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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN NORWAY

2nd monitoring cycle

- A. Report of the Committee of Experts on the Charter**
- B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Norway**

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making Recommendations for improving its legislation, policy and practices. The central element of this procedure is the Committee of Experts, set up under Article 17 of the Charter. Its principal purpose is to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, to examine the real situation of regional or minority languages in the State and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15.1, an outline for subsequent periodical reports that a Party is required to submit to the Secretary General. The report should be made public by the State. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee's first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned.

The Committee's role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee gathers information from the respective authorities and from independent sources within the State, so as to attempt to obtain a fair and just overview of the real language situation. After a preliminary examination of an initial periodical report, the Committee submits, if necessary, a number of questions to each Party to obtain supplementary information from the authorities on matters it considers insufficiently developed in the report itself. This written procedure is usually followed up by an "on-the-spot visit" by a delegation of the Committee to the State in question. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages, and consults the authorities on matters that have been brought to its attention. This information-gathering process is designed to enable the Committee to evaluate more effectively the application of the Charter in the State concerned.

Having concluded this process, the Committee of Experts adopts its own report. This report is submitted to the Committee of Ministers, together with suggestions for recommendations that the latter could decide to address to one or more Parties, as may be required.

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A. 2nd Report of the Committee of Experts on the application of the Charter in Norway

adopted by the Committee of Experts on 29 August 2003
and presented to the Committee of Ministers of the Council of Europe
in accordance with Article 16 of the Charter

Chapter 1 - Background information

1. Norway signed the European Charter for Regional or Minority Languages (hereafter referred to as the Charter) on 5 November 1992 and deposited its instrument of ratification on 10 November 1993. The Norwegian authorities published the text of the Charter in a Royal Decree of 1 October 1993. The Charter entered into force in Norway on 1 March 1998.

2. Article 15, paragraph 1 of the Charter requires States Parties to submit three-yearly reports in a form prescribed by the Committee of Ministers¹. The Norwegian authorities presented their second periodical report to the Secretary General of the Council of Europe in March 2002. The work on the second Norwegian report began in August 2001, when the Sami parliament and national minority representatives were invited to present their view on the situation of their languages.

3. In its previous evaluation report on Norway (ECRML (2001) 6), the Committee of Experts outlined particular areas where policy and practice could be further improved. The Committee of Ministers took note of the report submitted by the Committee of Experts and adopted Recommendation RecChI (2001) 5, which was addressed to the Norwegian authorities. This second evaluation report contains information on how the authorities have taken into consideration the recommendations of the Committee of Ministers, as well as the observations made by the Committee of Experts, contained in its previous evaluation report.

4. This report has been drafted in a manner which allows the reader to have a complete overview of the situation of regional or minority languages in Norway, as well as to comment on the extent to which Norway fulfils its undertakings. The Committee has nevertheless focused especially on the recommendations made by the Committee of Ministers, and on the particular observations made by the Committee of Experts.

5. The Committee recognises the short time the Norwegian authorities had to implement the Recommendations as they were adopted only in November 2001 by the Committee of Ministers and the authorities were due to present their second report only a year later. Furthermore, the new outline for three-yearly periodical reports was adopted by the Committee of Ministers in February 2002. The delay in adopting the outline did not, however, prevent the authorities from submitting their periodical report to the Secretary General of the Council of Europe on time in June 2002.

1.1. The work of the Committee of Experts

6. In its evaluation, the Committee of Experts tried, in particular, to assess the measures taken by the authorities to improve the situation of regional or minority languages.

7. The Committee of Experts then organised an “on-the-spot” visit to Oslo, Norway on 6-7 November 2002, with representatives of the Romani and Romanes languages, and Kven and Sami, taking part. On the second day of its visit the Committee met the authorities responsible for implementing the Charter.

8. This evaluation report is based on the information the Committee obtained from Norway's second periodical report, interviews held with representatives of the regional or minority languages in Norway and the Norwegian authorities and from other independent sources, in accordance with Article 16.2 of the Charter. The Committee adopted the report on 26 March 2003.

¹ MIN-LANG (2002) 1 Outline for 3-yearly periodical reports as adopted by the Committee of Ministers of the Council of Europe.

1.2. Presentation of the regional or minority language situation in Norway

9. There are two standard written variants of Norwegian, Bokmål (Book Language) and Nynorsk (New Norwegian). Bokmål is the most widely used language. Its origin is written Danish, which was the only official written language used during the 400 years Norway was under Danish rule. Nynorsk is less widely used, and takes its origins from mid-19th century Norwegian dialects.
10. The languages on the territory of Norway afforded protection under the Charter are Sami, Kven/Finnish and the two non-territorial languages: Romani and Romanes. All these languages are covered by Part II of the Charter.
11. Sami is an official language in Norway and, as identified in the instrument of ratification, consists of four languages or variants, namely North, South, Lule and Eastern Sami.
12. The administrative area of Sami defined by the Sami Act encompasses the municipalities of Karasjok, Kautokeino, Nesseby, Porsanger, Tana and Kåfjord. North Sami is mostly used in this area and is, at the same time, the most widely spoken Sami language or variant in Norway. Lule, Eastern and South Sami will consequently be dealt with under Part II. The existence of Eastern Sami was brought to the attention of the Committee in the second report presented by the Norwegian authorities. The Committee has received insufficient information for assessing the application of the Charter in relation to this language and looks forward to receiving more information on the protection of Eastern Sami in Norway's next periodical report.
13. According to a recent report by the Sami Parliament, based on a survey carried out in 2000, 17 % of the inhabitants in the Sami administrative area consider themselves Sami speakers.
14. Part II of the Charter applies to the Kven/Finnish language which is an old variant of Finnish. According to the Norwegian authorities, the estimated number of users of this language varies from 2000 to 8000 speakers depending on the criteria and methods used. Kven is mainly used in the areas of Troms and Finnmark Counties. The Norwegian authorities have not taken a stance on the status of Kven, i.e. whether it is a Finnish dialect or a separate language.
15. The Romanes language is the language of Norway's Gypsy/Roma population. The authorities estimate that the total number of Romanes speakers is around 400. They are mainly situated in the Oslo area.
16. The Romani language is the language of the Travellers. The Norwegian authorities estimate the number of speakers to be between 100 and a few thousand. The Travellers themselves informed the Committee that approximately 700 people are able to speak the language. The speakers live mostly in western, southern and eastern Norway, as well as in the area around Oslo.
17. The Yiddish language is not mentioned in the instrument of ratification or in the initial periodical report. The Committee was informed that only a few people speak Yiddish, but some hundred Jews have a command of Hebrew. They first came to Norway in the 1800's, and in the early 1900's the Yiddish language was still the mother tongue of the Jews. After the Second World War, the use of the language declined, and today, it does not seem to be in daily use. The Committee of Experts invited representatives of the Jewish community to its meetings in Oslo in November 2002 but they did not want to attend the meetings as they confirmed that the Yiddish language is no longer used in Norway.
18. The general legal framework governing the use of regional or minority languages has not changed since the Committee's last evaluation and is composed of the following legal acts:
- a. Article 110 of the Constitution of Norway
 - b. Section 11 of the Act of 18 May 1990, No. 11, relating to Place Names, Regulations of 5 July 1991, No. 456 laid down pursuant to section 12 of the Act
 - c. Act of 12 June 1987, No. 56 relating to the Sameting and other Sami legal matters (the Sami Act), Chapter 3 concerning the Sami language, No. 79 regarding the language provisions of the Sami Act, adopted pursuant to sections 3-2, 3-3, 3-7, 3-10 and 3-12 of the Sami Act, Regulations of 31 March 1992, No. 204 laid down pursuant to section 3-8 of the Sami Act
 - d. Act of 17 July 1998, No. 61 relating to education, which came into force on 27 November 1998 and 1 August 1999.

19. The Charter was incorporated into Norwegian domestic law by Royal Decree of 1 October 1993. The obligations Norway undertook through its ratification were regarded by the authorities as already covered by existing regulations.

20. The Norwegian Sami Parliament – Samediggi, is a semi-political body comprising 39 representatives elected from 13 electoral districts in Norway. The Sami Parliament meets four times a year for five days. The Parliament has a dual role in the sense that it is a political forum as well as having administrative responsibilities. According to Article 2.1 of the Sami Act, the Sami Parliament handles matters that, in its view, are of particular concern to the Sami people. On its own initiative, the Sami Parliament may deal with, and pronounce upon, any matter coming within its competence. It may also, on its own initiative, bring a matter before public authorities and private institutions.

21. Language matters are of concern to the Sami Parliament and it has appointed a specialised body responsible for developing and fostering Sami - the Sami Language Board, formerly the Sami Language Council. In 2000, the Language Council was centralised under the Sami Parliament, a decision which was formalised by an amendment to the Sami Act in 2002. Today there are five members of the Board, one representative from Lule Sami, one for South Sami and three for North Sami.

1.3. Particular issues arising from the evaluation of the report

22. The Committee of Experts was informed in Norway's second periodical report that Eastern Sami was used in Norway. Previously the Committee had not received any information on this language. Eastern Sami is spoken in Russia and Finland, and it is unclear whether the speakers of Eastern Sami are migrants or traditionally settled in Eastern Finnmark. The Committee will welcome more detailed information on the status, protection and promotion of this language.

23. Since the Committee's last evaluation, there appears to have been no decision taken regarding the official definition of Kven. The Committee is therefore still in the position of having to evaluate the application of the Charter to a language on which there is no agreement as to its status. At national level, this lack of clarification seems to have put on hold any efforts to protect and promote the Kven/Finnish language. The Committee will return to this matter in connection with evaluation of individual obligations under Part II.

Chapter 2 - Measures taken to implement the Committee of Ministers' recommendations

24. In November 2001, the Committee of Ministers adopted four recommendations for the attention of the Norwegian authorities (the recommendations are set out in Appendix II). In the report the authorities state that, given the short time between the adoption of the recommendations and the submission of Norway's second periodical report, the Norwegian authorities were not in a position to report on measures taken to implement the recommendations.

25. The Committee of Experts is aware of the time problem mentioned in the report (see Chapter 1 of the present report). Nevertheless, some progress has been made in Norway to implement some of the recommendations and this should be noted. The Committee will, as a matter of principle, report to the Committee of Ministers on the status of the adopted recommendations.

Recommendation 1: Create conditions that will facilitate the use of North Sami before judicial authorities

26. The report states that the Norwegian Parliament has agreed to the Government's proposal to establish a court in Inner Finnmark which will serve five of the six municipalities within the Sami language administrative area (the sixth municipality is situated in the county of Troms).

27. This court is intended not only to facilitate the use of Sami before the courts, but also to develop knowledge concerning Sami "legal" traditions. The Ministry of Justice has acknowledged the need to develop Sami legal language, through, for instance, co-operation between the Sami University College, the Nordic Sami Institute and the legal profession.

28. The Committee is satisfied with the measures taken to implement this recommendation, and looks forward to the development of this commendable initiative in the forthcoming Norwegian periodical report.

Recommendation 2: Clarify the status of the Kven language with a view to improving the situation of the language in conformity with Part II of the Charter

29. The Committee was informed during the on-the-spot visit that the authorities have commissioned a study of the Kven/Finnish language to prepare a conclusion on the status of Kven. The study will be carried out by Professor Kenneth Hyltenstam, a Swedish scholar who made a similar study on the Meänkieli language, which has a comparable relationship to Finnish. The authorities stated that this initiative came about as a direct result of the recommendation made by the Committee of Ministers.

30. The Committee has received information that the study will be finalised in the course of 2003.

31. The Committee is concerned about the present unclear status of Kven, namely as to whether it is a separate language or dialect of Finnish, since this has negative consequences for its protection. It is therefore of the utmost importance to clarify the status of the Kven/Finnish language. Irrespective of any such clarification, there is an urgent need to take resolute action to protect it.

Recommendation 3: Take action to improve the dialogue and co-operation between representatives of the various regional or minority languages

32. The Norwegian authorities have discussed the issue informally with representatives from the various NGOs. They report that meetings attended by representatives of the various national minorities were held in 1999 and 2001, and that there are plans to hold similar meetings annually or every other year.

33. The Committee regards these measures as important, since this type of continuous dialogue may contribute constructively to the protection and promotion of the minority languages. The meetings are held between the authorities and national minority representatives. The Committee was informed that the Sami do not wish to be considered as a national minority, but as indigenous people, and that the Sami have received such status through Norway's ratification of the ILO Convention on Indigenous Peoples. The type of dialogue mentioned in the report therefore does not seem to include the Sami, who have established a system of consultations and co-operation with the authorities through the Sami Parliament.

34. The Committee has not been informed of any forum where representatives of the various minority languages may develop dialogue and co-operation amongst themselves on a continuous basis, either through public or private initiatives. The European Bureau for Lesser Used Languages (EBLUL) has, for instance, no national committee in Norway even though EBLUL has made attempts to create such a national committee. The Committee is of the opinion that minority languages in Norway would benefit from improved dialogue and co-operation between all national minority representatives . The Committee therefore looks forward to this issue being addressed in the forthcoming Norwegian periodical report.

Recommendation 4: Make its periodical reports on the application of the Charter public, thus ensuring that all organisations and persons concerned are informed of the rights and duties established through the Charter and its implementation

35. The Norwegian authorities have reported that the work on the second periodical report has included contributions from representatives of the various minority languages, and that the Committee of Experts' report with the comments from the authorities attached to it has been distributed to the same organisations. The initial Norwegian report was also distributed to the different ministries and to representatives of the minority languages in August 2001 for use in preparing contributions for the second periodical report.

36. In accordance with Article 15, paragraph 2 of the Charter the government has made the periodical report public on its internet website in English. The Committee is not aware of other steps that have been taken to make the report public.

Chapter 3 - The Committee's evaluation in respect of Parts II and III of the Charter

37. The text of the Charter, when read in conjunction with the instrument of ratification, indicates in some detail the exact undertakings that apply in respect of the different languages in the areas covered by the Charter. The Committee has therefore evaluated to what extent the State has fulfilled each undertaking in Article 7, Part II and in Articles 8-14, Part III, using the paragraphs and sub-paragraphs specified in the instrument of ratification.

3.1. The evaluation in respect of Part II of the Charter

38. Part II of the Charter (Article 7) sets out a number of general objectives and principles that a Party is obliged to apply to all the regional or minority languages on its territory. For Norway, this evaluation will include the North, South, Lule and Eastern Sami languages, Kven/Finnish and the Romani and Romanes languages. As the North Sami language is covered by both Part II and Part III of the Charter, some of the observations concerning North Sami will be further developed under Chapter 3.2 of the report.

Article 7 - Objectives and principles

“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;”

39. In the report the Norwegian authorities mention different measures aimed at promoting the minority languages and the cultures they represent. The Committee acknowledges the effort made.

40. The Committee nevertheless points to the unresolved question of the status of the Kven/Finnish language, as mentioned above.

41. The Norwegian authorities have stated in their second periodical report that the users of the Romanes language do not wish their language to be protected or promoted. The authorities invited the representatives of the Romanes to take part in a consultation for drafting a report to the Storting (No. 15(2000-2001)). At that time the Romanes neither wanted to take part in any consultation nor did they want their language to be protected. During the Committee of Experts' second on-the-spot visit to Norway, representatives of both Romani and Romanes languages maintained that they would like their languages to be protected and promoted. The Romanes speakers would like to maintain a certain level of discretion in respect of their language and expressed the wish that the Romanes languages should be studied and taught primarily by the Romanes experts. Representatives of the Romani language were less sensitive to the language being exposed to non-Roma, exhibiting the same tendency towards openness observed among users of Romani in Sweden and Finland.

42. No legislative measures for ensuring the promotion and protection of the Romani and Romanes languages have been adopted to date. This does not mean that the authorities are hostile to supporting activities organised by the representatives of these languages. On the contrary, the authorities are in contact with the different organisations. However, it seems that the information flow between them is not efficient enough. Setting up a more permanent consultation body could be a positive step towards ensuring that the authorities are able to disseminate necessary information to the language groups, as well as towards enabling language groups to draw the authorities' attention to specific areas of concern.

43. The Committee can confirm, however, that the Norwegian authorities do recognise the existence of the two languages as an expression of cultural wealth.

“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;”

44. The Sami language is at present the only language where this obligation is applicable.

45. The Committee has noted the decision to establish a new district court, encompassing five of the six municipalities within the Sami language administrative district, as mentioned above.

46. One of the issues observed by the Committee of Experts is that the existing definition of the Sami administrative district excludes the Sami Act from being applied to South, Lule and (possibly) Eastern Sami. This means that these three languages, which are in need of special protection owing to their precarious situation, are, in practice, not protected as well as the North Sami language. The Sami Language Board has suggested that the Sami administrative district be extended to include municipalities that have more than 8% speakers of Sami. This would extend the scope of the Sami Act to the qualified municipalities. The Committee is especially concerned about these three languages and hopes that the Norwegian authorities will look carefully into their situation with a view to securing their protection and promotion.

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

47. The Committee of Experts made the following observation in its last report:

The Committee encourages the Norwegian authorities to elaborate on the situation for the Lule and South Sami languages in the next periodical report

48. The Norwegian authorities provided a comprehensive presentation of the situation of the South and Lule Sami languages in their second periodical report.

49. The term South Sami is used for the three dialects of South and Ume Sami. The language has a written standard, dating back to 1968, which should facilitate its promotion in fields where there is a need for its written use.

50. The speakers of South Sami are spread over 70 municipalities in 4 different counties, extending from the Saltfjell Mountains in the north to the Engerdal municipality in Hedmark County in the South. The most apparent difficulty regarding South Sami is that its speakers are dispersed over a large area. This makes it more difficult to promote the language. The language community is, however, situated on both sides of the border between Norway and Sweden, which should provide good possibilities for transfrontier co-operation, and enable the two countries to safeguard South Sami.

51. The Norwegian authorities informed the Committee that the Sami Parliament had drafted an Action Plan for South Sami. Some of the suggestions for action have been implemented, but many of them have not. It would be advisable for the Sami Language Board to review this language plan and attempt to implement the programmes recommended.

52. South Sami is in a very precarious situation and may well become extinct if no positive measures are taken.

53. Lule Sami is mainly spoken in Nord-Salten and, in particular, in the municipalities of Tysfjord, Hamarøy and Sørfold. Owing to demographic and economic difficulties in the 1970s, many Lule Sami speakers left the area, resulting in a serious decline in the use of the language. Lule Sami is also used on both sides of the border between Norway and Sweden, which should provide good opportunities for transfrontier co-operation in language promotion.

54. The Sami Parliament adopted an action plan in 1986 whose priority was to enhance industrial activities, language and infrastructure. Every year the Sami Parliament supports language projects for the areas situated outside the Sami administrative district. These projects are financed on an ad hoc basis. The Sami Parliament

is envisaging adopting an action plan that could include taking specific resolute action to promote languages situated outside the Sami administrative district.

55. The Committee of Experts looks forward to receiving information on the outcome of such an action plan in Norway's next report.

56. In their second periodical report, the Norwegian authorities also confirmed that Eastern Sami is used in Norway, without providing any information on how it is used, promoted or protected. Eastern Sami is related to Skolt Sami and is spoken in the area of Kirkenes, the most north eastern part of Norway. The Committee would welcome more comprehensive information in the next Norwegian report, with special emphasis on any action that is being taken to protect and promote this language.

57. The Sami Language Board plans to set up more Sami language centres. In 2003 a permanent language centre will be established in Tana. It is the view of the Sami Language Board that the Árran language centre is contributing to the revival and recognition of Lule Sami.

58. The Committee of Experts recognises that the Norwegian authorities are taking certain steps to provide funding for the Kven/Finnish language, for example in the field of culture, with the construction of the Kventun and the Kven Cultural Centre. However, the Committee has not been informed of any concrete resolute action taken to protect or promote the language itself, apart from support given to a Kven/Finnish newspaper and courses in Kven offered at the University of Tromsø.

59. The Norske Kveners Forbund, the Association for Kvens, informed the Committee that it had drafted an action plan for the Kven/Finnish language and that this action plan had been presented to different ministries. The Committee was provided with a copy of the action plan, which gave details of different measures that could be undertaken in respect of Kven. The Action Plan presupposes an official recognition of Kven as a separate language, and thus illustrates the problems posed by the unclear position of Kven/Finnish. The Committee has not been informed of any comments from the authorities on the Action Plan.

60. At present the representatives of the Romanes and Romani languages have only requested funding for cultural activities. In the past, Romani and Romanes language representatives were not sufficiently involved in the various forms of co-operation with the authorities, but this appears to be changing, which the Committee considers commendable. This would therefore be an opportunity for the authorities to assist representatives of these languages in creating a forum where concrete action could be defined. A specific action plan for the Romanes and Romani languages could be discussed by the language users and the central authorities.

The Committee encourages the Norwegian authorities to consult with the representatives of the users of the Romani and Romanes languages, in order to establish whether the users of these languages want special protection and/or promotion.

The Committee of Experts encourages the Norwegian authorities to take immediate measures to reinforce the position of South and Lule Sami.

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

61. The Norwegian authorities have facilitated and encouraged the use of North Sami in speech and writing, in both public and private life.

62. Regarding South, Lule and Eastern Sami, written standards exist, but the Committee of Experts has received insufficient information to allow it to evaluate what is being done to facilitate and encourage use of the languages in public life.

63. The Norwegian authorities have provided the representatives of the Kven/Finnish language with funding for various cultural activities and media. It is, however, difficult for the Committee to comment further on the effort made regarding the language, since the status of the language is undecided.

64. The Committee observes that representatives of the Romanes and Romani languages in contact with the authorities have so far not wanted their languages to be used in public life.

“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;”

65. National organisations exist for all regional or minority languages in Norway, but there are no structured links between the different organisations. All associations are supported by the Norwegian authorities in different ways.

66. The Norwegian authorities have replied to Committee of Ministers' Recommendation of 21 November 2001 by pointing out a conference organised by the government in 1999 on “national minorities and the authorities: a conference for contact and dialogue”. The Committee regards this as a positive initiative that should be followed up with concrete action. It should be noted, however, that the recommendation concerns not only national minorities, but also representatives of regional or minority languages. It is also worth mentioning that speakers of the Sami languages do not participate in this co-operation since they prefer to be defined as an indigenous people rather than a national minority.

67. It is the view of the Committee that a more comprehensive and positive dialogue and cooperation could be enhanced between users of the Romanes, Romani, Kven/Finnish and Sami languages.

68. The Norwegian authorities informed the Committee of Experts during its visit that they do in fact organise regular meetings with representatives of the different languages, but always separately. The main reason for this is that they consider the languages to have no natural links. The Committee, however, has observed that in other countries speakers representing regional or minority languages seem to have benefited from established fora for dialogue and co-operation, and that via such common fora constructive links between the various languages have been created.

“f. the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;”

69. The situation of North Sami will be further considered in the evaluation carried out under Part III of the Charter.

70. South and Lule Sami are taught at some levels in the Norwegian education system. The approach is not as structured and accessible as for North Sami in the administrative district of the Sami language. The Sami Language Board is taking steps to improve the situation of South, Lule and Eastern Sami in education, though it is understood that there are serious problems regarding the availability of qualified teachers, and, in particular, teaching materials. Education at university level is provided for in Lule and South Sami. The Committee has been informed that an education project is envisaged for the teaching of Eastern Sami.

71. The Committee has been informed that Finnish is taught in some primary and secondary schools in the counties of Troms and Finnmark. Norske Kveners Forbund has informed the Committee that municipalities may offer pre-school education in Kven, but maintains that it is expensive since there are no special grants for such pre-schools.

72. No general support scheme exists for the teaching and study of the Romanes and Romani languages. Representatives of both languages told the Committee that they would welcome the encouragement of initiatives such as formal methods for language teaching, teacher training, teaching materials and attempts to standardise the language. The authorities have informed the Committee that there are plans to create special contact schools for the Romani and Romanes population. In order to achieve this there is a real need for the Romani and Romanes to co-operate openly and actively with the national education authorities.

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

73. There are language learning facilities for non-speakers of Sami wishing to learn the language.

74. The Committee of Experts has been informed that there are possibilities for learning Kven at the University of Tromsø.

75. In view of the non-territorial character of the Romani and Romanes languages and, in particular, that the languages are traditionally used in closed circles, the Committee recognises that this paragraph would be difficult to apply to these two languages.

“h. the promotion of study and research on regional or minority languages at universities or equivalent institutions;”

76. There are possibilities for studying North Sami at University. Some measures have been undertaken to promote study and/or research in South and Lule Sami, but, as far as the Committee is aware, none have been implemented for Eastern Sami.

77. It is possible to study and research the Kven/Finnish language in the Finnish department at the University of Tromsø. According to the information received, a number of other courses are being developed regarding Kven.

78. No facilities exist for the study of and research in the Romani and Romanes languages.

“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.”

79. The Committee is not aware of any active promotion of exchanges between users of Kven in Norway and users of similar languages in other countries. However, the authorities have supported the participation of Kven/Finnish speakers at one international seminar on a “Network for Finno-Ugric minorities in the Barents Region”. The Kven themselves have contacts with representatives of the Meänkieli language in Sweden. There are good contacts between speakers of Lule and South Sami in Norway and Sweden.

80. The authorities support contacts with speakers of Romani languages in Sweden, other Nordic countries and other parts of Europe. Romani language users have received support from the Norwegian authorities to attend international conferences. Romanes speakers have received support for organising international music festivals in Oslo.

“Paragraph 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 and intended 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 the 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.”

81. Article 110 c of the Norwegian Constitution states that the authorities are obliged to respect and secure human rights. Under Article 2 of the Act on the Strengthening of the Position of Human Rights in Norwegian legislation of 21 May 1999, the following acts form an integral part of Norwegian law: the Convention for the Protection of Human Rights and Fundamental Freedoms, the UN Covenant on Civil and Political Rights and the UN Covenant of Social, Economic and Cultural Rights. Article 3 of the above-mentioned Act states that in the case of conflict with other legislation, the conventions mentioned in Article 2 shall have precedence. The Act came into force with immediate effect.

“Paragraph 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.”

82. The Norwegian curriculum includes respect, understanding and tolerance in relation to minority languages among its educational objectives, as was mentioned in the first report on Norway. The National Education Curriculum also includes references to Romani, Romanes, Skogfinns, and Kven/Finnish.

“Paragraph 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.”

83. Associations and bodies to further the Sami language and culture have been consulted during the policy-making process of the Norwegian authorities. They were made aware of the ratification of the Charter and were also consulted when the authorities drafted the initial periodical report.

84. The Committee of Experts noted that Kven representatives were consulted on the Committee of Experts' previous report and the implementation of the Committee of Ministers' Recommendations.

85. However, there is no special body for co-ordinating permanent constructive dialogue between the authorities and the representatives of the regional or minority languages.

“Paragraph 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.”

86. In the case of Norway, Romanes and Romani are considered non-territorial languages. In evaluating their situation under paragraphs 1 to 4 of Article 7, the Committee kept in mind that those principles should be applied *mutatis mutandis*.

3.2. The evaluation in respect of Part III of the Charter

87. The Committee of Experts examined in more detail to what extent the existing protection of the Sami language complied with the protection mechanism afforded by Part III of the Charter. In the instrument of ratification, the Norwegian authorities had not identified the areas in Norway in which the Sami language is spoken. These are, however, defined in the Sami Act and include the municipalities of Karasjok, Kautokeino, Nesseby, Porsanger, Tana and Kåfjord.

88. The paragraphs and sub-paragraphs quoted in bold italics are the actual obligations chosen by Norway.

Article 8 - Education

“Paragraph 1

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

Pre-school Education

- “a. i . to make available pre-school education in the relevant regional or minority languages; or***
- ii to make available a substantial part of pre-school education in the relevant regional or minority languages; or***
- 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; ”***

89. Pre-school education in Norway is the responsibility of the municipalities. The Act on nursery schools of 5 May 1995 states in Article 7 that local authorities are responsible for establishing and running nursery schools. The Ministry of Children and Family Affairs administers funding specifically earmarked for Sami nursery schools. Since 1 January 2001, the Sami Parliament is responsible for administering the funding to the local authorities. The earmarked funding covers additional expenses for organising child care facilities in North Sami. Those parents who wish their children to have access to pre-schools in Sami have good facilities and support from the municipalities in the Sami districts. The number of parents wishing to enrol their children in Sami pre-schools is however not always very high. According to the Sami Language Board, pre-school education facilities have increased since 1992 from 35 to 55 in the Sami administrative area.

90. To improve pre-school education in Sami, the Sami Parliament co-operates closely with the central authorities to identify and provide solutions to difficulties connected with the organisation of this type of education. It has been pointed out by the authorities that, at municipal level, providing pre-school education is still not without difficulty, particularly in relation to recruiting and training personnel in the pre-school sphere. The Committee acknowledges the efforts made by the authorities and the Sami Parliament to meet the requirements of this undertaking. The Committee considers this undertaking fulfilled.

Primary Education

- “b i to make available primary education in the relevant regional or minority languages; or***
- ii to make available a substantial part of primary education in the relevant regional or minority languages; or***
- iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or***
- 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;”***

91. Article 3.8 of the Sami Act and Chapter 6 of the Education Act guarantee the right to receive tuition in and on the Sami language. The Education Act more precisely guarantees this right in primary and lower and upper secondary schools. Lessons in Sami are organised as part of the standard Norwegian education system and the schools receive special funding. The municipality has the competence to decide whether all pupils should receive tuition in or on Sami. The Committee considers the undertaking fulfilled.

Secondary Education

- “c**
- i to make available secondary education in the relevant regional or minority languages; or*
 - ii to make available a substantial part of secondary education in the relevant regional or minority languages; or*
 - iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
 - 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;”**

92. Article 6.2 of the Education Act ensures tuition at lower and upper secondary school level. In lower secondary education, the decision as to how education is organised lies with the municipality. It may decide that all pupils in the municipality should receive tuition in or of Sami.

93. In upper secondary education, pupils have the right to receive tuition in or of Sami. If this is not possible to organise, the Ministry may provide an alternative form of tuition in or through the medium of Sami, or in specific Sami subjects.

94. In sum, these provisions are implemented in the municipalities of Karasjok and in Kautokeino. However, as pointed out in the Sami Language Boards' comments to the Norwegian authorities, no upper secondary schools outside these two municipalities provide for education through the medium of Sami. The Committee believes there is still room for improvement as not all pupils have easy access to education in Sami.

95. The Sami Parliament's Language Department has pointed out several areas where improvement could be made, in addition to making interesting suggestions for improving the general awareness and participation among parents.

96. Despite the Committee finding room for improvement, it still considers the undertaking fulfilled.

Technical and Vocational Education

- “d**
- i to make available technical and vocational education in the relevant regional or minority languages; or*
 - ii to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
 - iii to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
 - 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;”**

97. Vocational training in reindeer herding and Sami handicraft is available in the Sami language. The Committee has not been informed of any wish for other vocational training areas to be taught in Sami. The Committee considers this undertaking fulfilled.

University and Higher Education

- “e ii to provide facilities for the study of these languages as university and higher education subjects;”**

98. Sami is taught at the University of Tromsø and in the Sami University College in Kautokeino. The Sami University College was set up in 1989 and has, on average, 200 students per year. The College is bilingual (Sami and Norwegian). Since the Committee of Experts' last evaluation, the number of courses at the College has slightly increased. North Sami is the language of instruction and various study programmes are offered, including journalism, teacher training, pre-school teacher training, bilingual education, special education etc. The subjects available in the college correspond largely to the community's real needs, however improvements could still be made, as has been acknowledged by the college administration. For example, the training offered to interpreters and translators could be improved. The Committee commends the 20% increase in the number of pupils enrolled in the college since the Committee's last visit. The Committee has also been informed of work

in progress to further develop the study of Sami at the University College, such as proposals for Masters and Doctors programmes in Sami. In addition, Oslo University College provides a study programme at graduate level in Sami handicrafts and applied arts, in co-operation with the Sami University College in Kautokeino. This programme takes place in Kautokeino and is offered in both Norwegian and Sami. At the University of Tromsø, teaching is provided in North Sami. The Committee considers the undertaking fulfilled.

Adult and Continuing Education

“f ii to offer such languages as subjects of adult and continuing education;”

99. There are facilities for studying Sami as a subject in adult and continuing education. For instance the Sami Upper Secondary School in Kautokeino offers courses for adults and those interested in further education. The Committee considers the undertaking fulfilled.

Teaching of the history and culture of the minority language

“g to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;”

100. The Sami Education Council has, with the assistance of the Norwegian Ministry of Education, produced a special Sami Curriculum. This curriculum is exemplary: it is very detailed and concentrates mostly on matters relating to the Sami population. Norwegian teachers have been provided with teaching materials on the Sami population for use in typical Norwegian state schools. These materials include information on teaching Sami history and culture, an obligatory part of the Norwegian curriculum. The Committee considers the undertaking fulfilled.

Basic and further training of teachers

“h to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;”

101. The Sami University College in Kautokeino offers basic and further teacher training. Apparently these programmes generate a lot of interest, and the Sami University College could improve the teacher training further still, had they the sufficient means. The Committee considers the undertaking fulfilled.

Monitoring

“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.”

102. The Sami Language Board monitors the application of the Sami Act, including how public bodies fulfil the act's provisions. The Council drafted a report on the Sami language and recommendations for improvement were made. This report was adopted in October 2000. The Committee considers the undertaking fulfilled.

“Paragraph 2

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

103. Outside the traditional Sami districts, a minimum number of 10 pupils is required before Sami can be taught, as stipulated in Article 6.2 of the Education Act. The Committee considers the undertaking fulfilled.

Article 9 - Judicial authorities

“Paragraph 1

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

104. The Legal Aid Office in Inner Finnmark provides legal service to the region’s inhabitants. The office has two employees who have a good command of Sami. This service would apply to both criminal and civil law.

a in criminal proceedings:

- i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or***
- 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;”***

105. The Sami Act is applicable in the Sami administrative district. Accordingly, a person has the right to use Sami in criminal proceedings pursuant to the above obligations chosen by Norway. The Sami Act guarantees this right from a legal point of view. At the initial stage of the court proceedings, the judge normally asks the party to the proceedings if he or she wishes to use Sami. The costs of the interpretation and translation are borne by the court. In practice, Sami is seldom used in courts, the main difficulties being that the proceedings take more time, there is a lack of legal terminology and of qualified interpreters, and finally, there seems to be a reluctance on the part of the persons involved to ask for the proceedings to be in Sami in order not to be regarded as trouble-makers. The Sami people themselves often prefer not to use their language because they have no practice in the use of their language in court. It can be estimated that about 20% of the proceedings are carried out in Sami. Judges may be taught Sami upon request.

106. In its previous evaluation, the Committee of Experts considered the legal framework to form a solid foundation for the undertaking to be fulfilled. It did however note a certain difficulty in the real application of the laws, as there are practical difficulties, as detailed above, and there is a certain reluctance on the part of the Sami people to use North Sami.

107. The Committee of Experts therefore made the following observation in its last report:

The Committee encourages the Norwegian authorities to further facilitate the possibility to exercise the formal rights.

108. The Norwegian Government addressed this question in a White Paper to the Parliament, where it pointed out that there is a need to facilitate access to the Sami language in the court system. The Government proposed in its report to establish a special “Sami” court in Inner Finnmark, a proposal which was endorsed by the Parliament. The Sami court will serve five of the six municipalities in the Sami administrative district.

109. The Committee also refers to its comments in Chapter 2.

110. The Sami Language Board maintains a special authorisation scheme and a register of certified interpreters. The databank of Sami terminology also focuses on maintaining and developing judicial terms in Sami. The fact that there is often a lack of juridical terms in Sami has also been one of the problems in using Sami in courts.

111. The Committee recognises the efforts made by the Norwegian authorities and the Sami Parliament in their attempt to improve access to the use of Sami in courts. The undertaking is formally fulfilled, and the Committee looks forward to further information on the development of its practical implementation in the next report.

“b in civil proceedings:

- i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or*
- 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;”*

112. The Committee of Experts made the following observation regarding civil proceedings:

The Committee encourages the Norwegian authorities to further facilitate the possibilities to exercise the formal rights.

113. The situation in civil proceedings is very similar to criminal proceedings. The Sami Act guarantees the above undertakings, but in practice, Sami is rarely used. It is estimated that around 5% of the proceedings are conducted in the Sami language. The explanations put forward above for criminal proceedings apply equally to civil proceedings. To conduct the proceedings in Sami will also in most cases be more expensive for the client. Even if the State finances the costs of translation and interpreters, solicitor's costs tend to increase, because the proceedings take longer. The special Sami Court to be established in Inner Finnmark will also deal with civil cases. The Committee considers the undertaking formally fulfilled and looks forward to information about the development of its practical implementation in the next report.

“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.”

114. This undertaking is guaranteed in the Sami Act. The Committee considers the undertaking fulfilled.

“Paragraph 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”*

115. This undertaking is guaranteed in the Sami Act. The Committee considers the undertaking is fulfilled.

“Paragraph 3

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

116. The following acts have been translated into Sami:

Act relating to child welfare services

The Gender Equality Act

The Act relating to day care institutions

The Home Guard Act with appurtenant annexes and instructions and certain military forms

When needed, parts of the Military Penal Code are made available locally in Sami

The Sami Act

The Public Administration Act

The Freedom of Information Act

The Ministry of Justice is also preparing new proposed legislation on land rights and administration for the county of Finnmark. These texts will be presented in Sami as well as Norwegian. Parts of the preliminary works have been translated into the Sami language and have been made available to the public

The Education Act

The Act of 23 June 1988 relating to the right to fisheries in the Tana watercourse

The Cultural Heritage Act

The Environmental Impact and Assessments to the provisions of the Planning and Building Act

The Act relating to national population registration from 1998

The Act of 13 December 1991 relating to social services

Basic information on the Patient Rights Act and the provisions regarding the individual patient-client are being translated

The Act of 9 June 1978 no. 49 relating to reindeer husbandry and its regulations undergoing amendment, will be published in Sami upon completion.

The regulations relating to the reindeer husbandry agreement (an annual agreement between the Ministry of Agriculture and the Norwegian Reindeer Herders' Association on government support schemes) are translated into Sami each year

Chapter 23 of the Act of 9 June 1978 No. 50 relating to cultural heritage and Chapter 3 of the Sami Act are administered by the Ministry of Cultural Affairs. These acts are both available in Sami. Translation into Sami of the Act of 18 May 1990 No. 11 relating to place names has been scheduled, but these plans have been postponed because the act and its appurtenant regulations are undergoing amendment.

117. The Committee commends the Norwegian authorities for the attention they have paid to making these acts available in North Sami and considers the undertaking fulfilled.

Article 10 - Administrative authorities and public services

118. To facilitate the use of the Sami language in administration, the authorities have taken or plan to take a number of general measures to improve active use of the language in the field of administration and public services. A special working group was established to evaluate whether the extra costs of keeping a bilingual administration are sufficiently covered by the funding of the municipalities. The evaluation showed that the municipalities in question spend more money on this than the amount which is made available through state funds. In order to meet the additional costs of the municipal administrations for maintaining a bilingual policy, the national authorities have allocated an additional 5 000 000 NOK to the relevant municipalities in 2003.

119. The Sami Language Board has proposed to establish a specialised body for monitoring the use of Sami in public institutions, with the power to fine institutions that do not respect the legal obligations of the Sami Act.

“Paragraph 1

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

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

120. It has been pointed out that Sami is more widely used in local authorities than in state bodies, even if the latter are situated inside the Sami language administrative area. The Committee considers the undertaking fulfilled as the Sami Act guarantees the right to use the language. However, it encourages the authorities and the Sami Parliament to continue their efforts in the field.

“b to make available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions;”

121. Forms such as tax forms, social and health documents and information brochures are available in Sami. The Committee has been informed that there are still practical difficulties in providing translations of various widely used texts and forms. The Committee is aware of the work carried out by the Language Board. It supports the work being done at present and looks forward to seeing further improvement in this field in the next two years. The Committee considers this undertaking fulfilled.

“c to allow the administrative authorities to draft documents in a regional or minority language.”

122. The Committee considers the undertaking fulfilled.

“Paragraph 2

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

- a the use of regional or minority languages within the framework of the regional or local authority;***
- b the possibility for users of regional or minority languages to submit oral or written applications in these languages;***
- c the publication by regional authorities of their official documents also in the relevant regional or minority languages;***
- d the publication by local authorities of their official documents also in the relevant regional or minority languages;***
- e the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;***
- f the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;***
- 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.”***

123. In some municipalities in the Sami district, there is a policy to employ Sami-speaking staff and to provide teaching of Sami for other employees. The Norwegian Institute for Urban and Regional Research has looked into how much the relevant local authorities use Sami on a daily basis. The percentage of Sami speaking employees in the local authorities varies very much, suggesting that there is still room for improvement. The practice of the local assemblies also varies. In some assemblies Sami is used regularly and in others only Norwegian is used. The latter would seem to be the case in Kåfjord and Porsanger. These municipalities should be encouraged to take steps to increase the use of Sami. The Sami Language Board is taking steps to help improve the overall implementation of the Sami Act and the Committee commends its work, while the local authorities themselves could take a more active approach in ensuring the use of Sami in the local authorities.

124. The Sami Parliament and its administration use the Sami language in their daily work.

125. On the basis of the information received, the Committee considers these undertakings fulfilled.

“Paragraph 3

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

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

126. In the Sami administrative area, a person may submit a request in the Sami language and is, according to the Sami Act, entitled to receive an answer in that language. The Norwegian authorities have taken steps to inform all public bodies in the Sami administrative district of the requirement to use Sami. The Committee considers the undertaking fulfilled.

“Paragraph 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;”

127. According to the Sami Act, access to an interpreter is unlimited. Special procedures, as regards public services in hospitals for example, are made available to identify the need to provide an interpreter. There is, however, a lack of interpreters, which means that when there is a need for an interpreter, “a person who understands the Sami language” is found. This person is not necessarily a professional interpreter. This undertaking is fulfilled from a formal point of view. It is unclear to the Committee whether the lack of professional interpreters and the reported use of persons knowing the language creates practical difficulties. The Committee of Experts made the following observation in its previous evaluation:

The Committee encourages the Norwegian authorities to strengthen their efforts to provide professional interpreters.

128. The Committee understands that time is needed to train interpreters and translators and that since the Committee's last evaluation the increase of staff in this profession cannot have increased dramatically. The Committee would however welcome a more strategic solution to this problem. One solution might be to co-operate with the University in Tromsø and the Sami University College in Kautokeino to train professionals in this field. The Committee has therefore concluded that the undertaking is not fulfilled in practice and maintains its previous observation.

The Committee encourages the Norwegian authorities to strengthen their efforts to provide professional interpreters.

“Paragraph 5

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

129. The use of Sami names is in principle permitted. There is however a practical difficulty because official registers do not accept all Sami names which have diacritics. The Committee, in its first report, did not consider this undertaking fulfilled and made the following observation:

The Committee encourages the Norwegian authorities to solve this practical difficulty in order to ensure that the registers accept Sami names in their original form

130. A working group was established in October 2000 to examine how to solve various new technological difficulties, including the one referred to in this undertaking. The working group proposed to the authorities to continue efforts to make Sami letters available in computer software used in public institutions, as well as to co-operate with other countries using the Sami languages in this field. At present 7 Sami characters are not accessible. The Norwegian authorities are looking into ways of solving this difficulty and the Committee of Experts recognises these efforts. However, to make all Sami characters accessible the Norwegian administration needs to upgrade its technology. In the meantime, and until this difficulty has been resolved, the Committee of Experts maintains its previous proposals.

The previous observation is still valid.

The Committee encourages the Norwegian authorities to solve this practical difficulty in order to ensure that the registers accept Sami names in their original form.

Article 11 - Media

“Paragraph 1

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

a to the extent that radio and television carry out a public service mission:

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;”

131. The Norwegian Broadcasting Corporation (NRK) provides a public radio and television service at national and regional level. One of its aims is to help safeguard and develop Sami language and culture, as well as to broadcast programmes for ethnic and linguistic minorities. The Sami Radio is one of the regional broadcasters of NRK. NRK Sami Radio produces radio programmes mostly in the Sami languages, but also in Norwegian. The Sami Radio also produces television programmes, mostly for children, and some news, current affairs and cultural programmes. NRK Sami Radio began its radio broadcasts in 1946. Today, it broadcasts more than 1 500 hours of radio per year. The Sami radio co-operates with Sami radio stations in Inari, Finland and in Kiruna, Sweden. Sami Radio has eight local offices in eight municipalities, which all have one journalist at their disposal. All journalists working for Sami Radio are obliged to have a command of one of the Sami languages used in Norway. The Committee considers the undertaking fulfilled.

“b i to encourage and/or facilitate the creation of at least one radio station in the regional or minority languages; ”

132. There exist special schemes for creating private radio and television stations. In its previous evaluation, the Committee of Experts expressed the wish to receive further information as to how licences have been granted to Sami radio channels. The Norwegian authorities informed the Committee that from 1997-2001 out of 300 local radio stations licensed by the authority, four stations broadcast in Sami. Nordic co-operation in radio was initiated but has been postponed until development in technology makes this kind of co-operation less expensive. In addition to the public service radio, the private radio channel (P4) has three-minute news broadcasts in Sami on weekdays, in co-operation with the local radio station in Kautokeino. The Committee considers the undertaking fulfilled.

“c ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;”

133. TV2, the private national TV-channel, now broadcasts programmes in Sami on a regular basis. The Committee considers the undertaking fulfilled.

“e i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages;”

134. Newspapers have been produced in the Sami language since 1870. The oldest publication is Nuorttanaste, which was published by the Norwegian Evangelical Lutheran Free Church and has appeared on a regular basis since 1898. The Sami language newspaper, Sami Aigi was first issued in 1979. Two newspapers are published in the Sami language, Min Áigi and Aššu. In addition a monthly magazine is published. The newspapers are published in North Sami, with one page in South Sami and one page in Lule Sami. A special youth magazine is also published, as well as a women’s social magazine in Sami.

135. In 1978, the Norwegian authorities initiated a special financial assistance programme for Sami newspapers. The Ministry for Cultural Affairs adopted special regulations concerning these grants in 1996. According to these regulations, subsidies are allocated to newspapers aimed at the Sami population in Norway. The subsidy is measured according to the annual number of editions and pages produced, with different subsidy rates for pages produced in Norwegian and Sami respectively. The Mass Media Authority in Norway is

responsible for implementing this regulation. In 2001, three newspapers and a religious magazine received subsidies.

136. The Committee considers the undertaking fulfilled.

“f ii to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages;”

137. The Nordnorsk Filmsenter AS is a publicly financed regional institution. This centre maintains and develops the production of short films and videos in Northern Norway. The centre is required to produce at least one film per year in the Sami language. Teaching materials are also produced in Sami. The Committee considers the undertaking fulfilled.

“g to support the training of journalists and other staff for media using regional or minority languages.”

138. In 2000, the Sami University College in Kautokeino initiated a new programme for the education and training of journalists in the Sami language. The Committee considers the undertaking fulfilled.

“Paragraph 2

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

139. Norway is a party to the European Convention on Transfrontier Television and has also implemented the EU TV Directive. The Committee considers this undertaking fulfilled.

Article 12 - Cultural activities and facilities

“Paragraph 1

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

- 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;***
- 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.”**

140. One of the responsibilities of the Sami Parliament is to encourage and to support the culture of the Sami population. The Parliament administers the funding of various cultural and language organisations. The Sami culture is expressed in various ways, such as in poetry, music, literature, handicrafts, graphic arts, theatre and modern Sami art. The Sami Parliament is responsible for distributing the funding for various activities to preserve this heritage. The Sami Parliament is composed of representatives of all the Sami languages in Norway.

141. The Sami Library is the central Sami library, situated in the building of the Sami Parliament in Karasjok. The library has been fully funded by the central authorities. The National Library is responsible for establishing a Sami bibliography. The Ministry of Cultural Affairs has also established a mobile library service which includes works produced in Sami. A special Sami archive has also been funded by the authorities, with the aim of collecting materials and data documenting Sami language and culture.

142. The Beaivváš Sámi Teáhter situated in Kautokeino is an all Sami performing theatre group, financed by the authorities. Various grant schemes also exist for Sami artists. The Norwegian authorities also give grants for the construction of cultural buildings. Under this scheme, the Eastern Sami museum will receive financial support.

143. Every year, the Norwegian authorities allocate around 250 000 NOK for a project of the Norwegian Film Institute which subtitles films for cinema, video, sound versioning of Sami children's films and programmes.

144. The Sami Language Board made considerable efforts to develop general and specific terminology in Sami. There are three different language development groups for the Sami languages (South, North and Lule Sami). Each group has a mandate to develop specific terminology which is then approved by the Language Board. The fields cover areas such as economy, environment, place names etc. More information can be obtained from the official website of the Sami Language Board (<http://www.samisk-sr.no>).

145. The Committee considers the undertaking fulfilled.

“Paragraph 2

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

146. The Sami language and culture are also represented outside the Sami administrative district. Cultural centres are funded and financially supported in the Lule and South Sami areas by the Norwegian authorities. The library bus travels both inside and outside the Sami district. This depends on the policy of the Sami Parliament, since it is also responsible for granting financial assistance for cultural activities in Sami outside the Sami administrative district. The Committee considers this undertaking fulfilled.

“Paragraph 3

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

147. The foreign policy of the Norwegian Government includes highlighting the Sami dimension in Norwegian society and communicating Sami forms of cultural expression to an international public. The Ministry of

Foreign Affairs considers it a priority to integrate information on Sami issues and to make active use of Sami culture in cultural exchanges and efforts when disseminating information on Norway abroad. Various articles have been written on the Sami culture and audiovisual works have been distributed to the foreign media. This also applies to the production of Sami literary material used for distribution in foreign educational institutions. The Committee considers the undertaking fulfilled.

Article 13 - Economic and social life

“Paragraph 2

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

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

148. This undertaking is guaranteed in Article 3-5 of the Sami Act. It is stated that there is a right to use Sami in the health and social sector, within the Sami administrative district. However, the implementation of this provision depends very much on the staff of the institution in question. There has been no special policy concerning the use of the language within old people’s homes or hospitals. There is a special quota for speakers of Sami to study medicine which will evidently encourage people with a command of Sami to enter the medical field and should, in the long term, facilitate implementation of the undertaking. On these grounds the Committee made the following observation to the Norwegian authorities:

The Committee encourages the Norwegian authorities to intensify their efforts to provide staff having a command of Sami.

149. A Government Plan of Action was introduced to tackle this problem. It was additionally reflected in the Health-Care Personnel Act and regulates the actions of health-care personnel and their duty to guarantee medically responsible conduct towards patients. The authorities are also initiating a dialogue with the relevant local and regional authorities to improve the situation as regards personnel having a sufficient command of the Sami language in this sector. The Ministry of Health has issued a specific policy document expressing the wish that hospitals should have an open mind towards the Sami language. The authorities also finance courses in Sami, which does create a more positive atmosphere in the health care sector, even if the personnel only know a few words of Sami. The authorities mentioned that in the hospital in Tromsø a special Sami service had been set up to create a positive attitude and a minimal service in Sami. The Committee considers this exemplary and would encourage other institutions of this kind to try to establish such services.

150. The authorities have pointed out that there is a special need for Sami-speaking personnel in child welfare services. Specific steps are also being taken in this field to improve the services. As an example, the authorities have informed the Committee that the Ministry of Children and Family Affairs have initiated a publication with an overview of professionals in the Norwegian child welfare services who have full command of Sami. The Committee considers this commendable.

151. The Committee is therefore pleased to note that concrete action is being undertaken to intensify efforts to provide staff with a command of Sami in the health sector, but at the same time recognises that the undertaking is still only partially fulfilled. The previous observation is therefore valid and the Committee looks forward to observing the effects of the Action Plan.

The Committee encourages the Norwegian authorities to intensify their efforts to provide staff having a command of Sami.

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

152. The authorities have published a brochure which contains a Sami translation of the most important consumer legislation. The Committee considers the undertaking fulfilled.

Article 14 - Transfrontier exchanges

« The Parties undertake:

- 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.”**

153. The Norwegian authorities support transfrontier exchanges with the other Nordic countries and the Russian Federation, where the Sami language is used. Norway's support of the Sami language through these exchanges is of great importance to the Sami language throughout the entire Sami Homeland and elsewhere. The Sami Parliament is also an important element in these exchanges, since it represents the Sami population in Norway and also encourages these kinds of exchanges through the financial assistance it allocates. The Sami Parliaments of Finland, Sweden and Norway co-operate in several fields. National language councils co-operate in a common Sami Language Council, together with the Sami in Russia.

154. Another interesting initiative being taken by the Nordic Countries concerns the drafting of a multilateral treaty stipulating the rights of the Sami people. The Committee of Experts would consider this a very positive measure and looks forward to receiving more information in the next periodical report.

155. The Committee considers the undertaking fulfilled.

Chapter 4 - Findings of the Committee

The Committee hereby presents its general findings on the application of the Charter in Norway.

A. The Committee acknowledges the efforts made by the Norwegian authorities to further improve the implementation of the Charter in Norway in accordance with the recommendations of the Committee of Ministers. The Committee of Experts is aware of the short period of time which was available to the Norwegian authorities to respond to the recommendations of the Committee of Ministers in their second report. Nevertheless, the Committee has found that the Norwegian authorities seriously took into consideration the first observations of the Committee and in particular the recommendations of the Committee of Ministers. Some progress has already been made in this respect as reflected in the report.

B. The implementation of the recommendations of the Committee of Ministers is an ongoing process. Norway has established a commendable level of protection and promotion of North Sami, and is developing that protection positively, which indirectly has a good effect on other varieties of Sami in Norway as well as in other countries where Sami is used.

C. The Committee is however conscious of the precarious situation of Lule, South and Eastern Sami. Even though the second report of Norway provides information of positive development the Committee nevertheless has to express its concern regarding these languages and the need for urgent specific measures.

D. The authorities do not seem to have sufficiently developed measures in favour of Kven/Finnish, Romani and Romanes. The situation of Kven is especially difficult because of the lack of clarity concerning the status of the language. Regarding Romanes and Romani a major problem seems to be the lack of a forum for regular contacts with the authorities. The dialogue between the authorities and representatives of the Romani and Romanes languages appears to have improved lately, and it is to be hoped that this will bear fruit with new concrete action.

The Committee wishes to make the following observations regarding the recommendations made by the Committee of Ministers on 21 November 2001:

E. Concerning Recommendation No.1: **create conditions that will facilitate the use of North Sami before judicial authorities**, the second periodical report of Norway states that the Norwegian Parliament has agreed to the Government's proposal to establish a court in inner Finnmark which will serve five of the six municipalities within the Sami language administrative area (the sixth municipality is situated in the county of Troms). While it does not underestimate the problems which still exist, the Committee regards the establishment of the Inner Finnmark Court as a positive step forward, creating an important basis for facilitating the use of Sami before judicial authorities.

F. Concerning Recommendation No.2: **clarify the status of the Kven language with a view to improving the situation of the language in conformity with Part II of the Charter**, the Committee was informed by the authorities that they have commissioned a study of the Kven/Finnish language to prepare a conclusion on the status of Kven. The authorities stated that this initiative came about as a direct result of the recommendation made by the Committee of Ministers. The Committee wishes to underline the importance of reaching a conclusion regarding this vital issue soon. Unnecessary delay may have grave consequences for Kven.

G. Concerning Recommendation No.3: **take action to improve the dialogue and co-operation between representatives of the various regional or minority languages**, the Norwegian authorities report that meetings attended by representatives of the various national minorities were held in 1999 and 2001, and that there are plans to hold similar meetings annually or every other year. During the "on-the-spot" visit, the Committee was informed about some difficulties arising in practice concerning the meetings which should be held between the authorities and representatives of all national minorities. Representatives of the various minority languages maintain that there is no common forum in Norway where representatives of the various minority languages may develop dialogue and co-operation amongst themselves. The Committee observes that at present the dialogue and co-operation is infrequent or carried out on an ad hoc basis.

H. Concerning Recommendation No.4: **make its periodical reports on the application of the Charter public, thus ensuring that all organisations and persons concerned are informed of the rights and duties established through the Charter and its implementation**, the Norwegian authorities have reported that the work on the second periodical report has included contributions from representatives of the various minority languages, and that the Committee of Experts' report with the comments from the authorities attached to it has been distributed to the same bodies. The initial Norwegian report was also distributed to the different ministries and to representatives of the minority languages in August 2001 for use in preparing contributions for the second periodical report. However, the second periodical report has only been made available in English and the authorities should take steps to make the reports available in Norwegian as well.

The Norwegian government was invited to comment on the content of this report in accordance with Article 16.3 of the Charter. The comments received are attached in Appendix III.

On the basis of this report and its findings the Committee of Experts submitted its proposals to the Committee of Ministers for recommendations to be addressed to Norway. At the same time it emphasised the need for the Norwegian authorities to take into account, in addition to these general recommendations, the more detailed observations contained in the body of the report.

At its 850th meeting on 3 September 2003, the Committee of Ministers adopted its Recommendation addressed to Norway, which is set out in Part B of this document.

Appendix I: Instrument of Ratification



Norway

Declarations contained in the instrument of ratification, deposited on 10 November 1993 - Or. Engl.

We undertake to carry out the provisions contained in Parts I, II, IV and V of the Charter and also in accordance with Article 2, paragraph 2, the provisions contained in the following articles, paragraphs and sub-paragraphs of Part III of the Charter :

In Article 8 :

Paragraph 1, sub-paragraphs a (iii), b (iv), c (iv), d (iv), e (ii), f (ii), g, h, i
Paragraph 2

In Article 9 :

Paragraph 1, sub-paragraphs a (i-iv), b (i-iii), d
Paragraph 2, sub-paragraph a
Paragraph 3

In Article 10 :

Paragraph 1, sub-paragraphs a (iii), b, c
Paragraph 2, sub-paragraphs a, b, c, d, e, f, g
Paragraph 3, sub-paragraph b
Paragraph 4, sub-paragraph a
Paragraph 5

In Article 11 :

Paragraph 1, sub-paragraphs, a (iii), b (i), c (ii), e (i), f (ii), g
Paragraph 2

In Article 12 :

Paragraph 1, sub-paragraphs a, d, e, f, g, h
Paragraph 2
Paragraph 3

In Article 13 :

Paragraph 2, sub-paragraphs c, e

In Article 14 :

sub-paragraph b

The above-mentioned paragraphs and sub-paragraphs shall, in accordance with Article 3, paragraph 1, apply to the Sami language.

Period covered: 01/03/98 -

The preceding statement concerns Article(s): 10, 11, 12, 13, 14, 2, 3, 8, 9

Appendix II: Recommendation RecChL(2001)5 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Norway

(Adopted by the Committee of Ministers on 21 November 2001 at the 773rd meeting of the Ministers' Deputies)

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted by Norway on 10 November 1993;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Norway;

Having taken note of the comments made by the Norwegian authorities on the contents of the Committee of Experts' report;

Bearing in mind that this evaluation is based on information submitted by Norway in its initial periodical report, supplementary information given by the Norwegian authorities, information submitted by bodies and associations legally established in Norway and on the information obtained by the Committee of Experts during its "on-the-spot" visit,

Recommends that the Norwegian authorities take account of all the observations of the Committee of Experts and, as a matter of priority:

1. create conditions that will facilitate the use of North Sami before judicial authorities;
2. clarify the status of the Kven/Finnish language with a view to improving the situation of the language in conformity with Part II of the Charter;
3. take action to improve the dialogue and co-operation between representatives of the various regional or minority languages;
4. make its periodical reports on the application of the Charter public, thus ensuring that all organisations and persons concerned are informed of the rights and duties established through the Charter and its implementation.

Appendix III: Comments by the Norwegian authorities

European Charter for Regional or Minority Languages Comments on the second report of the Committee of Experts to be presented to the Committee of Ministers of the Council of Europe

With reference to the letter from the Secretariat of the Charter dated 2 April 2003, please find enclosed the Norwegian Ministry of Culture and Church Affairs' comments on the proposed recommendations in the above-mentioned report.

The report of the Committee of Experts, describing the Norwegian policies that have been pursued and the measures that have been taken to fulfill the obligations in the Charter, has been carefully considered by the relevant government ministries. The Ministry of Culture and Church Affairs thanks the Committee for its thorough work with the present report. The Ministry notes with satisfaction that the Committee understands that the protection of regional or minority languages is considered a priority in Norway.

We would like to comment on the Committee's four proposed recommendations in accordance with article 16 of the Charter. We have noted the Committee's more detailed observations, and these observations will be taken into consideration and will be used in the future work in this field. The next Norwegian periodical report is due in 2005, and will provide more information on topics underlined by the Committee.

Proposal for recommendation No. 1: Collaboration between representatives of the various regional or minority languages.

The Norwegian government concurs with the expert committee that minority languages would benefit from collaboration between representatives of the respective languages. The government therefore continues to attempt to facilitate collaboration between the different groups. However practical and cultural differences between the groups constitute a barrier, resulting in a situation where there currently is no common wish for such collaboration. The attempts to facilitate such collaboration will nevertheless continue.

Proposal for recommendation No. 2: The question of whether Kven is a dialect of Finnish or a separate language.

Clarification of the status of the Kven/Finnish language is in its final stages and an answer will hopefully soon be available. As mentioned in the Expert Committee's report, the Norwegian government has given the Swedish professor Kenneth Hytenstam the task of finding out whether Kven is a dialect of Finnish or a separate language. His report is due in the middle of June.

Proposal for recommendation No. 3: The Establishment of the Inner Finnmark Court.

The Inner Finnmark Court has been established and will be in operation from 1 January 2004. The circuit judge has been appointed and the court will be localized in Tana in Finnmark County.

Proposal for recommendation No. 4: Protection and promotion of Lule and South Sami.

Lule and South Sami are both part of the Norwegian government's language policy concerning the Sami languages. The Norwegian government is aware of the fact that Lule and South Sámi are endangered. The government is consequently considering which means are necessary to preserve Lule and South Sami languages. We would again like to emphasize that the Sami Parliament has drafted an action plan for the promotion of languages situated outside the administrative districts of the Sami. This action plan covers both Lule and South Sami.

B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Norway

COUNCIL OF EUROPE COMMITTEE OF MINISTERS

Recommendation RecChL(2003)2 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Norway

*(Adopted by the Committee of Ministers on 3 September 2003
at the 850th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted by Norway on 10 November 1993;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Norway;

Having taken note of the comments made by the Norwegian authorities on the contents of the Committee of Experts' second report;

Bearing in mind that this evaluation is based on information submitted by Norway in its national reports, supplementary information provided by the Norwegian authorities, information submitted by bodies and associations legally established in Norway and information obtained by the Committee of Experts during its "on-the-spot" visit,

Recommends that the Norwegian authorities take account of all the observations of the Committee of Experts and, as a matter of priority:

1. continue to improve the dialogue and co-operation with representatives of the various regional or minority languages;
2. rapidly resolve the situation of the Kven/Finnish language and consult with representatives of the Kven on this matter before a decision is taken;
3. progress in establishing the Inner Finnmark Court as a step to facilitate the use of Sami before judicial authorities;
4. increase their efforts to protect and promote Lule and South Sami.