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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

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

**SWEDEN**

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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.*

## PRELIMINARY SECTION

**1. Please provide the necessary background such as the relevant historical development in the country, an overview of the demographic situation with reference to the basic economic data for the regions, as well as information on the constitutional and administrative structure of the state.**

### *Historical background*

Sweden's ethnic and cultural diversity has a long historical tradition. Groups that have been minorities in Sweden for a long time have actively defended their own culture and language, which today constitute a living part of the Swedish society. These now recognised national minority groups are: the Sami population, which also is an indigenous population, the Sweden Finnish population, the Tornedalers, the Roma population, and the Jewish community. These groups have lived in Sweden a long period and have a religious, linguistic and/or cultural affiliation as well as willpower to keep their identity. They all make use of their own language; and in some cases there are several variations of the languages.

### *Constitutional and administrative structure of the state*

Sweden has three democratically elected levels of government: the Riksdag (Swedish parliament) at the national level, the county councils at the regional level and the municipalities at the local level. They each have different duties and areas of responsibilities. Elections are held every four years and elections to all three levels take place on the same day. The basic provisions defining the powers and tasks of government and the rights enjoyed by Swedish citizens are enshrined in the Constitution. The Local Government Act of 1991 defines the roles of county councils and municipalities.

### *Demographic situation*

Sweden is a large country with a small population (8.9 million). This population is far from evenly distributed, half being concentrated in just 3% of the country's area. Today, eight out of ten live in conurbations in the south of the country, the largest of which are the capital Stockholm, Göteborg and Malmö. The population of the countryside, especially the northern two thirds, is extremely sparse, three inhabitants per square kilometre in Norrbotten, the northernmost county, compared to 253 in Stockholm.

**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 Sami, stretching from Idre in the region of Dalarna to Kiruna in the county of Norrbotten. Nowadays many Sami live also in the coastal regions in northern and central Sweden as well as in Stockholm. The administrative district for the use of Sami language 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 (Mälaren 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 constitute the administrative districts for Meänkieli.

### **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 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, a sufficient number should speak the language. If a language does not fulfill 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)<sup>1</sup> 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 Sami Parliament.

### *Finnish*

The Sweden 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 live 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 have some knowledge of Meänkieli. In the 1950s 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.

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<sup>1</sup> SFS means Swedish Code of Statues (footnote)

**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 40 000 – 50 000 people. The Romany population in Sweden is not homogeneous. It includes descendants of the Romany groups referred to back in the 16th century, but also Roma who moved to Sweden during the second half of the 20th century. Among the oldest groups is the group of Swedish Kalé Roma also called Finnish Roma, the number estimated to 3 200 – 5 500. Also the Travellers, estimated to about 20 000 have the roots back in the 16th century. The Romany community in Sweden also includes the 2 500 or so Swedish Kelderash Roma whose forefathers came here as immigrants some 100 years ago. The majority of the country's Roma, the 'non-Nordic' Roma, estimated to about 15 000, arrived in Sweden in the 1960s or later. As a result of the collapse of former Yugoslavia, at least 5 000 Roma, many of them from Bosnia and Herzegovina, have been given sanctuary in Sweden.

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 provide recent general statements on the policy of your State concerning the protection of regional or minority languages where it may be of use to supplement the above four points.**

The Government states that the activity should continue to develop in accordance with the intentions in the minority policy and the goal for the policy area (Budget Bill for 2004).

In the statement of government policy to the Riksdag in October 2002 the Prime Minister stated that the influence of national minorities should be increased and a Council on Roma Issues be established.

In October 2002 the Council on Roma Issues was established as an advisory body to the Government. The Chairperson is the Minister for Democracy and Integration Issues, Ms Mona Sahlin.

Since 2002 the Government grants 7 million Swedish kronor every year for general culture support to the national minorities. The National Council for Cultural Affairs distributes the support.

This year the Roma Culture Centre was established in Stockholm with the aim of making the Roma culture more visible in society. The centre is partly financed by the municipality of Stockholm and the National Council for Cultural Affairs.

For the goals of the minority policy to be accomplished it is required that all needs and interests of the national minorities are considered in all parts of the country and at all levels in society. That applies to Governmental authorities as well as local and regional authorities. Measures have been taken to increase the knowledge of the minority policy and to discuss how the policy can be implemented in different levels of society, especially at the local level.

Sweden has a tradition of great autonomy for the local authorities, which means that the local authorities themselves decide over their policy at the local level. The Minister of Democracy and Integration Ms Mona Sahlin has stated that it is of great importance that the local authorities take responsibility for the minority policy

and has the opinion that all local authorities should have a plan of action on how the policy can be carried through at the local level.

To inform all municipalities in Sweden about the rights of national minorities and the responsibilities deriving from the minority policy, the Ministry of Justice together with the Swedish Association of Local Authorities and the Swedish Federation of County Councils arrange three regional conferences in 2003 and 2004 for officials and politicians at the local and regional level.

## PART I

**1. Please state the main legal act(s) and/or provisions that you consider essential for the implementation of the European Charter for Regional or Minority Languages in your country. Please provide:**

- **copies of those acts and/or provisions, in English or French, should your country not have done so in relation to the initial periodical report;**
- **details and copies of new legislation or policy documents with relevance to the regional or minority languages;**
- **details of case law or other legal or administrative developments in this field**

International agreements, treaties and legal instruments do not automatically become part of the national law of Sweden. Treaties that have been concluded by Sweden must be incorporated into Swedish law in order to apply before Swedish courts and public authorities. A method to achieve this is to incorporate a treaty into Swedish law by stating in the law or other enactment that the provisions of the treaty apply directly in Sweden. A treaty may also become valid in Sweden by so-called transformation, which either involves the provisions of the treaty being translated into Swedish and included in a Swedish enactment, or that the agreement is rearranged as a Swedish statutory text. If the substantive provisions of a treaty correspond with the content of current Swedish law, the legislator has considered that no special procedure is necessary.

Already before the ratification, Sweden fulfilled many of the provisions in the European Charter for regional or minority languages through regulations in Acts in a wide variety of areas, such as education, the freedom of religion, the freedom of speech and the prohibition of discrimination. It should also be mentioned that in the Instrument of Government Chapter 1, Section 2 it is stated that opportunities should be promoted for ethnic, linguistic and religious minorities to preserve and develop a cultural and social life of their own.

Besides the fulfilment referred to in various Acts additional measures have been taken within the framework of the Swedish minority policies that were presented in the Government Bill 1998/99:143 National Minorities in Sweden. The proposals contained in the Bill were adopted by the Riksdag in December 1999 (Committee Report 1999/2000:KU6, Government Communication 1999/2000:69). The decision included the adoption of the two Acts on the right to use Sami, Finnish and Meänkieli in dealings with public authorities and courts as well as the acceptance of the European Charter for Regional or Minority Languages and the Framework convention for the Protection of Nation Minorities. The Government subsequently ratified the two conventions.

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) 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 April 1, 2000.

The Acts translated into English are enclosed in Appendix 3.

**2. Please indicate the bodies or organisations, legally established in your state, which further the protection and development of regional or minority languages. 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 times 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 Parliament has recently, in February 2004, approved an action programme of the Sami language. It comprises the initiation of a language campaign for ten years, which will lead to a reorganisation of the current language work.

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

A Government Bill has been delivered to the Parliament in March this year on electoral rules for the Sami Parliament. Another Bill is scheduled for March 2005 on transferring more tasks to the Sami Parliament, which is now administered by the County Administrative Boards and the Board of Agriculture. This Bill will also make a clearer distinction between the elected body and the public administrative authority part of the Parliament in order to make it possible to take over more tasks.

A Nordic Working Group on the issue of a Nordic Sami Convention has been appointed and they complete its work in December 2005. It will result in a draft Convention that will be point of departure for negotiations between the Nordic countries and hopefully result in a Sami Convention. According to our knowledge it will be the very first regional convention regulating indigenous issues.

### *The Council on Roma Issues*

The Swedish Government has cooperated with Roma organisations in organised forms since 1996. In October 2002 this cooperation was taken one step further with the establishment of the Council on Roma Issues as an advisory body to the Government. The Council has a broad representation from the Roma community, both women and men, representing all larger Roma groups in Sweden. The majority of members are Roma, but the Council also includes representatives of the National Integration Office, the Office of the Ombudsman against Ethnic Discrimination, the Swedish Association of Local Authorities and the Living History Forum. The Chairperson is the Minister for Democracy and Integration Issues.

The main responsibility of the Council is to be proactive in national efforts to promote the situation of Roma in Swedish society. It should take initiatives in line with the fact that the Roma are a national minority and that Romany Chib has been recognized as a minority language.

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



**3. Please indicate if any body or organisation has been consulted on the preparation of this periodical report or about the implementation of the recommendations of the Committee of Ministers addressed to your state. In the case of an affirmative answer, specify which one(s).**

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

- Sametinget (the Sami Parliament)
- Sverigefinländarnas delegation (The Delegation of the Sweden Finns)
- Svenska Tornedalingars Riksförbund - Tornionlaaksolaiset (The Swedish Tornedalian Association)
- Romernas Riksförbund (Roma National Union)
- Riksförbundet Roma International (National Union Roma International)
- Romsk Kulturförening Riksorganisation (Roma Cultural Association National Organisation)
- Riksorganisationen Resandefolket Romanoa (National Organisation of Travellers Romanoa)
- Föreningen Resandefolkets Riksorganisation (National Organisation of the Association of Travellers)
- Judiska Centralrådet (Official Council of Jewish Communities in Sweden)
- SWEBLUL, den Nationella Kommittén för Sveriges Minoritetsspråk (the Swedish Bureau for Lesser Used Languages)

Three of the organisations have given comments on the draft report<sup>2</sup>. The comments have given reason to certain amendments in the final report.

**4. Please indicate the measures taken (in accordance with Article 6 of the Charter) to make better known 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 website in English and Swedish. In addition, in 2001 a survey of human rights in Sweden<sup>3</sup>, 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 European Charter for Regional or Minority Languages is available at the website of the Ministry of Justice ([www.justitie.regeringen.se](http://www.justitie.regeringen.se)) in English and Government's website on human rights [www.manskligarattigheter.gov.se](http://www.manskligarattigheter.gov.se).

On the Government's website on Human Rights, information about current work carried out by the Government within the scope of the policy of national minorities is available.

The Ministry of Justice has made the Report of the Committee of Experts on the application of the Charter in Sweden and the Recommendation of the Committee of Ministers on the application of the Charter by Sweden available at the Ministry's website and on the Government's website on human rights. The Findings of the Committee of Experts and the Recommendation of the Committee of Ministers have been translated into Swedish and all minority languages, Finnish, Meänkieli, Yiddish, Romani Chib and all varieties of Sami. These documents can also be found at the ministry's website and the Government website on human rights.

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<sup>2</sup> The comments are enclosed separately. The texts are, however, only available in Swedish.

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

To inform all municipalities in Sweden about the rights of national minorities and the responsibilities deriving from the minority policy, the Ministry of Justice together with the Swedish Association of Local Authorities and the Swedish Federation of County Councils arrange a series of conferences for officials and politicians at the local and regional level. The aim is to increase knowledge and stimulate to discussion about the role of the municipalities and county councils when it comes to the realization of human rights and the rights of the national minorities. Officials and politicians from all municipalities have been or will be invited to attend to one of the conferences. The first conference was held in Gothenburg in December 2003. A second conference was held in Stockholm in April 2004 and a third and last conference will be held in Luleå in November 2004.

The policy on national minorities is still relatively new and it takes time to establish a new policy area. The Swedish Government will however continue its efforts to make the policy on national minorities a national concern.

**5. It is understood that the full details of the measures taken to implement the recommendations of the Committee of ministers will appear in the body of the report. Nevertheless, please summarise those measures for each recommendation.**

*Recommendation 1*

*That the Swedish authorities take immediate measures to strengthen access to education in regional or minority languages, to develop teaching materials and improve teacher training at all levels of education.*

In 2002 the National Agency for Education was divided into two agencies, the new National Agency for Education and The Swedish National Agency for School Improvement. The main purpose of this initiative was to make visible the different tasks of the authorities. The National Agency for Education now has the responsibility for follow-up, evaluation and inspection on a national level. The main object of the new school improvement agency is to work close to the municipalities and support local development of work quality and improvement of learning environments. As will be described more in detail under part II and III the authority has been working actively with teacher training and with supporting development of teaching materials for the various minorities.

In May 2003 the Government decided to create a four-year pilot scheme with education on mother tongue for pupils in the compulsory school (SFS 2003:306). The pilot scheme means enlarged possibilities to teach on the mother tongue language for the national minorities.

*Recommendation 2*

*That the Swedish authorities provide favourable conditions to encourage the use of Sami, Finnish and Meänkieli before judicial and administrative authorities in the defined areas in the County of Norrbotten.*

On basis of a report done by Luleå University of Technology, which provided valuable information about the existing problems and obstacles for individuals in using the minority languages in contacts with authorities, the Administrative Board of Norrbotten proposed to take some measures to deal with this. The ongoing progress of this work differs in the different municipalities due to the existing diversity of demands and contexts in these. In short, the local and regional authorities have not experienced a significant increase in the number of contacts using the minority languages since April 2000. This doesn't imply an inexistence of possibilities in using the minority languages since there are officials with knowledge of these in most places, especially of Finnish and Meänkieli, even outside the administrative areas. However, concerning Sami, there are not as many public employees who can speak Sami.

Meanwhile, during the last years, the municipalities in the administrative area have prepared action plans of their minority policy. The working group of regional follow-up decided to give priority to increase the knowledge and consciousness about the minority languages in their plans for 2004.

See also recommendation 4.

*Recommendation 3*

*That the Swedish authorities encourage and/or facilitate the creation and/or maintenance of at least one newspaper in Sami and Meänkieli.*

The Government intends to appoint a Committee with the aim to make an extensive investigation about the situation of the press. Measures for improvement of the situation for national minorities will be included in the Committee's terms of reference.

*Recommendation 4*

*That the Swedish authorities improve the situation of the Finnish language outside the Finnish administrative area in public life, and in particular in education.*

The Swedish Government has appointed a special investigator to investigate the situation of the Finnish language in the region of Stockholm and Mälardalen. The special investigator shall submit recommendations on whether the Finnish administrative area should be expanded to apply also in the region of Stockholm and Mälardalen. Another task for the special investigator is to look into if there is a need of changes in the present legislation. According to the report done by Luleå University of Technology the rights deriving from the legislations has not been used to a great extent. If the special investigator finds that this is due to the legislation itself he can suggest changes. The special investigator shall present his work on March 1, 2005 at the latest.

**6. Indicate what steps your state has taken to inform the following of the recommendations:**

- **all levels of government (national, federal, local and regional authorities or administration);**
- **judicial authorities;**
- **legally established bodies and associations.**

Information is spread trough already existing forums like consultative meetings between representatives of the Government and minority organisations, but also trough conferences and publishing of information at the Government's official website and the Government's website on Human Rights. Translation of documents is another way to make information more easily available.

**7. Please explain how your state has involved the above, in implementing the recommendations.**

There are regularly consultative meetings between representatives of the Government and minority organisations.

To inform all municipalities in Sweden about the rights of national minorities and the responsibilities deriving from the minority policy, the Ministry of Justice together with the Swedish Association of Local Authorities and the Swedish Federation of County Councils arrange a series of conferences for officials and politicians at the local and regional level.

**PART II**

**1. Please indicate what measures your State has taken to apply Article 7 of the Charter to the regional or minorities 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) 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 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 (SFS 1979:411) is sufficient to fulfill 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.

The existing administrative divisions do not constitute an obstacle to the promotion of the Swedish regional or minority languages. The municipalities that are included in the district for Finnish and Meänkieli in the county of Norrbotten are among those municipalities that have the largest amount of residents that speak Finnish in the region. Furthermore in some of these municipalities a large number of the population consist of Tornedalers and many of them speak Meänkieli. Therefore the existing administrative division has not proven to be an obstacle to the promotion of these languages. As far as the Sami are concerned, the population is more scattered over a large area, yet in the district for Sami they are more densely populated and larger in numbers compared to other areas. Even though there are pockets of Sami population in many other municipalities in the north of Sweden it has not proven to be an obstacle in connection with the existing administrative division.

**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 was 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.

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.

A special investigator has been appointed to investigate the prerequisite for expanding the present legislation on the right to use Finnish in dealings with administrative authorities and courts of law, which apply to certain areas in Northern parts of Sweden to the area of Stockholm and Mälardalen. Within the scope of the investigator's terms of reference an evaluation of the present legislation is included. If considered necessary the Committee shall give suggestions of improvement of the present legislation. The special investigator will present its work in March 2005.

Since October 2002 there is a Council on Roma Issues, which is an advisory body to the Government. The Council has a broad representation from the Roma community, both women and men, representing all larger Roma groups in Sweden. The main responsibility of the Council is to be proactive in national efforts to promote the situation of Roma in Swedish society. It should take initiatives in line with the fact that the Roma are a national minority and that Romany Chib has been recognized as a minority language.

***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 is entitled to mother tongue instruction even if the language is not daily used at home and 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 Kalé variety of 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.

The Swedish Ministry of Culture is planning to set up an extensive investigation concerning the situation of the press. The last investigation was done 10 years ago, and since then the printed press has gone through a lot of changes. Among other things, the need for newspapers in minority languages has increased. This will be given a particular importance in the investigation that is expected to start in August 2004 and conclude after one year. Furthermore, in the instructions of the investigation there will be measures to improve the situation of minority media.

The fact that Sweden has officially acknowledged the national minorities and their languages in connection with the ratification of the Charter for regional or minority languages has had a positive impact on the interest for these languages both among the national minorities and among the public at large.

***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 National Associations representing national minorities provide opportunities for representatives of national minorities from various parts of Sweden to meet and exchange ideas and experiences. These meetings are possible partly due to financial support from both local governments and the State.

SWEBLUL (Swedish Bureau For Lesser Used Languages) is the Swedish national committee of EBLUL (European Bureau For Lesser Used Languages). SWEBLUL is an association representing all five national minorities in Sweden. SWEBLUL is involved in issues concerning all the minority languages, which is regarded as an asset since the issue is of mutual interest to all the associations involved. SWEBLUL has a rotating chairmanship and the daily administration is taken care of by a working Committee.

SWEBLUL also take part in the consultative meetings between the representatives of the Government and minority organisations and receive financial support from the Government.

***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 provide 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 (independent adult education colleges) 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 carry out research in the Sami languages. Courses in the Finnish language are offered at several universities in Sweden, for example in Lund, Stockholm, Umeå, Uppsala and Eskilstuna.

#### *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 2000/2001:3) 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. As a result 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 the 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 and Paideia in Stockholm, the European Institute for Jewish studies in Sweden, (it is not possible to study Yiddish at any Swedish university).

*Romani Chib:* Courses in Romani Chib are not available at any Swedish university. At the University of Uppsala, however a new course starts this autumn about Roma culture.

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 granted 40 million Swedish kronor for the establishment of Paideia the European institute for Jewish studies in Sweden. Paideia offer's academic studies in Jewish history, religion and other related subjects.

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

Since three years there exists at Uppsala University a National Forum for national minorities, NAMIS, (Forum för nationella minoriteter i Sverige). The aim of the forum is to gather information and research about the national minorities and the minority languages and spread information about them through seminars, courses, etc.

The Finnish language and culture centre at the University of Mälardalen was established on the 5 of November 2002. The centre is financed by the Government and the local authorities in the region of Mälardalen. The main functions of the centre are teaching and research of Finnish language and about the Sweden Finns, their culture, history and media in Sweden. This activity started in the autumn of 2003. In the first semester there were 60 students at the centre taking part in different courses.

**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.**

A web site for mother tongue instruction is run by the Swedish National Agency for School Improvement<sup>4</sup>. Its main target group is teachers and pupils in the Nordic countries and it provides all sorts of information concerning mother tongue instruction. The information is translated into several languages.

*Sami*

Transnational co-operation across the borders of Finland, Norway, Russia and Sweden is extensive, both in the private sector and among associations. Examples of the latter are the Sami Council established in 1956 and the Nordic Sami Institute (Nordiskt Samiskt institut) established in 1973. Today, all the Sami parliaments in Norway,

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<sup>4</sup> The site can be found at [www.modersmal.skolutveckling.se/projekt/](http://www.modersmal.skolutveckling.se/projekt/)

Sweden and Finland cooperate in a joint organisation, the Sami Parliament Council. The Sami language work has an important position within this.

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.

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

#### *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. One example is the language school in Haparanda, where 50 per cent of the pupils come from Sweden, 50 per cent from Finland. Sweden contributes a grant for the Swedish pupils and Finland pays for the Finnish pupils.

#### *Romani Chib*

Transnational exchanges in Roma issues is carried out between Sweden and Finland.

***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 adultstudents, 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 has also been included in the revision of school syllabuses.

#### *Information*

The Government initiated in December 2000 a national information drive concerning the Samis as the indigenous population of Sweden and about the Sami culture. The Swedish Riksdag has decreed 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 meant to last for five years. One of the aims of the campaign is to promote respect and tolerance for the Sami and knowledge and understanding of the Sami culture.



The campaign is now running for the last year. Among other things the campaign contains an effort to inform young people about the Sami culture. This is done through a certain school information project. The Ministry of Agriculture has produced an information paper, which is called Same, same-but different, and describes how it is to be young and Sami in Sweden today. The information paper has been distributed to secondary schools, (pupils in 7 to 9 degree), in the whole country. Another part of the school project was the meeting on the 12 of May 2004 when 500 pupils and teachers from secondary schools from the whole country met in Stockholm to learn more about Sápmi and the Sami society.

#### *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. As from 2002 also Romani Chib must be given special status in the programme production. Among other things, a radio programme in Romani Chib is now being broadcasted.

***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 have 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 Sweden Finns, established in 2000 the Delegation of the Sweden 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 Sweden Finns)
- Svenska Tornedalingars Riksförbund - Tornionlaaksolaiset (The Swedish Tornedalian Association)
- Romernas Riksförbund (Roma National Union)
- Riksförbundet Roma International (National Union Roma International)
- Romsk Kulturförening Riksorganisation (Roma Cultural Association National Organisation)
- Riksorganisationen Resandefolket Romanoa (National Organisation of Travellers Romanoa)
- Föreningen Resandefolkets Riksorganisation (National Organisation of the Association of Travellers)
- Judiska Centralrådet (Official Council of Jewish Communities in Sweden)
- SWEBLUL, den Nationella Kommittén för Sveriges Minoritetsspråk (the Swedish Bureau for Lesser Used Languages)

***5. The parties undertake to apply, mutatis 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. 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 they receive 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 minority's 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 Council on Roma Issues. (Please see more information about the Council under Part I, 2).

All municipalities are obliged to provide for mother tongue instruction in Romani Chib and Yiddish, all varieties of Romany Chib included.

The Swedish National Agency for School Improvement has been involved in the production of teaching materials for variants of Romani Chib.

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

The Committee on the Swedish Language handed over its report, Speech – Draft action programme for the Swedish language to the Government, in 2002. The Committee proposed the establishment of a new authority – the Language Council of Sweden. The Council would, among other things, have the responsibility to coordinate and deal with issues related to the languages of the national minorities. The proposals of the Committee have been referred to a number of authorities and organisations for comments. The Government is planning to present a Bill to the Parliament in 2004.

During the year of 2004 the Government will further examine the situation of South Sami and if considered necessary a special investigator will be appointed for investigations and proposals with the aim of securing the protection and promotion of South Sami.

## PART III

For each regional or minority language chosen at the moment of ratification, as follows from paragraph 2 of Article 2 of the Charter, please indicate in which way the paragraphs and/or sub-paragraphs<sup>5</sup> 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**

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<sup>5</sup> For an index of the paragraphs and sub-paragraphs Sweden has ratified, please see appendix 2

***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 (SFS 1999:1175) 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 education is carried out in co-operation with respective Sami school.

*Primary school education 8.1.b.iv*

The Sami School (Sameskolan) carries out instruction from first to sixth grade for the Sami-speaking children. There are 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 different 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. Sweden has recently settled a nine years curriculum of Sami language, which in other words is valid for the whole Swedish compulsory school's mother tongue education.

*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. The Sami branch of Bokenskolan can accept 30 students each year.

*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. In the school year 2003/2004 started an interpreter education for future Sami interpreters.

The Technical University of Luleå has recently approved of a new two year education about national minorities cultures. It is a vocational university education of cultural work and design at the Technical University of Luleå. There will be a certain profilation on the three larger minority groups in the north of Sweden, the Sami, the Tornedalers and the Sweden Finns.

*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. In cooperation with, among others, the Swedish Educational Broadcasting Company, a multimedia education programme of Lule Sami has been prepared. A similar educational programme is also being arranged for North Sami.

#### *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 revision of school syllabuses.

In addition to that, the folk high schools 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 Meänkieli.

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 fulfilling 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 into 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.

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 authorities 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 Samispeaking 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 (Bill 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.

#### *Traditional forms of place- names 10.2.g*

The Riksdag has decided<sup>6</sup> that great attention must be paid to the Sami and Finnish minorities in northern Sweden when establishing names on maps and when raising road signs. 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 local and regional state authorities, 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 administers 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. When considering appropriateness, the Sami and Finnish language constructions are considered to comprise national parlance.

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<sup>6</sup> Government Bill 1984/85:100

## **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 are required to provide programmes for TV and radio in minority languages. Sami along with Finnish, Meänkieli and Romani Chib must be given special status. TV programmes are produced in different genres such as children programmes, news etc. The Swedish Television programmes in Sami have increased, from 21 hours broadcasted in 1999 to 66 hours in 2003.

Sámi Radio (SR Sameradion) broadcasts daily news in Sami. In 2003, Sámi Radio produced 203 hours of national radio programmes and 261 hours of regional programmes.

The public service companies in Finland, Norway and Sweden have agreed upon co-operation in the field of radio programmes in Sami. The Nordic co-operation has resulted in the two hours long topicality programme "Ruitu" (grytan). The responsibility for the broadcasting of the programme is shared between Sámi Radio and the Norwegian public service company NRK. Four Sami newscast are being produced and broadcasted in cooperation with NRK and the Finnish public service YLE every day, two of are sent in Sweden. With NRK the Swedish Radio has also begun an exchange of South- and Lule Sami radio programmes. One of two South and Lule Sami radio programmes that is broadcasted in Sweden is produced by NRK. In exchange NRK is allowed to use programmes produced by the Swedish Radio. Through the Nordic cooperation the multicultural Sami society can be better reflected in the broadcasts of the Sámi Radio.

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 films 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. However, this doesn't imply a limitation of the production's subjects and contents, as it isn't possible to ascribe specific language criteria to the given financial aid. In addition, these kinds of productions often take form in transnational co-productions.

#### *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. 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.

The Swedish Ministry of Culture is planning to set up an extensive investigation concerning the situation of the press. The last investigation was done 10 years ago, and since then the printed press has gone through a lot of changes. Among other things, the need of newspapers in minority languages has increased, which will be given a particular importance in the investigation that is expected to start in August 2004 and conclude after one year. Furthermore, in the instructions of the investigation there will be measures to improve the situation of minority media.

#### *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.

### **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*

Refer to 12.1.a in the Finnish section.

The Sami people have a rich historic culture, which is closely linked to nature. It consists of 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). Currently, during this financial year, three magazines also receive financial aid.

*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.i.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 knowledge 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 commission to investigate archive-related issues. One aim of the investigation was to find suitable forms to preserve documents in minority languages. As a starting point the investigation was to describe where documents are today, their form and under what conditions they are available for the general public.

The proposals of the investigator have been referred to a number of authorities and organisations for comments. The Government is planning to present a written communication to the Parliament in 2004.

#### *Language councils etc. 12.1.h*

For further explanation of the Sami Language Council, refer to Part I, 2.

#### *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<sup>7</sup>.

The Government considers 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 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**

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<sup>7</sup> Government Bill 1996/97:3, Government Communication 1996/97:129

**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**

*Co-operation concerning all national minorities*

The Nordic countries<sup>8</sup> 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 Nordic Council of Ministers has in 2001 decided to broaden the scope of the Convention on the Nordic languages to include Sami. The amendment has not yet entered into force.

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.

Contacts are established 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. Currently they have a co-operation organisation, the Sami Parliament Council. The Sami in Russia participate as observers. The council shall consider the interests of the Sami over the national borders. The most outstanding common task is the language work. Each national Sami Parliament has its own language council, which together with the Sami in Russia, co-operates in the common Sami Language Council under the Sami Parliament 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 and to create word data banks.

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

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<sup>8</sup> Finland, Sweden, Denmark, Norway and Iceland



The activities of the Sami Council are 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. This council is represented in the Arctic Council as a NGO, and the Swedish Ministry for Foreign Affairs finances the Swedish part of the Sami Council.

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. Later figures are not available.

It can be noted that Finnish is no longer the largest group of mother tongue users in Sweden. About 11 400 pupils are registered for mother tongue education according to the latest statistics. Out of this group only 4 800 used the right to mother tongue education. The average figure for all pupils who are obliged to mother tongue instruction and choose to use the right is 51 per cent. The amount of Sweden Finns who use the right to mother tongue instruction is low compared to other groups, which can have different explanations. Due to the Swedish National Agency on School Improvement one reason is that the connection with Finland has weakened in the second and third generation of Finns in Sweden and another reason can be that Finnish no longer considers to be very useful for the pupils. The Agency points out the importance of marking the importance of the language for the children. This can be done through different activities such as the North Plus exchange programme etc.

Eight private Sweden Finnish schools conduct bilingual education in the school year 2002/2003. Bilingual Sweden Finnish classes in schools provided by the municipalities were widely spread just a decade ago. Unfortunately the numbers of bilingual Sweden Finnish classes have decreased considerably.

However, in May 2003 the Government decided to create a four-year pilot scheme with education on mother tongue for pupils in the compulsory school (SFS 2003:306). The pilot scheme means enlarged possibilities to teach on the mother tongue language for the national minorities.

#### *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.

#### *University education 8.1.e.iii*

Refer to 8.1.e.iii in the Sami section.

As mentioned above in Part II, 1, Article 7. 1. h there is a Finnish language and culture centre at the University of Mälardalen, which was established on the 5 of November 2002. The centre is financed by the Government and the local authorities in the region of the Mälardalen. The main functions of the centre are teaching and research of Finnish language and about the Sweden Finns, their culture, history and media in Sweden. This activity started in the autumn of 2003. In the first semester there were 60 students at the centre taking part in different courses.

#### *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; Sweden 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 Sweden Finns and the Swedish Kalé Roma/ 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 Sweden Finns outside the administrative regions in northern Sweden. Education in Finnish is found at all levels outside the regional territories.

One of the aims of 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***

***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 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.

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 his 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.

The possibility for elderly Finnish-speaking people to receive care services in Finnish is of importance also outside the administrative district. In 2000 the Government commissioned the National Board of Health and Welfare to make a survey of and account how the municipalities in Sweden organise and carry through care of

the elderly for persons speaking Finnish. In June 2001 the National Board of Health and Welfare presented its report "Äldreomsorg för finsktalande i Sverige". The summary and the conclusion of the report are translated to 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.

*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, Meänkieli and Romani Chib must be given special status. Swedish Television broadcasts programmes in Finnish on a daily basis. Programmes in Finnish are produced in different genres such as news broadcast, children programmes and documentary films etc. In 2003, Swedish Television broadcasted 84 hours in Finnish.

The Finnish broadcasts in Swedish Radio is organised as one separate unit, SR Sisuradio, which has the responsibility for the production of national as well as regional and local broadcasting. Sisuradio also has the responsibility for broadcasts in Meänkieli. The service for the Finnish audience has improved over the last years due to the increased analogue Finnish broadcasting in 2000 and 2001. Sisuradio also have digital transmissions through the distribution via internet there is increased availability to these programmes. Contact with the audience shows that more and more listeners use the Internet. The Finnish and Meänkieli broadcasts have been at the same level the two last years. In 2003 5 679 hours were broadcasted over the digital network, 621 hours were broadcasted nationally in the analogue network (riksradion) and 1 754 hours were broadcasted regionally.

The Swedish Television and the Swedish Radio are independent companies in charge of their budget and programming without direct interference from the state. Within these companies there is great awareness of the importance of the Finnish programming. The companies claim to have full awareness about the importance of the Finnish programming.

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

Through different agreements between Finland and Sweden, retransmissions of Swedish Television in Finland, and of Finnish Television in Sweden have been made possible. The exchange is based on a principle of reciprocity where Finland bears costs that occur in Finland and Sweden the costs in Sweden. The exchange has resulted in the transmission of a Finnish channel in Stockholm through the terrestrial network and in 26 other cities through cable-distribution. 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. The Finnish language newspaper's Ruotsin Sanomat, Ruotsin Suomalainen, and Haparandabladet, which is partly written in Meänkieli, receive distribution support via the Press Subsidies Council.

See also 11.1 e.i in the Sami section.

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 this 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.

## **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, postsynchronisation and subtitling activities;**
- d. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, postsynchronisation 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.

A publishing house, Finn Kirja, exists for the Sweden 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.



The Finnish Language Council in Sweden and the Finnish Theatre are two important Sweden Finnish cultural institutions that are financed by means of the Swedish Government.

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 report<sup>9</sup> was submitted to the Government in the spring 2001 and resulted in a particular public support for the language and culture of the national minorities. Every year the Government grant 7 million Swedish kronor, which contains public funds for general culture support, among other things with concentration on children and young, project support for the Tornedal theatre in Pajala, Finnish cultural activities, support for Roma culture and strengthened support for Sami culture. The public funds are distributed by the National Council for Cultural Affairs.

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

*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 Sweden Finns on an amateur level. The non-governmental organisation the Sweden 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 Sweden Finns for access to literature originally produced in Swedish or other languages, translated into Finnish.

The Swedish National Council for Cultural Affairs has recently presented a report with a survey on the situation for the access to literature in Finnish at the public libraries. The report contains certain proposals for improvements.

*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.

*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.

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<sup>9</sup> De nationella minoriteterna och kulturlivet (2001:4) Statens Kulturråd.

Representatives of the national minorities shall to some extent be involved in activities concerning them, as has been the case with reports produced by 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 the 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*

The Finland Institute (Finlandsinstitutet) in Stockholm, an institute for Finnish culture, is financed by the Finnish state with a contribution from the Swedish state. Finlandshuset has a Sweden Finnish library.

As regards the investigation of archive-related issues, see also Article 12.g in the Sami section. The Sweden Finns have for several years had their own archive: the Sweden Finns Archive (Sverigefinländarnas arkiv) The archive, which exists since 1977, annually receives financial support from the National Archives.

#### *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.

See also Part II 2.

#### *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 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 have 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 two 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 is a Finnish-Swedish Working Group at governmental level. The Working Group focus, among other things, on the situation of the Finnish language in Sweden and the Swedish language in Finland and other questions of common interest regarding the national minorities.

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

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. (SFS 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 are 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 1 April 2000 when the Act entered in to force. Two municipalities offer Meänkieli at that level after that date.

Two pupils at the upper secondary level will in 2004 attend to mother tongue instruction in Meänkieli in two municipalities (Pajala och Övertorneå).

Furthermore all teachers and school staff in Pajala will get three days long education about Meänkieli this autumn. A University language course (five weeks of length) in Meänkieli will be offered to all participants.

#### *Technical and vocational training 8.1.d.iv*

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

#### *University education 8.1.e.iii*

Refer to 8.1.e.iii in the Sami 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.

In 2001 10 students (4 of them teachers in Övertorneå) passed their exams in a course in Meänkieli at the Technical University of Luleå (10 weeks of length).

At folk high school level, Tornedalens Folk High School has close cooperation 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 significant 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 (SFS 1999:1176), 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.

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*

Section 2 of the Act on the right to use Meänkieli in administrative authorities and courts of law entitles a person to use Meänkieli in his 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 Meänkieli, the authority in question is obliged to respond orally in Meänkieli. Moreover, a written decision in such a case must contain information in Meänkieli that the decision can be translated orally into Meänkieli by the authority upon

request. The Act also states that authorities should strive to answer Meänkieli-speaking people in Meänkieli. The authorities may decide to receive Meänkieli-speaking visitors and phone calls from Meänkieli-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 above-mentioned administrative district 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, Sami and Romani Chib must be given special status. Programmes are produced in different genres such as children programmes, news, etc.

Swedish Television broadcasted 7 hours in Meänkieli in 2003.

The Finnish broadcasting of the Swedish Radio is organised as one separate unit, SR Sisuradio, which has the responsibility for the production of national as well as regional and local broadcasting. Sisuradio also has the responsibility for broadcasting in Meänkieli. The service for the Finnish audience has improved over the last years due to the increased analogue Finnish broadcasting in 2000 and 2001.

See also 11.1.c.i in the Finnish section.

*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. What is 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. Since the financial year 2002 the Theatre of Tornedalen has received a yearly financial aid of 1 million Swedish kronor. Furthermore, the Government has plans of strengthening this aid in 2005.

#### *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.

#### *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 the 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 Torne<sup>10</sup>.

See also Article 14 in the Sami section.

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<sup>10</sup> Gränsälvsöverenskommelsen om förvaltningen av Torneälv.

## **APPENDICES**

### **Appendix 1**

#### **Sametinget**

The Sami Parliament  
Adolf Hedinsvägen 58  
SE- 981 33 KIRUNA, SWEDEN  
Telephone: + 46 980 780 30  
Telefax: + 46 980 780 31  
E-mail: [information@sametinget.se](mailto:information@sametinget.se)  
[www.sametinget.se](http://www.sametinget.se)

#### **Sverigefinska språknämnden**

The Finnish Language Council in Sweden  
Box 20057  
SE-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](mailto:konttori@kielilautakunta.se)  
[www.spraknamnd.se](http://www.spraknamnd.se)

#### **Rådet för Romska Frågor**

The Council on Roma Issues  
Justitiedepartementet  
SE-103 33 STOCKHOLM  
Telephone: + 46 8 405 10 00

## Appendix 2

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

<b>Sami</b>	<b>Finnish</b>	<b>Meänkieli</b>		
8.1.a.iii)	8.1.a.iii)	8.1.a.iii)	<b>Education</b>	
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)		<b>Judicial authorities</b>
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)	<b>Administrative authorities and public services</b>	
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)		<b>Media</b>
	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	<b>Cultural activities and facilities</b>	
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	12.1.g	12.1.g		
12.1.h	12.1.h			
12.2	12.2	12.2		
13.1.a	13.1.a	13.1.a	<b>Economic and social life</b>	
14.a	14.a	14.a	<b>Transfrontier exchange</b>	
14.b	14.b	14.b		
46	46	43		

# Swedish Code of Statutes



**SFS 1999:1175**

Published:  
on 17 December 1999

## **Act concerning the right to use the Sami language in dealings with public authorities and courts**

promulgated on 9 December 1999.

In accordance with a decision by the Riksdag, the following is enacted.

### **Scope of the Act**

**Section 1** This Act governs dealings with local government and state regional and local public authorities operating in a geographical area that wholly or partly coincides with the administrative area for Sami.

The administrative area for Sami (the administrative area) refers to Arjeplog, Gällivare, Jokkmokk and Kiruna municipalities.

The Act also applies to dealings with county administrative courts, district courts, lands tribunals, environmental courts or maritime courts with ambits that wholly or partly coincide with the administrative area.

### **The right to use the Sami language in dealings with public authorities**

**Section 2** A private individual is entitled to use the Sami language in his/her oral and written dealings with a public authority in matters concerning the exercise of public authority in relation to him/her, provided the matter is connected with the administrative area.

If the private individual uses the Sami language in such a matter, the authority is obliged to give an oral answer in Sami. A decision in writing in a matter of this nature shall contain information in Sami that the decision may be orally translated into Sami by the authority at the request of the individual.

The authority shall strive in other respects, too, to use the Sami language with Sami speakers.

**Section 3** The public authorities may prescribe special times and a special place for visits and telephone calls from Sami speakers.

### **The right to use the Sami language in dealings with courts of law**

**Section 4** Any person who is a party to or a representative of a party to a case or a matter at a court of law is entitled to use Sami during the hearing

of the case or matter, provided the said case or matter is connected with the administrative area.

The right to use Sami also extends to the courts where a judgment or an order is appealed in a case or matter referred to in the first paragraph.

**Section 5** The right to use the Sami language in court cases or matters, includes the right to submit documents and written evidence in Sami, the right to have documents pertaining to the case or matter orally translated and the right to speak Sami in oral hearings before the court. The court shall translate documents and written evidence into Swedish unless this is clearly unnecessary.

In its other dealings, too, the court shall strive to use Sami for Sami-speaking parties or representatives of parties.

**Section 6** Persons wishing to use Sami during the court hearing of a case or matter as provided in Section 4, must so request at the opening of the case or matter or when the party is to make his/her first statement in the case or matter. If a request to use Sami is presented later, it may be rejected.

A request to use Sami may also be rejected if it is clearly for improper purposes.

**Section 7** If a party or a representative of a party is permitted to use Sami in court proceedings, an interpreter shall be called in under the provisions of Chapter 5 Sections 6-8 and Chapter 33 Section 9 of the Code of Judicial Procedure and Sections 50-52 of the Administrative Court Procedure Act (1971:291).

#### **Sami in pre-school activities and care of the elderly**

**Section 8** When a municipality in the administrative area offers pre-school places in accordance with Chapter 2 a Sections 1 and 7 of the Education Act (1985:1100), the municipality shall offer children whose guardian so requests the option of a pre-school place in activities which are wholly or partly carried on in Sami.

**Section 9** A municipality in the administrative area shall offer those who so request the option of having all or parts of the services and care provided by the elder care system carried out by personnel who have a command of Sami.

#### **Exceptions**

**Section 10** If there are special reasons for doing so the Government may prescribe that a specific authority accountable to the Government shall be exempted from applying Section 2. Correspondingly, by authority of the Government, county council assemblies and municipal councils may exempt local government authorities accountable to them.

This Act enters into force on 1 April 2000. It applies to cases and matters at courts of law instituted after entry into force of the Act.

**SFS 1999:1175**

On behalf of the Government

GÖRAN PERSSON

ULRICA MESSING  
(Ministry of Culture)





**SFS 1999:1176**

Published:  
on 17 December 1999

## **Act concerning the right to use Finnish and Meänkieli in dealings with public authorities and courts**

promulgated on 9 December 1999.

In accordance with a decision by the Riksdag, the following is enacted.

### **Scope of the Act**

**Section 1** This Act governs dealings with local government and state regional and local public authorities operating in a geographical area that wholly or partly coincides with the administrative area for Finnish and Meänkieli.

The administrative area for Finnish and Meänkieli (the administrative area) refers to Gällivare, Haparanda, Kiruna, Pajala and Övertorneå municipalities.

The Act also applies to dealings with county administrative courts, district courts, lands tribunals, environmental courts or maritime courts with ambits that wholly or partly coincide with the administrative area.

### **The right to use Finnish and Meänkieli in dealings with public authorities**

**Section 2** A private individual is entitled to use Finnish or Meänkieli in his/her oral and written dealings with a public authority in matters concerning the exercise of public authority in relation to him/her, provided the matter is connected with the administrative area.

If the private individual uses Finnish or Meänkieli in such a matter, the authority is obliged to give an oral answer in Finnish or Meänkieli respectively. A decision in writing in a matter of this nature shall contain information in Finnish or Meänkieli that the decision may be orally translated into Finnish or Meänkieli respectively by the authority at the request of the individual.

The authority shall strive in other respects, too, to use Finnish or Meänkieli respectively with Finnish or Meänkieli speakers.

**Section 3** The public authorities may prescribe special times and a special place for visits and telephone calls from Finnish or Meänkieli speakers respectively.

**The right to use Finnish and Meänkieli in dealings with courts of law**

**Section 4** Any person who is a party to or a representative of a party to a case or a matter at a court of law is entitled to use Finnish or Meänkieli during the hearing of the case or matter, provided the said case or matter is connected with the administrative area.

The right to use Finnish or Meänkieli also extends to the courts where a judgment or an order is appealed in a case or matter referred to in the first paragraph.

**Section 5** The right to use Finnish or Meänkieli in court cases or matters, includes the right to submit documents and written evidence in Finnish or Meänkieli, the right to have documents pertaining to the case or matter orally translated into Finnish and Meänkieli respectively and the right to speak Finnish or Meänkieli in oral hearings before the court. The court shall translate documents and written evidence into Swedish unless this is clearly unnecessary.

In its other dealings, too, the court shall strive to use Finnish or Meänkieli respectively for Finnish or Meänkieli-speaking parties or representatives of parties.

**Section 6** Persons wishing to use Finnish or Meänkieli during the court hearing of a case or matter as provided in Section 4, must so request at the opening of the case or matter or when the party is to make his/her first statement in the case or matter. If a request to use Finnish or Meänkieli is presented later, it may be rejected.

A request to use Finnish or Meänkieli may also be rejected if it is clearly for improper purposes.

**Section 7** If a party or a representative of a party is permitted to use Finnish or Meänkieli in court proceedings, an interpreter shall be called in under the provisions of Chapter 5 Sections 6-8 and Chapter 33 Section 9 of the Code of Judicial Procedure and Sections 50-52 of the Administrative Court Procedure Act (1971:291).

**Finnish or Meänkieli in pre-school activities and care of the elderly**

**Section 8** When a municipality in the administrative area offers pre-school places in accordance with Chapter 2 a Sections 1 and 7 of the Education Act (1985:1100), the municipality shall offer children whose guardian so requests the option of a pre-school place in activities which are wholly or partly carried on in Finnish or Meänkieli respectively.

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