- a.iii) to make adequate provision so that broadcasters offer programmes in the regional or minority languages**
- d) to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages**
- e.i) to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages**
- f.ii) to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages**

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

Provision of programmes in Meänkieli on TV and radio 11.1.a.iii

The public service companies in Sweden have as one of their duties to provide programmes on TV and radio in the minority languages. Meänkieli along with Finnish and Sami must be given special status. Programmes are produced in different genres such as children programmes, news, etc.

Swedish Television broadcasted 5 hours in Meänkieli in 1999.

The Swedish Radio editorial office in Norrbotten and “Riksradios finska sändingar” broadcasts some programmes in Meänkieli.

Encouragement and facilitation of production and distribution 11.1.d

Broadcasting licences for public service companies, Swedish Television, the Swedish Broadcasting Company and the Swedish Educational Broadcasting Company require that these companies take the needs of national minorities and their languages into account. Meänkieli must be given special status.

Encouragement of newspapers 11.1.e.i

Refer to 11.1.e.i. in the Finnish section.

Equal financial support for media using Meänkieli 11.1.f.ii

Refer to 11.1.f.ii in the Sami section.

Right to reception of media from neighbouring countries 11.2

Tornedalers are interested in receiving media produced in Finnish. That stated under 11.2 in the Finnish section concerning the freedom of direct reception of radio and television broadcasts from neighbouring countries, also applies for Meänkieli.

Article 12 – Cultural activities and facilities

Sweden has undertaken to ensure the use of Meänkieli in cultural activities and facilities as follows:

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:

- 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*
- b.) *to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;*
- 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;

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

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

Encouragement of cultural activities 12.1.a

Refer to 12.1.a in the Finnish section.

The Tornedal Theatre is an active amateur theatre in the region of Tornedalen and performs plays in Meänkieli and in Swedish. The National Council for Cultural Affairs has proposed that the Government should support the theatre in the next fiscal year.

The Swedish Film Institute takes part in an investigation initiated by the Municipality of Kiruna concerning the establishment of a resource centre for Sami and Tornedal film. The investigation shall also consider in what way film culture and film production promotes the minority languages. The result will be presented at the Umeå Film Festival in September 2001.

To foster access to works produced in regional languages 12.1.b

The National Council for Cultural Affairs should give special consideration to minorities when allocating public funds to literature and cultural publications.

Ensure bodies responsible for organising cultural activities 12.1.d

The National Council for Cultural Affairs is responsible for cultural support in Sweden. That includes the national minorities, refer to 12.1.d in the Finnish section.

Meän Akateemi/Academia Tornedaliensis is a foundation that offers different cultural activities, language courses and publishing in Meänkieli. The foundation is a kind of informal language council for Meänkieli. The National Council for Cultural Affairs has proposed to give financial support to language council activities in Meänkieli in the next fiscal year.

Encouragement of participation by Meänkieli representatives 12.1.f

Refer to 12.1.f in the Finnish section.

Archives 12.1.g

Refer to 12.1.g under the Sami section.

Cultural activities outside the region 12.2

The Tornedal-related cultural activities mainly occur in the region of Tornedalen.

See also 12.2 in the Sami section.

Article 13 – Economic and social life

Sweden has undertaken to ensure the use of Meänkieli in economic and social life as follows:

1. With regard to economic and social activities, the Parties undertake, within the whole country:

- a.) to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations**

There is no legislation in Sweden which prohibits or limits the use of regional or minority languages in documents relating to economic or social life.

Article 14 - Transfrontier exchange

Sweden has undertaken to:

- a) to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education**
- 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**

In Tornedalen, co-operation is carried out through Tornedal Council (Tornedalsrådet) and between the border municipalities Torneå in Finland and Haparanda in Sweden. Bilateral co-operation is carried out under the treaty in the Administration of the Border River Torne¹⁴.

See also Article 14 in the Sami section.

¹⁴ Gränsälvöverenskommelsen om förvaltningen av Torneälv.

APPENDICES

Appendix 1

Sametinget

The Sami Parliament

Bergmästaregatan 6

S- 981 33 KIRUNA, SWEDEN

Telephone: + 46 980 780 30

Telefax: + 46 980 780 31

E-mail: information@sametinget.se

www.sametinget.se

Sverigefinska språknämnden

The Language Council of the Finnish Language in Sweden

Box 20057

S-104 60 STOCKHOLM, SWEDEN

Telephone: + 46 8 - 462 06 16 (counselling), +46 8 - 462 92 32

Telefax: + 46 8 442 42 15

E-mail: konttori@kielilautakunta.se

www.spraknamnd.se

Appendix 2

Reports submitted to the Government in the spring 2001 concerning national minorities:

- **The National Agency for Education (Statens skolverk)**
Undervisning i och på de nationella minoritetsspråken – kartläggning av situationen 2001 [Teaching in and on national minority languages – a survey of the situation 2001] (2001:3438)
- **National Council for Cultural Affairs (Statens kulturråd)**
De nationella minoriteterna och kulturlivet [The national minorities and cultural life] (2001:4)
- **The Swedish National Council of Adult Education (Folkbildningsrådet)**
En rapport om nationella minoriteters deltagande i folkbildningen [A report on the participation of national minorities in adult education] (2001)
- **The County Administrative Board of the County Norrbotten (Länsstyrelsen i Norrbottens län)**
Uppföljning och utvärdering av regionala åtgärder för nationella minoriteter [Follow-up and evaluation of regional measures for national minorities] (2001)

Appendix 3

Sweden has ratified the following Articles in the European Charter for Regional or Minority Languages, Section III

Sami	Finnish	Meänkieli	
8.1.a.iii)	8.1.a.iii)	8.1.a.iii)	<i>Education</i>
8.1.b.iv)	8.1.b.iv)	8.1.b.iv)	
8.1.c.iv)	8.1.c.iv)	8.1.c.iv)	
8.1.d.iv)	8.1.d.iv)	8.1.d.iv)	
8.1.e.iii)	8.1.e.iii)	8.1.e.iii)	
8.1.f.iii)	8.1.f.iii)	8.1.f.iii)	
8.1.g	8.1.g	8.1.g	
8.1.h	8.1.h	8.1.h	
8.1.i	8.1.i	8.1.i	
8.2	8.2	8.2	
9.1.a.ii)	9.1.a.ii)	9.1.a.ii)	<i>Judicial authorities</i>
9.1.a.iii)	9.1.a.iii)	9.1.a.iii)	
9.1.a.iv)	9.1.a.iv)	9.1.a.iv)	
9.1.b.ii)	9.1.b.ii)	9.1.b.ii)	
9.1.b.iii)	9.1.b.iii)	9.1.b.iii)	
9.1.c.ii)	9.1.c.ii)	9.1.c.ii)	
9.1.c.iii)	9.1.c.iii)	9.1.c.iii)	
9.1.d	9.1.d	9.1.d	
9.2	9.2	9.2	
9.3	9.3	9.3	
10.1.a.iii)	10.1.a.iii)	10.1.a.iii)	<i>Administrative authorities and public services</i>
10.1.a.v	10.1.a.v)	10.1.a.v)	
10.1.c	10.1.c	10.1.c	
10.2.b	10.2.b	10.2.b	
10.2.c	10.2.c	10.2.c	
10.2.d	10.2.d	10.2.b	
10.2.g	10.2.g	10.2.g	
10.4.a	10.4.a	10.4.a	
10.5	10.5	10.5	
11.1.a.iii)	11.1.a.iii)	1.1.a.iii)	<i>Media</i>
	11.1.c.i)		
11.1.d	11.1.d	11.1.d	
11.1.e.i)	11.1.e.i)	11.1.e.i)	
11.1.f.ii)	11.1.f.ii)	11.1.f.ii)	
11.2	11.2	11.2	

12.1.a	12.1.a	12.1.a	<i>Cultural activities and facilities</i>
12.1.b	12.1.b	12.1.b	
12.1.c	12.1.c		
12.1.d	12.1.d	12.1.d	
12.1.e			
12.1.f	12.1.f	12.1.f	
12.1.g	2.1.g	12.1.g	
12.1.h	12.1.h		
12.2	12.2	12.2	
13.1.a	13.1.a	3.1.a	<i>Economic and social life</i>
14.a	14.a	14.a	<i>Transfrontier exchange</i>
14.b	14.b	14.b	
46	46	43	
