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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

**Fifth periodical report**  
**presented to the Secretary General of the Council of Europe**  
**in accordance with Article 15 of the Charter**

**FINLAND**

THE FIFTH PERIODIC REPORT BY THE GOVERNMENT OF FINLAND  
ON THE IMPLEMENTATION OF THE EUROPEAN  
CHARTER FOR REGIONAL OR MINORITY LANGUAGES

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## INTRODUCTION

The *European Charter for Regional or Minority Languages* is the first binding international document that strives to improve the status of minority languages in Europe. The Charter entered into force both in Finland and internationally in 1998. In the Statutes of Finland Treaty Series, the Charter was assigned the number 23/1998.

The Charter classifies minority languages into three groups. The first group contains regional or minority languages. These refer to languages traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population. In Finland, this group contains the Sámi language.

The second group comprises official languages less widely used on the territory of the State. Of the languages spoken in Finland, Swedish has this status.

As a third group, the Charter defines "non-territorial languages". These mean languages which, although traditionally used within the territory of the State, cannot be identified with a particular area in it. A typical representative of this group in Finland is the Roma language. Non-territorial languages in Finland also include Russian, Tatar, Yiddish, and Karelian. For the first time, this report also introduces Estonian as a language spoken in Finland.

The implementation of the Charter is monitored by the Committee of Ministers of the Council of Europe, which is assisted by an independent *Committee of Experts*. The Parties have the duty to present a report on the implementation of the European Charter for Regional or Minority Languages at three-year intervals. In their reports, the Parties must respond to recommendations issued by the Committee of Ministers on the implementation of the Charter. The Committee of Experts examines the reports and collects additional information to support its conclusions by visiting a Party. Finally, the Committee of Experts submits its conclusions and draft recommendations to the Committee of Ministers. The Committee of Ministers then adopts a resolution on the implementation of the Charter in the State in question and any recommendations for additional measures.

This is the fifth periodic report submitted by the Government of Finland on the implementation of the Charter. It covers the period from October 2010 to November 2017.

### Further information

For further information on human rights conventions and periodic reports related to the monitoring of their implementation, please contact the Ministry for Foreign Affairs of Finland, Legal Service, Unit for Human Rights Courts and Conventions, at the following address:

Ministry for Foreign Affairs  
Legal Service  
Unit for Human Rights Courts and Conventions (OIK-40)  
P.O. Box 411 FIN-00023 Government  
E-mail: OIK-40@formin.fi

## PART I

### 1. BASIC INFORMATION ON FINNISH POPULATION AND LANGUAGES

#### 1.1. Finnish population according to mother tongue

1. According to Statistics Finland's preliminary data, the Finnish population was 5,507,101 at the end of June 2017. The population increased by 3,804 between January and June. The most important reason for the population growth was migration gain from abroad.<sup>1</sup>

2. Statistics Finland<sup>2</sup> produces statistics on persons living in Finland according to their nationality, language and country of birth. The statistics may also be compiled according to origin which, as in the other Nordic countries, means the country in which the individual's parents were born. As the census is based on register data, official statistics on ethnic groups cannot be produced in Finland.

3. While processing sensitive data is prohibited in Finland under section 11 of the Personal Data Act (523/1999), collecting and publishing data on ethnic origin is allowed for statistical research purposes.

4. Under the Constitution, the national languages of Finland are Finnish and Swedish. The Language Act (423/2003) lays down specific provisions on the right to use both Finnish and Swedish before State authorities, the authorities of municipalities, courts and otherwise in the discharge of public administration duties. The Strategy for the National Languages of Finland adopted by the Government in 2012 promotes the viability and equal status of the national languages<sup>3</sup>.

5. Under the Constitution, the Sámi as an indigenous people as well as the Roma and other groups have the right to maintain and develop their own language and culture. The Sámi Language Act (1086/2003) contains provisions on the use of the Sámi language before the authorities.

6. Statistics Finland produces population structure statistics on Finnish and foreign citizens who reside permanently in Finland. One of the details noted in the statistics is the person's language. The data produced by Statistics Finland, on the other hand, are based on the Population Information System maintained by the Population Register Centre and the mother tongue data recorded in it. The language given as a child's mother tongue when the Population Information System is notified of the child's name is regarded as his or her mother tongue in population statistics.

7. There are also many people in Finland who are bilingual or multilingual for various reasons. However, only one mother tongue can be recorded in the Population Information System. In addition to this, either Finnish or Swedish can be entered as the preferred contact language. The mother tongue recorded in the Population Information System does not affect a person's linguistic rights. The language data entered in the Population Information System is used for various official purposes, including the compilation of statistics and anticipation of service needs.<sup>4</sup>

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<sup>1</sup> [http://www.stat.fi/til/vamuu/2017/06/vamuu\\_2017\\_06\\_2017-07-25\\_tie\\_001\\_fi.html](http://www.stat.fi/til/vamuu/2017/06/vamuu_2017_06_2017-07-25_tie_001_fi.html)

<sup>2</sup> [https://www.stat.fi/artikkelit/2013/art\\_2013-09-23\\_003.html?s=0#5](https://www.stat.fi/artikkelit/2013/art_2013-09-23_003.html?s=0#5)

<sup>3</sup> Strategy for the National Languages of Finland. 4/2012. Prime Minister's Office Publications 4/2012, <http://vnk.fi/julkaisut/julkaisusarja/julkaisu/fi.jsp?oid=373031>.

<sup>4</sup> Local Register Office form for entering data on mother tongue in the Population Information System, <http://www.maistraatti.fi/fi/lomakkeet/>, referred to on 27 February 2017.



8. Each person in Finland can make a personal decision about the language they wish to declare as their mother tongue. An authority must take the initiative in finding out which mother tongue has been registered for a person. A citizen of another country has the same rights as a Finnish citizen to use Finnish or Swedish before the authorities.

9. The number of foreign-language speakers in Finland has grown relatively rapidly in recent years. Russian is by far the most common foreign language. In 2016, more than 75,000 people spoke Russian as their mother tongue. The second most common language is Estonian, which is spoken by more than 49,000 people. These are followed by Arabic, Somali and English.

Population according to language <sup>5</sup>				
	2013	2014	2015	2016
Finnish	4,869,362	4,868,751	4,865,628	4,857,795
Swedish	290,910	290,747	290,161	289,540
Sámi	1,930	1,949	1,957	1,969
Russian	66,379	69,614	72,436	75,444
Estonian	42,936	46,195	48,087	49,241
Arabic	13,170	14,825	16,713	21,783
Somali	15,789	16,721	17,871	19,059
English	15,570	16,732	17,784	18,758
Kurdish	10,075	10,731	11,271	12,226
Chinese	9,496	10,110	10,722	11,334
Persian	7,281	8,103	8,745	10,882
Albanian	8,214	8,754	9,233	9,791
Vietnamese	6,991	7,532	8,273	9,248
Thai	7,513	8,038	8,582	9,047
Spanish	6,022	6,583	7,025	7,449
Turkish	6,441	6,766	7,082	7,403
German	5,902	6,059	6,168	6,256
Polish	4,060	4,459	4,794	5,081
Others	63,229	69,084	74,776	80,991
<b>TOTAL</b>	<b>5,451,270</b>	<b>5,471,753</b>	<b>5,487,308</b>	<b>5,503,297</b>

<sup>5</sup> Statistics Finland. [http://www.stat.fi/tup/suoluk/suoluk\\_vaesto.html](http://www.stat.fi/tup/suoluk/suoluk_vaesto.html)

## 1.2. Administration of population data

10. A person's mother tongue is recorded in the Population Information System on the basis of the person's own declaration. In spring 2013, three-digit language codes were introduced in the Population Information System, making it possible to enter more languages in the system directly by code and reducing the need to use freely worded text for the purpose. The new code set has specific codes for such languages as North, Inari and Skolt Sámi and the Roma and Karelian languages. The situation for Yiddish and Tatar did not change, as the codes for these languages were already in use.

11. The Population Information System currently uses ISO 8859-1 standard characters, which do not contain all characters used in the Sámi languages, for instance. The more recent character set compliant with the UNICODE standard also includes all Sámi language characters. Introducing UNICODE characters in the Population Information System would, however, require a total modernization of the system's basic technical solution. Additionally, changes in the systems of the authorities and other stakeholders using Population Information System data would be required in order to get the full benefit from UNICODE characters.

Two-digit language codes	New three-digit language codes
Sámi	(not applicable)
(not applicable)	Kildin Sámi Southern Sámi Northern Sámi Lule Sámi Inari Sámi Skolt Sámi Sámi language
(not applicable)	Roma (Romany) Kalo Finnish Romani
Yiddish	Yiddish
Tatar	Tatar
(not applicable)	Crimean Tatar
(not applicable)	Karelian Livvi-Karelian

## 2. SPECIAL STATUS OF THE ÅLAND ISLANDS

12. Due to the special status of the Åland Islands, the provisions of the Charter are not implemented in the region of Åland.

13. Åland, which consists of more than 6,500 islands, is a Swedish-speaking region that belongs to Finland. Provisions on the status of the Swedish language, extensive autonomy and the competence of the Åland Parliament are laid down in the Act on the Autonomy of Åland (1144/1991). The islands have a population of about 29,000.

14. The special status of the Åland Islands is based on a League of Nations decision from 1921. Finland has an obligation to guarantee the inhabitants of Åland a right to preserve the Swedish language, their own culture and their local customs. An international treaty on the

Åland Islands was also concluded at the same time, under which Åland is a neutral and demilitarised zone. One seat in Finnish Parliament is reserved for the representative of Åland.

15. Attached to Finland's Act of Accession to the European Union is Protocol no 2 on Åland. This Protocol acknowledges the Åland Islands' special status under international law and, among other things, the right of domicile in Åland.

16. According to the Act on the Autonomy of Åland, Swedish is the only official language of the region. Section 7 of the Language Act specifically excludes the Åland Islands from the scope of the Act by stating that linguistic provisions regarding the Åland Islands are contained in the Act on the Autonomy of Åland. The Act on the Autonomy of Åland, however, provides that in a matter concerning himself a citizen of Finland shall have the right to use Finnish before a court and with other State officials in Åland.

### 3. NUMBER OF SPEAKERS OF REGIONAL OR MINORITY LANGUAGES IN FINLAND

#### 3.1. The numbers of persons speaking a regional or minority language

17. The information provided in this report on the numbers of persons speaking a regional or minority language originates from the Population Information System maintained by the Population Register Centre and the Local Register Offices.<sup>6</sup> The registration of data is based on statutory declarations made by citizens and authorities. The data registered in respect of each natural person include their name and personal identity code, address, nationality and mother tongue, family relations and date of birth and death. Statistics Finland compiles statistics on nationalities, languages and countries of birth etc. on the basis of data provided by the Population Register Centre.<sup>7</sup>

18. The underlying principle applied to the registration of languages is that each person has a single own language chosen by him or her. Thus, a person's language is determined in accordance with his or her own declaration. Everyone is entitled to change the data in the Population Information System at a later date.<sup>8</sup>

#### 3.2. Swedish

19. Under the provisions on fundamental rights in the Constitution of Finland, Finland is bilingual and Finnish and Swedish have equal status as national languages. The Constitution also safeguards the rights belonging to individuals and groups associated with this status. Rather than the word mother tongue, the provision uses the expression "own language".

20. Under the Constitution, in the organisation of administration, the objective shall be suitable territorial divisions, so that the Finnish-speaking and Swedish-speaking populations have an opportunity to receive services in their own language on equal terms. More specific provisions on linguistic fundamental rights are contained in the Language Act (423/2003).

21. One of the key aims of the Language Act is to ensure the right enshrined under section 17 of the Constitution of every person to use his or her own language, either Finnish or Swedish, before courts and other authorities. The goal is to ensure the right of everyone to a

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<sup>6</sup> <http://www.vaestorekisterikeskus.fi>; <http://www.maistraatti.fi/>

<sup>7</sup> <http://www.tilastokeskus.fi>

<sup>8</sup> Section 11 of the Personal Data Act ; 523/1999. However, sensitive data may be collected in a personal data file on conditions laid down in acts or a decree. Separate provisions have been laid down on the openness of sensitive personal data.

fair trial and good administration irrespective of language and to secure the linguistic rights of an individual person without him or her needing specifically to refer to these rights.

22. As Swedish is the second national language of Finland, Swedish speakers cannot actually be referred to as a national minority but mainly a language group, or a *de facto* linguistic minority.

23. At the end of 2016, a total of 289,540 people had recorded Swedish as their own language in the Population Information System.

24. The rights of Swedish speakers in Finland are promoted by *Svenska Finlands folkting* (Swedish Assembly of Finland), which works to improve the cultural and societal conditions of the Swedish-speaking population and to promote the status of the Swedish language in Finland. Its tasks include supporting and developing the Swedish-language culture in Finland. The duties of the Swedish Assembly of Finland are laid down in an Act (1331/2003).

### 3.3. Sámi languages

25. Under section 17, subsection 3, of the Constitution the Sámi, as an indigenous people, as well as the Roma and other groups, have the right to maintain and develop their own language and culture. Provisions on the rights of the Sámi to use the Sámi language before the authorities are laid down in an Act. Legislation relevant to the Sámi language and the contents of the Sámi Language Act (1086/2003) that entered into force at the beginning of 2004 have been exhaustively explained in previous periodic reports.

26. According to data collected by the Sámi Parliament, there were 10,463 Sámi people in Finland in 2015. Only 33.44% of the Sámi live in the Sámi Homeland (the municipalities of Enontekiö, Utsjoki and Inari as well as the area of Lapland reindeer herders' cooperative in northern Sodankylä), with 60.47% of the Sámi population living elsewhere in Finland and the remainder abroad.<sup>9</sup>

27. By the end of 2016, a total of 1,969 persons had declared Sámi as their mother tongue in the Population Information System. Under section 7 of the Sámi Language Act, a Sámi resident in Finland has the right to declare Sámi as his or her mother tongue for purposes of the Population Register. Since all persons speaking Sámi as their mother tongue have not exercised this right, the number of Sámi shown by the official statistics does not indicate the real number of persons using the Sámi language. One language only can be recorded as a person's mother tongue in the Population Information System. A Sámi speaker may have two or even three mother tongues, in which case they often record Finnish as they mother tongue. A significant share of those who use Sámi languages are also speakers of another language, and no data is available on their numbers.

28. Since 2013, it has been possible to record a certain Sámi language as your mother tongue in the Population Register: Southern, Inari, Kildin, Skolt, Lule or Northern Sámi. According to information obtained from Statistics Finland, very few people have declared one of these languages as their mother tongue.<sup>10</sup> The statistics collected in connection with the Sámi Parliament in 2015 indicate that a total of 1,807 persons reported Northern Sámi, 254 Inari Sámi and 321 Skolt Sámi as the language they learned first.<sup>11</sup>

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<sup>9</sup> Niskala, Räisänen & Martin (2016, ed.): Lapin sairaanhoitopiirin alueen sosiaali- ja terveydenhuollon tulevaisuuden palveluprosessit (Future social welfare and health care service processes in the Lapland Hospital District). Final report. Lapland Hospital District, Centre of Expertise on Social Welfare of Northern Finland.

<sup>10</sup> In 2015, 18 people had recorded Northern Sámi, 16 Inari Sámi and 14 Skolt Sámi as their mother tongue.

<sup>11</sup> Sámi Parliament election board 2016.

29. The Sámi Parliament is the self-government body of the Sámi people in Finland established by an Act (974/1995). The Sámi Parliament operates within the Ministry of Justice's administrative branch but it is independent from central government authorities. The task of the Sámi Parliament is to fulfil the duties assigned to it under the Constitution: to implement the cultural self-government of the Sámi and safeguard the preservation and development of the indigenous Sámi culture. The cultural self-government of the Sámi applies to the Sámi Homeland, provisions on which are contained in the Act on the Sámi Parliament. The Homeland comprises the municipalities of Enontekiö, Inari and Utsjoki as well as the area of the Lapland reindeer herders' cooperative in the municipality of Sodankylä. The municipalities in the Sámi Homeland are Finnish speaking under the language legislation. Under the Sámi Language Act (1086/2003), Utsjoki is a municipality with a Sámi-speaking majority.

30. Additionally, funding for Sámi culture and associations, youth activities, Sámi-language early childhood education and care services, social welfare and health care services as well as the production of learning materials in Sámi is channelled through the Sámi Parliament.

31. The activities of the Sámi Parliament are funded from the state budget. In 2016, the central government appropriation for maintaining the cultural self-government of the Sámi amounted to EUR 3,164,000. The appropriation for 2017 is EUR 3,182,000.

32. According to the Sámi Parliament, classifying Sámi as a regional minority language in the context of the Charter does not correspond to the reality of Sámi languages in Finnish society, as some 67% of the Sámi population live outside the Sámi Homeland.

#### 4. NON-TERRITORIAL LANGUAGES AND NUMBER OF PERSONS USING THEM IN FINLAND

##### 4.1. Roma

33. The current estimate of the total numbers of the Roma population is based on estimates produced by the regional Advisory Boards on Romani Affairs in 2015 concerning the numbers of Roma people in their areas, which produced a national total of 9,200. In addition, it is estimated that some 3,000 to 4,000 Finnish Roma live in Sweden. The Roma are scattered around Finland, and their geographic distribution is uneven. As an estimate, one out of three Finnish Roma live in the Helsinki region, whereas only 1,000 live in Northern Finland. The number of Roma people migrating from other EU Member States to Finland, and also the number of those who speak such languages as the Bulgarian and Romanian dialects of the Roma language as their mother tongues, is increasing steadily. The number of these EU citizens with a Roma background is currently estimated to be 500.

34. About 30 to 40% of the Finnish Roma speak the northern Roma dialect, or Kalo. The Roma mainly use their language within their own communities. The Finnish Roma is an endangered language. While Roma may be recorded as a person's mother tongue in the Population Information System, this possibility has been used little or not at all in practice as the Roma are fearful of ethnic registration based on language. At the end of 2015, only 23 persons had declared Roma as their mother tongue<sup>12</sup>.

35. The Advisory Board on Romani Affairs, which operates in conjunction with the Ministry of Social Affairs and Health, serves as a cooperation body between the Roma and the authorities. The Board's tasks include monitoring the development of the Roma population's opportunities for civic participation and living conditions. The Board has influenced the development of Finnish legislation and administration in Roma affairs.

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<sup>12</sup> Information obtained from Statistics Finland by e-mail on 25 November 2016.

36. Four regional Advisory Boards on Romani Affairs also operate in Finland, serving as cross-administrative cooperation bodies between the Roma population and the authorities. The purpose of these activities is to improve the status of the Roma at regional and local level and to include the Roma in decision-making that concerns them. The regional Advisory Boards also strive to promote equality and combat discrimination against the Roma. The activities and status of the Advisory Boards are provided for in Government Decrees (Government Decree 1019/2003 and Government Decree 1350/2009).

#### 4.2. Russian

37. At the end of 2016, there were 75,444 Russian speakers in Finland. The historical Russian-speaking population in Finland has been joined by a large number of new immigrants in the last decade. Russian speakers are currently the largest group of foreign-language speaking immigrants in Finland. Geographically, the Russian speakers concentrate to larger municipalities. The greatest numbers of Russian speakers living in small municipalities are found in the vicinity of the eastern border.

38. The Finnish Association of Russian-Speaking Organisations (FARO) represents, negotiates for and protects the interests of the Russian-speaking population in Finland. The Association has 35 affiliated organisations, which cover almost the entire Finland. The purpose of the association is to serve as a free and open cooperation body for the NGOs of the Russian-speaking population in Finland, promote the linguistic, cultural, legal, religious and social interests of the Russian-speaking population, protect the interests and rights of Russian speakers and manage other special issues of this population group, make initiatives and proposals as well as give statements to the authorities and societal organisations on issues that concern the Russian-speaking population in Finland. Representatives of the association participate in national bodies, the advisory boards of different ministries and organisations, and various working groups.

#### 4.3. Tatar

39. The number of Tatars of Turkish ancestry in Finland is estimated to be about 700 to 800. More than one half of them still speak Tatar as their mother tongue. The mother tongue of Finnish Tatars<sup>13</sup> is a western dialect of the Tatar language, or Mishar Tatar, which belongs to Turkish languages.

40. 184 persons had declared Tatar as their mother tongue in the population data<sup>14</sup> in 2015. Most Tatars live in the Helsinki metropolitan area. No separate statistics on the Tatars have been published.

41. The members of the Tatar community have forged themselves a balanced identity consistent with the values of the mainstream Finnish society. Adaptation was required to make a living and to have access to education, and the Tatars thus naturally became part of Finnish society. This has made it possible for them to preserve the unique features of their culture down to the fifth generation.

42. The majority of the Finnish Tatars belong to the Finnish Islamic Congregation, which was established in 1925. The Islamic Congregation is not only a religious association but also a

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<sup>13</sup> Suomen kansalliset vähemmistöt – kulttuurien ja kielten rikkautta (National minorities in Finland – a wealth of cultures and languages). <http://minorityrightsgroup.fi/julkaisut/vahemmistot2012.pdf>

<sup>14</sup> Statistics Finland, Väestörakenne. Kieli iän ja sukupuolen mukaan maakunnittain 1990 – 2015 (Population structure. Language according to age and gender by region 1990–2015).

coherent linguistic and cultural community that fosters their cultural heritage while supporting the cultural associations and sports clubs that operate within it both spiritually and financially. The cultural association *Finlandiya Türkleri Birliği* was established in 1935, and the sports club *Urheiluseura Yolduz* in 1945.

43. The learning of the Tatar language is supported by a children's club organised by the congregation on weekends, as well as mother tongue courses during the autumn and spring terms and in the summer. Young people are involved in the activities of the associations that operate within the congregation at an early age. Among other things, they participate in choral and theatrical performances organised by the cultural association. The mother tongue teacher usually is one of the community members.

44. The community has its own notation, which is based on the Latin orthography of Turkish and Finnish.

45. The Finnish Tatar community has a rich and varied cultural heritage. Folk songs and heritage music are alive within the community and attract its members to cultural soirées and other common events. Theatrical performances based on the classics of Tatar literature are also popular. The Finnish Tatars have also created their own literary works: song books, religious textbooks, poetry, literature, periodicals and, in recent years, also a newspaper.

#### 4.4. Yiddish

46. The Jewish communities in Helsinki and Turku comprise some 100 Yiddish speakers, while some 20 people speak this language as their mother tongue. Approximately 150 people speak Hebrew as their mother tongue, and additionally, at least 200 people speak Hebrew as a second language at home. No official statistics on Yiddish and Hebrew speakers are available.<sup>15</sup>

47. Yiddish is disappearing as a spoken language in Finland. Yiddish cultural heritage will, however, continue to be significant for the Jewish identity, and for this reason members of the Jewish community will continue to study and use the language. Finnish is the principal language spoken by Finnish Jews, and also the mother tongue for most of them. As a result of the unrest in Eastern Europe in the 1990s, Russian has also made a comeback as a language of the Jewish community in Finland, even though it is only a language spoken at home by a small minority. The Finnish Jews are increasingly multicultural, and the Jewish community in Finland thus reflects the multicultural revolution in Finnish society in a broader sense.

48. The Jews in Finland have integrated well in Finnish society. The Jewish community in Finland has traditionally been a relatively homogeneous group, and there has been little migration. However, the situation has changed significantly in the last few decades, especially in the Jewish Community of Helsinki. The means of supporting immigrants' integration have been considered to the extent this is possible in a small community. Assimilating new members with increasingly multicultural backgrounds in the community requires know-how on both sides as well as financial investments.

#### 4.5. Karelian

49. There are approximately 5,000 Karelian speakers in Finland who speak this language as their mother tongue. In addition, another 20,000 people have a Karelian identity and can understand and speak the language to some extent. No comprehensive statistics on Karelian

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<sup>15</sup> Sarja, Mikko, Kielellisten oikeuksien toteutumisen haasteita eduskunnan oikeusasiamiehen laillisuusvalvonnan näkökulmasta (Challenges to implementing linguistic rights from the perspective of Parliamentary Ombudsman's oversight of legality), Edilex 2013/32, 26.8.2015.

speakers in Finland are available, however. As from 2011, Karelian has been one of the mother tongue options in the Population Information System maintained by the Population Register Centre. A total of 152 persons had declared Karelian as their mother tongue by 2015.<sup>16</sup>

50. Karelian is the language most closely related to Finnish. There are differences of opinion between the organisations promoting Karelian on how the language should be defined in Finland. The Society for the Karelian Language divides Karelian into three main dialects, or Karelian Proper, Livvi and Ludic, and strives to promote the Karelian language as a whole. Suojärven Pitäjöseura association divides Karelian into two separate and independent languages and promotes the speaking of Karelian and the development of written Karelian in Finland based on the southern dialects.

51. The cornerstones of the Karelian identity are the Karelian language, the Orthodox religion as well as the Karelian culture based on folk poetry.

52. The use of Karelian is promoted by the Karelian Language Society.

#### 4.6. Estonian

53. The number of Estonian speakers has increased considerably in Finland, and they are the second largest group of foreign language speakers in the country. At the end of 2016, there were 49,241 people in Finland who spoke Estonian as their mother tongue. The migration of Estonians to Finland started in the 1990s (in 1990, there were 1,394 Estonian speakers living in Finland) and increased when Estonia acceded to the EU in 2004, being often motivated by work.

54. Estonian and Finnish are related languages. Finnish people continue to presume that Estonians already speak and understand Finnish when entering the country. Almost one half of the Estonian speakers in Finland migrated to the country as recently as between 2007 and 2017. They have only been living in Finland for a few years, and their Finnish language skills are poorer than expected. Using the authorities' services and following legal norms is difficult for them, and their knowledge of Finnish society is often superficial. There is a need for services provided in Estonian, especially at municipal advisory points for immigrants.

55. Kela<sup>177</sup>, the Finnish Tax Administration, the Finnish Centre for Pensions and the TE services offer some material in Estonian on their websites. Some municipalities also offer information in Estonian through the Infopankki.fi website. The availability of integration-related advisory services in Estonian is inadequate.

56. There are Finnish-speaking Estonian friendship societies and their umbrella organisations in Finland. However, the activities of the Finnish societies are intended for Finnish speakers. The Finnish friendship societies maintain an Estonian centre, *Eesti Maja*, in Helsinki. The centre houses the Tuglas Association, Suomen Viro-yhdistysten Liitto and the Estonian Institute in Finland.

57. The Society of Instruction in Estonian<sup>18</sup> promotes the use of the Estonian language in Finland. The mission of this association, which was established in 2012, is to promote and support instruction provided in Estonian in Finland, thus helping Estonians living in Finland preserve and develop their Estonian cultural identity.

58. Estonians have set up regional organisations and recreational groups that promote the Estonian language and culture. Estonians living in Finland have also joined Estonian friendship

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<sup>16</sup> Information obtained from Statistics Finland by e-mail on 25 November 2016.

<sup>17</sup> <http://www.kela.fi/-/kelan-etuuksista-viroksi>

<sup>18</sup> <http://www.eestikeelsehariduseselts.fi>



societies, which increasingly pursue Estonian language activities. Tuglas association runs an Estonian library at the Estonian Centre, organises Finnish and Estonian language courses, provides continuing training for Estonian language teachers as well as holds cultural and information events in Estonian for Estonians living in Finland. The Estonian Centre in Southwest Finland located in Turku also has its own premises, and it organises many activities for Estonians. A private Estonian radio station, FinEstFM, can be received in the Helsinki region, Porvoo and Turku.

#### 4.7. Sign language

59. According to section 17, subsection 2 of the Constitution of Finland, the rights of users of sign languages and of those who need interpretation and translation because of disability shall be guaranteed by Acts of Parliament. Sign language users are a linguistic and cultural minority in Finland. According to a recommendation contained in the Language Policy Programme for the National Sign Languages in Finland, the Government should ensure that the status of minority languages, including sign language, is promoted at European level, for example under the European Charter for Regional or Minority Languages and other instruments relevant to languages.

60. In summer 2016, Finland ratified the UN Convention on the Rights of Persons with Disabilities and has since established the national implementation and monitoring mechanisms referred to in Article 33 of the Convention. The CRPD also promotes the realisation of rights of persons who use sign language (particularly its Article 9 on Accessibility and Article 21 on Freedom of expression and opinion, and access to information). In spring 2017, Finland launched the preparation of an action plan to coordinate CRPD implementation. The rights of sign language users will be incorporated in this action plan.

61. Two national sign languages are used in Finland: the Finnish sign language and the Finnish-Swedish sign language. Approximately 4,000 to 5,000 persons who are deaf or have impaired hearing use the Finnish sign language as their mother tongue. The total number of Finnish sign language users is approximately 14,000, including persons who can hear. It was for a long time believed that, as a separate minority within this language, there are some 300 users of the Finnish-Swedish sign language, of whom one half would be deaf<sup>19</sup>. However, a charting exercise carried out between 2014 and 2015 found that the number of deaf users of this language is around 90, most of whom are at a rather advanced age. The Finnish-Swedish sign language thus is a seriously threatened language.<sup>20</sup> Without fast and efficient action, the Finnish-Swedish sign language risks being lost<sup>21</sup>. A report on the overall situation of Finnish-Swedish sign language users was published in 2016.<sup>22</sup>

62. The Sign Language Act (359/2015), which promotes the realisation of sign language users' rights, entered into force on 1 May 2015. The new special act is a concise general statute that clarifies the regulation on sign language users' rights as a whole. While the linguistic rights of sign language users are protected under the Constitution, the specific provisions are still contained in the legislation of different administrative branches. The new specific Act draws

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<sup>19</sup> Ministry of Justice report Linguistic rights of sign language users, 24/2011

<sup>20</sup> Andersson-Koski, Maria (2015) Mitt eget språk – vår kultur. En kartläggning av situationen för det finlandssvenska teckenspråket och döva finlandssvenska teckenspråkiga i Finland 2014-2015 (My language – our culture. A charting of the situation of the Finnish-Swedish sign language and its deaf users in Finland in 2014-2015). Finlandssvenska teckenspråkiga r.f.

<sup>21</sup> Ministry of Justice report Linguistic rights of sign language users, 24/2011

<sup>22</sup> Ministry of Justice publication 2/2016, Reports and guidelines: Selvitys suomenruotsalaisen viittomakielen kokonaistilanteesta (A report on the overall situation of the Finnish-Swedish sign language).

more attention to the sign language users' rights and their development in different administrative branches.

63. The Sign Language Act builds the authorities' awareness of the sign languages and sign language users as a linguistic and cultural group. The goal is that the authorities take sign language users into consideration better when drafting statutes and making practical-level decisions and promote sign language users' opportunities for using and accessing information in their own language. The Sign Language Act applies to the national sign languages used in Finland: the Finnish and Finnish-Swedish sign language.

64. In the new Act, the definition of a sign language user is not tied to having any hearing impairment. The core group of sign language users consists of the deaf and those with severe hearing impairments who use sign language as their mother tongue. However, sign language can also be regarded as a child's mother tongue when at least one of their parents or one of their older siblings is a sign language user, and the sign language has been used to communicate with the child from birth.

65. When passing the Act, Parliament required that the Government take action to ensure that the rights of sign language users are realised across the country as intended when drafting the legislation on their linguistic rights. In March 2015, the Ministry of Justice established a cooperation group on sign language for 2015–2016. This group discussed issues related to sign languages that were topical within the Government and promoted a good flow of information between key stakeholders. A new cooperation group on sign language has been appointed by the Ministry of Justice for a term extending from 13 February 2017 till 31 December 2018. The rights of sign language users were also addressed in such documents as the Government's language and translation policies issued in spring 2017<sup>23</sup>.

66. The numbers of and teaching arrangements for deaf pupils and sign language users in basic education were examined in the school year 2013–2014<sup>24</sup>. The situation of these pupils had not been previously reviewed from the linguistic perspective. This was also the first time that the provision of support for learning and school attendance was examined from the viewpoint of pupils who are sign language users. A sign-language library was established in 2013.

67. In 2012, dictionary work and research related to the sign languages were taken over from the Institute for the Languages of Finland by the Finnish Association of the Deaf. An Advisory Board on Sign Languages (until 2015, the Advisory Board on the Sign Language) operates in conjunction with the Institute for the Languages of Finland. The task of the Board is to issue recommendations on the use of the Finnish and Finnish-Swedish sign languages that are important in principle or general in nature.

68. In 2012, the Ombudsman for Children produced a report titled "Hey, look at me! Interaction and well-being in the lives of deaf and hard-of-hearing children"<sup>25</sup>. This report was written in cooperation with the Finnish Association of the Deaf and the Finnish Association of Parents of Deaf and Hard of Hearing Children. The publication looked at the personal experiences and views of children who are deaf or hard of hearing concerning their well-being and the realisation of their rights. In this publication the Ombudsman for Children

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<sup>23</sup> Guideline of Prime Minister's Office: Valtioneuvostossa noudatettavat kielelliset periaatteet ja linjaukset (Linguistic principles and policies to be complied with in the Government), VNK/813/05/2016.

<sup>24</sup> Selin-Grönlund, Pirkko, Rainò, Päivi & Martikainen Liisa. Kuurojen ja viittomakielisten oppilaiden lukumäärä ja Opetusjärjestelyt. Selvitys lukuvuoden 2013–2014 tilanteesta (Numbers of and teaching arrangement for pupils who are deaf and sign-language users. Report on the situation in school year 2013–2014). Reports and studies 2014:11, Finnish National Board of Education.

<sup>25</sup> [http://www.lapsiasia.fi/c/document\\_library/get\\_file?folderId=5535297&name=DLFE-20222.pdf](http://www.lapsiasia.fi/c/document_library/get_file?folderId=5535297&name=DLFE-20222.pdf)

recommended, among other things, that children using sign language should have a right to their mother tongue and to education in their mother tongue. The pupils using sign language must also be given the opportunity to study their mother tongue as a school subject. Schools should take the language and culture of children who use sign language into consideration. Children using sign language have a right to teaching that is of equally good quality and high standards as that provided for other children. Parents, including deaf and hearing parents who use sign language, need support in their task as educators to build the child's linguistic and cultural identity.

## 5. GOVERNMENT PROGRAMME, STRATEGIES, STUDIES, REPORTS AND INVESTIGATIONS

### 5.1. Government Programme

69. According to the Government Programme of Prime Minister *Juha Sipilä*, Finland is open and international, rich in languages and cultures. The Government undertakes to foster a bilingual Finland in accordance with the Constitution and values.<sup>26</sup>

### 5.2. Key project on knowledge and education

70. The actions related to the key project on knowledge and education will increase and diversify language learning and enable it to start earlier. Special government transfers will be available to support an earlier start for language learning in 2017–2019. The objective is to find new operating models and solutions for capitalising on the children's early ability to learn languages, motivating the pupils and ensuring their commitment to language learning and studying. The application period for discretionary government transfers for activities in the school year 2017–2018 started in December 2016. To support the key project's implementation, continuing and additional training will be organised, and teaching material suitable for language instruction at an earlier age will be prepared. A follow-up study will be conducted on the projects included in this key project.

71. A resolution approved by Parliament<sup>27</sup> on an experiment in language studies (M 2/2014 vp — EK 54/2014 vp) is to be implemented as part of the key project. The experiment, in which the second national language would be dropped from the common basic education syllabus, would require an amendment to the Basic Education Act. According to this proposal, a provision valid for a fixed term would be added to the Basic Education Act that would enable regional experiments with expanding the language range and dropping mandatory studies of the second national language. The purpose of this experiment is to improve basic education providers' possibilities of providing more language choices by exempting the pupils from mandatory studies of Finnish or Swedish. The impacts of the experiment on learning outcomes, choices and offer of languages as well as the pupils' studies following basic education will be monitored. This experiment has a fixed term, and no more than 2,200 pupils will participate in it. A Government proposal on amending the Basic Education Act (HE 114/2017 vp) was submitted to Parliament in September 2017.

72. Minister of Education and Culture *Sanni Grahn-Laasonen* has appointed Professor *Riitta Pyykkö* from the University of Turku as rapporteur with the task of preparing a report on the status of the current language resources in Finland, assessing the needs arising from immigration in language education, and evaluating future language proficiency needs from the

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<sup>26</sup>[http://valtioneuvosto.fi/documents/10184/1427398/Ratkaisujen+Suomi\\_FI\\_YHDISTETTY\\_nettti.pdf/801f523e-5dfb-45a4-8b4b-5b5491d6cc82](http://valtioneuvosto.fi/documents/10184/1427398/Ratkaisujen+Suomi_FI_YHDISTETTY_nettti.pdf/801f523e-5dfb-45a4-8b4b-5b5491d6cc82)

<sup>27</sup> <http://minedu.fi/kielikokeilut>

perspectives of, for instance, the labour market, international cooperation and cultural needs by the end of 2017. The rapporteur will prepare recommendations and proposals for actions aiming to develop language education that will cover the entire educational system. The rapporteur will be supported by a broad-based steering group.

73. The Swedish Assembly of Finland has expressed its particular concern over the impacts of the regional language experiment on the status of Swedish as the second national language, demanding that the impacts of the language experiment on the realisation of linguistic rights should be assessed more thoroughly.

### 5.3. National Action Plan on Fundamental and Human Rights 2017–2019

74. The National Action Plan on Fundamental and Human Rights 2017–2019 was adopted as a government resolution on 16 February 2017<sup>28</sup>. The objective of the Action Plan is to fulfil the obligation laid down in section 22 of the Constitution to guarantee the observance of basic rights and liberties and human rights. The Action Plan measures seek to address identified problems related to fundamental and human rights and complement the work being carried out in various policy sectors to promote these rights. When the Action Plan was prepared, particular attention was paid to the policies contained in the Human Rights Report, recommendations to Finland from international human rights treaty monitoring bodies, policies of the Government Programme, views of the overseers of legality and Ombudsmen as well as concerns raised by NGOs. The legal basis of the Action Plan comprises the fundamental rights enshrined in the Constitution, international and regional human rights treaties ratified by Finland as well as the EU Charter of Fundamental Rights.

75. In accordance with the independent assessment of the Government's first National Action Plan on Fundamental and Human Rights (2012–2013) and the recommendations of the Parliamentary Constitutional Law Committee, the National Action Plan will focus on promoting the implementation of fundamental and human rights in specific areas. Priority areas of the National Action Plan will be fundamental and human rights education, equality, right to self-determination as well as fundamental rights and digitalisation. The Action Plan contains a total of 43 projects spread across the administrative branches of all ministries.

76. Finland's first National Action Plan on Fundamental and Human Rights (2012–2013) sought to promote linguistic rights by means of projects on press subsidies, more effective implementation of linguistic rights in emergency alerts as well as promoting the Roma population's linguistic rights. All these projects were completed.

### 5.4. Strategy for the National Languages of Finland and its follow-up

77. In December 2012, during the previous government term, a Strategy for the National Languages of Finland<sup>29</sup> was adopted. It concerns the national languages (Finnish and Swedish). This is the Finnish Government's first language strategy. The legal background of the Strategy for the National Languages of Finland consists of the Constitution and the more specific language legislation. The Strategy contains actions assigned to central government authorities, and recommendations for bilingual municipalities and joint municipal authorities as well as higher education institutions. The Strategy for the National Languages of Finland has a long time span, and its validity was extended to cover the current government term 2015–2019.

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<sup>28</sup> <http://julkaisut.valtioneuvosto.fi/handle/10024/79277>

<sup>29</sup> Prime Minister's Office Publications 4/2012.

78. The purpose of the Strategy for the National Languages of Finland is to ensure that Finland will continue to have two viable national languages. While the language legislation on Finnish and Swedish is mostly up to date, there are shortcomings in its practical implementation. The preparation of the Strategy for the National Languages of Finland was underpinned by awareness of the fact that the current state of play concerning Finnish and Swedish will not be satisfactory over the long term. The strategy does not contain proposals for reforming legislation. The starting points of the Strategy for the National Languages of Finland are the individual's linguistic fundamental rights and the benefits and strengths offered by a bilingual society.

79. As suggested in the Government Programme, the strategy was divided into two parts: a long-term strategy document and Government actions for government term 2011–2015. Measures implementing the strategy were assigned to a number of actors, while the overall responsibility for it rests with the Ministry of Justice. The Ministry of Finance monitored the realisation of linguistic rights in the local government reform. The Annex to the strategy provides practical tools for different administrative situations. These can be used to improve the implementation of the language legislation.

80. The Association of Finnish Local and Regional Authorities prepared a version of the Annex to the Strategy for the National Languages of Finland adapted for the municipalities and joint municipal authorities titled "*Practical tools*" which can be applied without further modifications. The tools are process descriptions and check lists intended to make the appropriate implementation of the language legislation easier. They concern promoting the use of the national languages, taking language legislation into consideration in working group and project work, communications by the authorities, publication processes, procurements and recruitments. Any relevant material on this theme that is available will be collected to the website of the Association of Finnish Local and Regional Authorities<sup>30</sup>.

81. A follow-up report on the implementation of the Strategy for the National Languages of Finland<sup>31</sup> was published on 13 May 2015. This interim report of the Strategy for the National Languages examined measures aiming to achieve the Strategy goals implemented during government term 2011–2015. The interim report also contains recommendations for further strategy work in government term 2015–2019. It was proposed that the validity of the Strategy for the National Languages of Finland be extended to ensure that the implementation of long-term objectives can be continued. The recommendations also include the preparation of an action plan for promoting linguistic rights based on the strategy.

82. In government term 2011–2015, the implementation of the Strategy for the National Languages of Finland focused on carrying through the actions initiated by the Government, building up public officials' knowledge concerning the implementation of the Language Act, sharing good practices and establishing permanent structures.

83. A network of national languages was appointed by the Ministry of Justice for a term extending from 1 June 2013 to 31 May 2015. The network consisted of the contact persons for the national languages appointed to support the management at ministries and members invited to participate in the capacity of experts. The network focused on implementing government measures scheduled for 2011–2015 and it also held thematic meetings. The interim report contains the contact persons' summaries of compliance with and monitoring of the language legislation in their administrative branches. A key conclusion of the interim report of the Strategy for the National Languages was that the measures planned for the period between 2011 and 2015 were carried through.

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<sup>30</sup> <http://www.kuntaliitto.fi>

<sup>31</sup> <http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1431429999340.html>

84. The interim report contained the following recommendations:

- The validity of the Strategy for the National Languages of Finland should be extended to cover government term 2015–2019.
- The carrying out of the strategy's long-term objectives should be continued.
- The Government should adopt a resolution based on the strategy with an action plan for promoting linguistic rights. The action plan should contain concrete measures for promoting linguistic rights.
- The individual's linguistic rights should be communicated about more efficiently. The communications should be targeted at private individuals.
- The visibility of the national languages should be improved. New challenges should be responded to in communications in the national languages, including simultaneity, speed, new media and good official style.
- The use of the language strategy tools should be followed up further, and methods for introducing new public officials to the use of the national languages should be examined.
- The tools for assessing linguistic impacts should be improved.
- Indicators for measuring trends should be created to enable the follow-up of linguistic rights implementation and viable bilingualism.
- More investments should be made in sufficient language immersion teaching of high quality.
- Sufficient training for language immersion teachers should be ensured.
- The implementation of linguistic rights should be monitored in administrative reforms.
- The impacts of privatisation and corporatisation on the implementation of linguistic rights should be monitored.
- A network of contact persons for the national languages should be appointed for the term 1 June 2015–31 May 2019. The network's operating methods should be improved.
- Ministries should appoint contact persons for the national languages who are also members of the national languages network. The role as a contact person should be included in these persons' job descriptions, and sufficient time should be set aside for managing the relevant duties. The Ministry of Justice should provide guidance and training for the contact persons, enabling them to guide other public officials in complying with the language legislation, make initiatives to rectify problems and otherwise promote linguistic rights in their ministries.

#### 5.5. Action Plan for the Strategy for the National Languages of Finland

85. The Government decided in December 2015 to continue the implementation of the Strategy for the National Languages of Finland in 2015 – 2019. On 15 October 2015, the Ministry of Justice appointed a new network on national languages, whose tasks include promoting the implementation of the long-term measures set out in the Strategy for the National Languages and preparing an action plan for the strategy. In February 2017, the Ministry of Justice published an Action Plan for the Strategy for the National Languages of

Finland<sup>32</sup>. It contains measures to be taken in different branches of administration aiming to implement the long-term actions of the Strategy for the National Languages of Finland in concrete terms.

86. The Swedish Assembly of Finland has stressed the importance of more efficient implementation of the Strategy for the National Languages in different areas of society and administration.

#### 5.6. Report on the implementation of language legislation

87. The Government submitted its third report to Parliament on the implementation of language legislation<sup>33</sup> in June 2013. Previous reports had been submitted in 2006 and 2009. The latest document was a follow-up report looking at the changes which had taken place in the realisation of linguistic rights in the authorities' activities since 2009 and any steps forward that may have been taken, especially when looking at the situation in the light of the Government's previous proposals for measures and parliamentary positions, Government Programmes and international treaties. An Advisory Board on Language Affairs appointed by the Government provided assistance for the preparation of the report. Different authorities and other stakeholders as well as various linguistic groups living in Finland across a broad front were consulted for the report.

88. According to the report, the realisation of linguistic rights is unsystematic. It is clear that more attention has been paid to linguistic rights in planning in recent years, but the good intentions are not yet visible at practical level. In particular, the rights of Swedish speakers to receive service from the authorities in their mother tongue are not fully implemented. The authorities believe that the most important reason for this is a lack of personnel with language skills. Recently, citizens have been particularly concerned over the fact that bilingual service is not always provided at the Emergency Response Centres and in social welfare and health care services.

89. Bilingual services are difficult to access, especially in the Helsinki metropolitan area, despite the fact that there is a high number of Swedish speakers in this area. It thus appears that the Language Act is implemented the best in those bilingual municipalities where the Swedish speakers are a majority or where the proportion of Swedish speakers is otherwise high.

90. The choice of the language used in services also increasingly depends on the customer's personal initiative, even if under the law, the authorities should take the initiative in checking the language registered as the customer's mother tongue in the Population Information System and use it.

91. The number of those who speak Russian and, in particular, Estonian as their mother tongue has increased substantially in recent years. The report suggests that attitudes towards Russian speakers have improved slightly in recent years. There has also been some improvement in the number of services available to them. Especially in Eastern Finland, the standard of services provided in Russian is fairly good. Estonian speakers, on the other hand, are often expected to understand Finnish, which may lead to misunderstandings and problems with access to services.

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<sup>32</sup> Action Plan for the Strategy for the National Languages of Finland, OM 13/2017.

<http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1488177880456.html>

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[http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1371116573213/Files/VNn\\_kielikertomus\\_2013\\_suomi.pdf](http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1371116573213/Files/VNn_kielikertomus_2013_suomi.pdf)

92. On a positive note, the management level of the authorities and specialist language organisations have in recent years made more active efforts to promote the realisation of linguistic rights. Action plans and strategies have been prepared to secure the status of the national languages and also such languages as Sámi, Roma and the sign languages. However, these strategies do not yet systematically translate into improved services. The report proposed that, in order to rectify the shortcomings that have now come to light, the authorities should carry through the concrete proposals for actions set out in the Strategy for the National Languages of Finland aiming to preserve two viable national languages. Paying attention to public officials' language proficiency when recruiting personnel is in key role. It is also hoped that language courses and, over the longer term, language immersion activities for children will increase the availability of personnel with good language skills in different authorities. The authorities' duty to take the initiative in finding out a customer's mother tongue and providing service in this language should also be realised better in practice. The practical implementation of the Language Act should also be considered when planning local government reforms and other structural reforms.

93. In its statement on the Government report on the implementation of language legislation in 2013, the Constitutional Law Committee of Parliament noted: 'The Constitutional Law Committee welcomes the observation made in the Government report on the implementation of language legislation that more attention has been paid to linguistic rights in recent years. In particular, this applies to the standard of administrative reforms, legislation as well as plans and guidelines. On the other hand, significant shortcomings persist in the practical realisation of linguistic rights, for example the authorities' customer service and the offer of well-functioning service chains. As the greatest structural problem in this context may be considered the lack of staff with good language skills and services provided in the customers' own languages. Language training should be provided for the staff to intervene in this problem. The Committee also again draws attention to the need for long-term measures to safeguard the authorities' ability to improve their offer of services in Swedish in the future. In addition to stressing the importance of instruction of the Swedish language (see PeVM 1/2010 vp, p. 6/II), the Committee joins the Government in emphasising the significance of safeguarding the preconditions for language immersion activities.' (PeVM 1/2014 vp).

94. The Government will submit the next report on the implementation of language legislation to Parliament by the end of 2017.

## 5.7. Language Barometer 2016

95. A study titled *Kielibarometri – Språkbarometern* (Language Barometer) was carried out in 2016 by the Ministry of Justice in cooperation with the Åbo Akademi University to examine the availability of Finnish language and Swedish language services in bilingual municipalities<sup>34</sup>. The Language Barometer studies were introduced in 2004, and since that year, they have been conducted to examine the quality of services provided in the minority language in bilingual municipalities.

96. The 33 bilingual municipalities in Finland are home to approximately 1.75 million Finnish people. Of the Swedish speakers, 140,000 live in municipalities where Finnish is the majority language, and 44,000 Finnish speakers live in municipalities where the majority of residents speak Swedish. These 184,000 citizens are the target group of the Barometer. The Language Barometer measures how well language minorities (Swedish and Finnish speakers) can access

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[http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1481790713420/Files/OMSO\\_52\\_2016\\_Sprakbaro\\_korj.pdf](http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1481790713420/Files/OMSO_52_2016_Sprakbaro_korj.pdf)



services in their own language in their home municipalities, and how they experience the relations between the language groups. The Language Barometer approaches the issue from the user's perspective: it looks at how the municipal residents themselves find the language services and atmosphere in their municipalities.

97. In 2016, a letter containing the survey was sent to municipal residents selected at random. A total of 3,704 of them responded, giving a response rate of 42%.

98. Finnish speakers were considerably more satisfied with local and central government services provided in their language than Swedish speakers. There were major differences between these two groups in assessments of the services provided by the Emergency Response Centres, rescue services and the police. The Swedish-language service in social welfare and health care services was also assessed as poorer than the service provided in Finnish. Local and regional differences were relatively large.

99. Swedish speakers find the language atmosphere more negative than Finnish speakers. This view is supported by several factors: they find that attitudes towards those who speak a different language have become more negative in Finland and that relations between Swedish and Finnish speakers have taken a turn for the worse in their home municipality. Furthermore, nearly one out of two feels that they have been harassed and/or discriminated against because of their language. On the other hand, Finnish speakers are less satisfied with the relations between Finnish and Swedish speakers in their home municipality than Swedish speakers. Both Swedish and Finnish speakers find that there has been "ups and downs" in the relations between the language groups.

## 5.8. Sámi Barometer 2016

100. The Sámi Barometer study 2016 describes the realisation of Sámi speakers' rights in Finland in the Sámi Homeland<sup>35</sup>. In spring 2016, the Ministry of Justice conducted a survey on services provided in Sámi together with the University of Oulu's *Giellagas* Institute. The purpose of the survey was to study the realisation of the Sámi Language Act from the citizens' perspective: how do Sámi speakers of different ages living in different municipalities of the Sámi Homeland experience the significance and availability of services in their own language? The emphasis was on social welfare and health care services. The survey was carried out as telephone interviews with eighty persons aged between 20 and 80 years who had Sámi recorded as their mother tongue in the Population Register data. The respondents live in the Sámi Homeland municipalities (Utsjoki, Inari, Sodankylä and Enontekiö). One out of two respondents is female, and the respondents' mean age is 59 years. Of the 80 respondents, 11 speaks Inari Sámi, 11 Skolt Sámi and 58 Northern Sámi as their mother tongue.

101. The study indicates that in general, the rights of Sámi speakers to services provided in their own language are poorly realised. The speakers of Northern Sámi in the municipality of Utsjoki had the best services, while the residents of Sodankylä and the speakers of Inari and Skolt Sámi faced the worse situation. Only a very small proportion of the respondents had received key social welfare and health care services in one of the Sámi languages, and these few services depended on a small number of employees. On average, the respondents were more satisfied with social welfare services than health care services. The respondents particularly deplored the shortcomings in services for Sámi speaking older persons and children. On the other hand, they were generally rather satisfied with those services that were

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[http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1479366255309/Files/OMSO\\_39\\_2016\\_Samebaro\\_120s\\_2.pdf](http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1479366255309/Files/OMSO_39_2016_Samebaro_120s_2.pdf)

available in Sámi, and according to the respondents, the availability of the services had improved somewhat in recent years. While the majority of respondents felt that the right to services provided in Sámi is important, due to such reasons as their insufficient literacy skills in Sámi, not everyone found it natural to use services in that language. As solutions to the shortcomings in services provided in the Sámi language were suggested, among other things, increasing the instruction of Sámi in adult education and more efficient recruitment of Sámi-speaking employees.

102. The study suggests that awareness of the Sámi Language Act and the linguistic rights of the Sámi is insufficient at all levels: among local and central government employees, Finnish speaking residents and also Sámi speakers.

#### 5.9. Study on the implementation of the constitutional linguistic rights of the Roma

103. An inclusive education policy is implemented in Finland. This means that as a basic principle, a pupil who is in need of special support receives this support in his or her class rather than in a special class or school.

104. In 2014, the Ministry of Justice published a report on the implementation of the constitutional linguistic rights of the Roma<sup>36</sup>. The study was based on the National Policy on Roma, the National Action Plan on Fundamental and Human Rights 2012–2013 and the Government Programme.

105. The launch of university-level teaching of the Roma language and culture was an important step forward, as it will enable the education of qualified Roma language teachers in the future. It is now possible to become educated as a teacher of the Roma language at the University of Helsinki, which offers sufficient basic and subject studies to qualify the students for teaching the subject in basic education. Roma language studies are available for both undergraduate and graduate students at the university and Open University students. So far, online teaching and distance learning of the Roma language, which would improve the availability of third-level studies in the language in different parts of the country, have not been launched. Recruiting Roma students for higher level education is challenging, however, which makes it more difficult to find Roma language teachers with a Roma background. The lack of qualified Roma language teachers is a key reason for the majority of Roma children not receiving instruction of the Roma language. Another fact that hampers the teaching is a lack of age-appropriate Roma language learning materials and persons qualified to prepare such materials.

106. According to the report, the linguistic rights of the Roma have been addressed in the legislation as required under the Constitution. The implementation of the current provisions on the Roma language is partly ineffective, however, and the statutory rights of the Roma are not realised in practice. A discretionary government grant system is available for the instruction of the Roma language, and the municipalities should be encouraged to use this option. In addition, Roma parents should be informed better about their children's right to receive teaching in the Roma language, as the parents have not always been aware of the possibility of requesting this.

107. Little or no information is available on the educational situation of Roma adults. As part of implementing the National Policy on the Roma, the Finnish National Board of Education

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<sup>36</sup> Selvitys romanien kielellisten oikeuksien toteutumisesta (Report on the implementation of Roma people's linguistic rights). Reports and guidelines of the Ministry of Justice 11/2014, [http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1392988540383/Files/OMSO\\_11\\_2014\\_Romani\\_kieli\\_48\\_s.pdf](http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1392988540383/Files/OMSO_11_2014_Romani_kieli_48_s.pdf)

published a report on the educational backgrounds of Roma adults in March 2016.<sup>37</sup> The report also contains proposals for measures that will be implemented in 2017–2019.

## 6. NATIONAL LEGISLATION

### 6.1. Amendments to the Language Act

108. The Language Act (423/2003), which applies to Finnish and Swedish, contains more specific provisions on the linguistic rights laid down in the Constitution. The objective is that an individual's linguistic rights are realised without him or her needing specifically to refer to these rights. The Finnish authorities are either monolingual or bilingual. Everyone has the right to use Finnish or Swedish before a State authority and an authority of a bilingual municipality. In addition, an authority shall arrange that a person to be heard in a matter has the opportunity of being heard in his or her own language, Finnish or Swedish. Similarly, a bilingual authority shall serve the public in Finnish and Swedish and disseminate information in both languages.

109. Sections 5, 27, 29 and 33 of the Language Act were amended on 1 June 2013 in connection with amendments to the Act on Municipal Divisions, currently the Municipal Structures Act (kuntarakennelaki 1698/2009). An amendment was made to section 5 of the Language Act, under which a bilingual municipality will not become monolingual as the municipal division changes, even if the municipal merger led to a situation where the size of the minority language group no longer meets the criteria laid down in the Act.

110. Under an amendment made to section 27 of the Act, State authorities must send any correspondence to a bilingual municipality both in Finnish and Swedish. This way, the legislator wished to ensure that a bilingual municipality receives the information it needs in both languages, thus reducing translation costs.

111. An amendment made to section 29 of the Act expands the obligation to issue notices and minutes of municipal meetings both in Finnish and Swedish. Under the new provision, the municipality shall safeguard the elected officials' opportunities of discharging their duties and meet the residents' information needs when making a decision on the language used in notices of meetings. The duty to translate notices and minutes of meetings would be extended to also apply to the local executive's and committees' documents in municipalities where the number of minority language speakers is high, or they constitute a substantial minority.

112. In connection with a municipal merger, an amendment to section 33 on signs, place names and public transport leaves it to the discretion of the municipality to decide to what extent the street signs of a street that previously was monolingual are to be replaced by bilingual signs.

113. Another amendment to Section 5 of the Language Act entered into force on 15 December 2014. Under this amendment, a monolingual municipality may, by proposal of the local council, become bilingual before the end of a ten-year period for which it has been designated a monolingual municipality by the Government. In other words, more flexibility concerning the time period during which a monolingual municipality can become bilingual was added to the statute.

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<sup>37</sup> Katsaus aikuisten romanien koulutustaustoihin (A review of Roma adults' educational backgrounds). Finnish National Board of Education Publications 2015, 8.  
[http://www.oph.fi/download/175254\\_katsaus\\_aikuisten\\_romanien\\_koulutustaustoihin.pdf](http://www.oph.fi/download/175254_katsaus_aikuisten_romanien_koulutustaustoihin.pdf)

## 6.2. Sámi Language Act reform

114. The purpose of the Sámi Language Act (1086/2003) is to safeguard the constitutional right of the Sámi to maintain and develop their own language and culture. The Act contains provisions on the right of the Sámi to use their language before courts and other authorities and the authorities' duty to implement and promote their linguistic rights. The Sámi Language Act has been in effect for more than ten years, and experiences and observations of its implementation have been collected by both the authorities applying the Act and individuals. The legislation has evolved, and societal changes, including e-services, centralised national service points and structural changes in the authorities bring new challenges and needs related to the practical implementation of the Act.

115. On 4 May 2017, the Government submitted to Parliament a proposal (HE 44/2017 vp) on amending the Sámi Language Act. The proposal is associated with government proposals to Parliament on reforming the regional government and the organisation of health and social services, as well as the Acts related to these reforms. The purposes of this proposal include establishing the new counties, passing legislation on the government and finances of the counties, and transferring the responsibility for organising social welfare and health care services from the municipalities to the counties. The health and social services reform and the establishment of the regional administration associated with it are being prepared in by the Ministry of Social Affairs and Health and the Ministry of Finance as a joint project. In the organisation of administration, the fundamental linguistic rights laid down in section 17 of the Constitution should be taken into consideration. As any changes to the organisation of health and social services and the arrangement of the administration following the reform of the counties act may not undermine the linguistic or cultural rights of the Sámi under the current legislation, corresponding amendments must be made to the Sámi Language Act.

116. The Sámi Language Act applies to all public administration duties assigned to the authorities referred to in this Act. Under the proposal, the principle of granting Sámi speakers broader rights to use the Sámi language in their Homeland would be upheld in the Act. The general principle would continue to be that the Sámi have a right to decide whether to communicate in Finnish or Sámi, both orally and in writing, when using the authorities' services in their Homeland. This right would not be restricted to interested parties. The aim is that in the Sámi Homeland, Sámi and Finnish speakers could use their own languages, similarly to the Finnish and Swedish speaking population. The Act also imposes obligations on the authorities outside the Sámi Homeland.

117. Additionally, the Act contains provisions under which the linguistic rights of the Sámi are more extensive within the Homeland than outside it. The Sámi Homeland is a key area in which the Sámi language is used, and this principle will also be upheld in the future. The basic principle and goal should be that the linguistic rights may not be undermined even if duties are transferred from municipal to regional authorities.

118. In addition to these amendments, section 3, paragraph 2 of the Act, which refers to the Act on the Sámi Parliament regarding the definition of the Sámi people, is proposed to be dropped.

## 6.3. The new Non-discrimination Act and discrimination monitoring system

119. The Finnish non-discrimination legislation was reformed at the beginning of 2015. This reform reinforced the legal protection of victims of discrimination, broadened the scope of implementation of prohibitions on discrimination, and expanded the obligations related to promoting non-discrimination. The Act defines the forms of prohibited discrimination and

oversight of the Act, and imposes obligations related to promoting non-discrimination on the authorities, employers and education providers. The reformed Non-discrimination Act (1325/2014) entered into force on 1 January 2015. The amended Act applies to all public activities. This means that a person who feels that they have been discriminated against on the basis of their language in the activities of an authority may complain to the Non-Discrimination Ombudsman or the National Non-Discrimination and Equality Tribunal, or demand compensation before a court. Discrimination means that a person is treated less favourably because of their language than some other person in a comparable situation. In particular, the reform strengthens the legal remedies available to Finnish and Swedish speakers in situations where the language they use has affected the way they are treated.

120. The new Non-discrimination Act intervenes in discrimination on multiple grounds: unlike the prior Ombudsman for Minorities, the new Non-Discrimination Ombudsman's role is to supervise compliance with the Non-discrimination Act regarding all grounds of discrimination.

121. The discrimination monitoring system coordinated by the Ministry of Justice has commissioned reports and collected research data on discrimination in different areas of life. The authorities, education providers and larger employers should have an equality plan referred to in the Non-discrimination Act that details concrete measures to prevent discrimination and to promote equality. Equality planning also offers an opportunity to develop the equal position of language minorities at the organisation level. To support the formulation of equality plans, various materials are available, and at the beginning of 2016, the Ministry of Justice published an electronic tool for assessing equality.

#### 6.4. Revision of the Act on the Sámi Parliament

122. A working group appointed by the Ministry of Justice in 2012 to examine the needs to amend the Act on the Sámi Parliament (974/1995) submitted its report to the Ministry of Justice in October 2013. On the basis of the report, a government proposal (HE 167/2014 vp) was prepared for reforming the Act. Parliament considered the proposal during the autumn session of 2014. The Government withdrew the proposal in March 2015.

123. A revision of the Act on the Sámi Parliament remains necessary. Some provisions of the Act are outdated, and problems have been identified in the functioning of some provisions.

124. The Ministry of Justice has appointed, in November 2017, a committee to draft an amendment of the Act on the Sámi Parliament. The term of the committee runs from 8 November 2017 to 30 April 2018.

125. The committee is mandated to draft the necessary amendments to the Act on the Sámi Parliament. The work of the committee is based on fundamental rights and other obligations imposed by the Constitution of Finland, on international human rights treaties binding on Finland, and on the United Nations Declaration on the Rights of Indigenous Peoples. The committee also takes account of the initialled Nordic Sámi Convention as well as ILO Convention no. 169. The committee will submit its proposal in the form of a government proposal, and should reach unanimity about the content of the proposal.

126. To the appropriate extent, the committee can base its work on the government proposal prepared during last electoral period for amending the Act on the Sámi Parliament. The purpose is that the amendments of the Act should enter into force in good time before the next elections of the Sámi Parliament, to be held in 2019.

127. Furthermore, a parliamentary monitoring group was appointed to support the committee in its work and to ensure a timely flow of information. Representatives of all parliamentary groups and the Sámi Parliament are invited to the group.

#### 6.5. Amendment to the Basic Education Act regarding pre-primary education

128. Pre-primary education has been mandatory in Finland since 2015. This means that a child must participate in one year of pre-primary education or other activities that achieve the objectives of pre-primary education, as a rule in the year before he or she reaches the age of mandatory education (section 26a of the Basic Education Act (1040/2014)). The purpose of pre-primary education is to promote the child's capabilities for growing, developing and learning.

### 7. OVERSIGHT OF THE REALISATION OF LINGUISTIC FUNDAMENTAL RIGHTS

#### 7.1. Ex-ante and ex-post supervision

129. Each authority supervises compliance with the Language Act and the Sámi Language Act in their own branches of administration. This is done to ensure that the special characteristics of each administrative branch can be addressed appropriately in the implementation of linguistic rights.<sup>38</sup>

130. Oversight of fundamental rights, which include linguistic rights, takes place at two stages of the Finnish legislative process: before new legislation enters into force, and later as the legislation is applied. The ex-ante oversight of fundamental rights is carried out by the Chancellor of Justice of the Government and the Parliamentary Constitutional Law Committee. Once legislation has entered into force, the realisation of fundamental rights is also supervised by the Chancellor of Justice of the Government, the Parliamentary Ombudsman and the courts.<sup>39</sup>

131. The task of the overseers of legality is to monitor that courts of law and other authorities as well as public officials, public entity employees and other persons who discharge public duties comply with the law and fulfil their obligations.<sup>40</sup>

#### 7.2. Chancellor of Justice of the Government

132. Under the Constitution, the Chancellor of Justice oversees the realisation of linguistic rights as part of overseeing the activities of the authorities, public officials and others discharging public duties. In the oversight of legality, the contents of section 17 of the Constitution, on which the Language Act is based, are stressed in implementing linguistic rights and taking linguistic rights into consideration as an element of good governance.

133. Issues related to linguistic questions mainly come up for scrutiny in connection with decisions on complaints. Most complaints concern the status of Swedish and the implementation of the rights of those who speak Swedish as their mother tongue.

134. The Deputy Chancellor of Justice has expressed an opinion on the realisation of linguistic rights when using the national archive of health information, *Kanta*. Attention was drawn to viewpoints related to the language of patient documents contained in the Kanta repository. In

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<sup>38</sup> Section 36 of the Language Act, HE 92/2002, section 28 of the Sámi Language Act.

<sup>39</sup> Tallroth, Paulina, 2012, p. 14.

<sup>40</sup> Section 108, subsection 1, and section 109, subsection 1 of the Constitution.

the case referred to by the Deputy Chancellor of Justice, the complainant considered that the Kanta service does not implement the patients' right to access the documents in their own language, as Finnish patient documents in the electronic archive are rarely translated into Swedish. The patient documents are saved to the archive in the language in which the health care unit has produced them. Under the Language Act, a bilingual authority should serve its customers in Finnish and Swedish. The Deputy Chancellor of Justice noted that the quality of the service must not depend on the language the customer uses. He argued that appropriate service referred to in the Administrative Procedure Act means, among other things, that Swedish customers may use the services in their mother tongue. According to the Deputy Chancellor of Justice, patient rights should be safeguarded by providing for appropriate interpretation and translation services. However, he did not find it justified from the perspective of safeguarding adequate health services that the resources available for health care should be used to regularly translate all patient documents to the patient's language (OKV/1327/1/2016, 5 September 2017).

### 7.3. Parliamentary Ombudsman

135. As language matters in the Parliamentary Ombudsman's activities are classified issues related to an individual's right to use their own language enshrined in section 17 of the Constitution, public authorities' duty to see to the cultural and societal needs of the Finnish and Swedish-speaking population in the country on equal grounds, or in general protecting linguistic rights. The oversight of legality in language matters is mainly based on investigating individual complaints. The realisation of linguistic rights can also be assessed on inspection visits. No inspections have been carried out with the sole purpose of overseeing the implementation of linguistic rights, and attention has been paid to the right to use and access services in one's own language as part of other inspection activities. Linguistic rights were a particular theme in the Ombudsman's activities in 2010 and 2011, and they were addressed on inspection visits and when assessing the need for launching own-initiative investigations. The Ombudsman's annual report contained a separate section on this theme.

136. Every year, 40 to 50 linguistic matters have been initiated and resolved. Complaints related to linguistic matters remain a very minor topic category in the Ombudsman's activities, and only around 1% of all decisions have concerned these matters. The proportion of complaints that led to actions, however (most commonly, a position was issued on incorrect procedure), which was almost 40%, has been considerably higher than the average for all matters, in which one complaint out of five has led to actions.

137. Linguistic issues continue to be mainly about the status of the Swedish language. The number of decisions on the availability of Finnish-language services has varied from a few to some ten cases a year, and few complaints have led to actions being taken by the Ombudsman.

138. The number of matters relevant to the Sámi language has also been small. Since 2004, the number of decisions given on these matters has been from zero to five cases a year, amounting to a total of 13. They have concerned such problems as the late broadcasting times of Sámi language television news (record nos 3709/2/10 and 3703/4/13), which the Deputy-Ombudsman found inappropriate, and the potential impacts of an indoor air problem in the facilities of Yle's Sámi services on Yle's Sámi language services (record nos 5018/4/15 and 5022/4/15). According to the Deputy-Ombudsman, it was not possible to prove that, despite clear reductions in the services, the Sámi services as a whole had been put at risk in a manner indicating that Yle had neglected its public service obligation regarding the provision of programme services in the Sámi language. A matter concerning day care was about the significance of the mother tongue registered in the Population Information System when

assessing the right to Sámi language day care. The Deputy-Ombudsman found that even if the entry gives a strong indication of a person's mother tongue, this information alone is not decisive when considering the right to Sámi language day care. The Deputy-Ombudsman did thus not see any reason why Sámi-language day care could not be requested for a child who has a language other than Sámi registered as their mother tongue (record no 410/4/12). A complaint that concerned studying the Sámi language did not warrant action as it concerned the possibilities of persons other than Sámi speakers to study the beginnings of the Sámi language (record no 2575/4/13).

139. The Ombudsman has not investigated complaints relevant to the Roma language.

140. The complaints related to language matters have concerned using every-day services on the one hand, and more structural, systemic level questions on the other.

141. Problems that have emerged in the context of customer services and the processing of a matter:

- a public official was unable to discuss a customer's matter in Swedish with them
- the customer could not have their matter dealt with in Swedish at the Local Register Office
- the police issued a notification of a penalty fee in Finnish, even if the data available to them, including that on the registration document and the driving licence, indicated that the customer's mother tongue was not Finnish
- a pre-trial investigation was delayed, at least partly for the reason that there was a shortage of Swedish-speaking investigators
- at the emergency clinic of a health centre, no-one was able to serve a client in Swedish, the municipality had also neglected its duty to ensure in the agreement on outsourcing health services that the residents' linguistic rights would be implemented by the outside service provider
- a decision to seize the property of a patient whose mother tongue was Swedish was made on a Finnish form
- the response to a customer letter from Itella Posti Oy was written in Swedish of such poor linguistic standard that it was impossible to comprehend
- in a security check carried out by an authority, a Swedish-speaking customer was asked in English if they could speak English
- the customer service officer of a private company that discharges a public administrative duty asked a customer if they could speak English rather than Swedish
- a customer who wished to use the services of a tax office in Swedish had to do so in English
- a prisoner was asked if Finnish could be used to deal with their matter, even if the prison in question has a bilingual block under a Ministry of Justice decree
- a customer could not have their matter dealt with at a Finnish foreign Mission in Finnish as the reception clerk recruited in the representative office's country spoke no Finnish
- obtaining a Swedish translation of a document took nine and a half months
- the quality of a translation produced by an authority had scope for improvement. The Parliamentary Ombudsman drew the authority's attention to ensuring that public officials who produce official translations in the authority's name have sufficient language proficiency and an ability to personally assess the adequacy of their language skills for producing translations.

142. The Parliamentary Ombudsman has considered the failure to publish construction sector standards with links to the EU Construction Products Regulation in all the official EU languages,



including Finnish and Swedish, as a problem in terms of construction sector operators' legal protection. These standards are, nevertheless, obliging for construction sector operators once their reference information has been published in the Official Journal of the European Union (record no 4212/2/13).

143. Problems have also been discovered in connection with the procedure for applying to the Finnish Communications Regulatory Authority for domain names. In this procedure, the applicant is expected to independently check information, also in a foreign-language register maintained by an EU authority, which is only available in some of the official EU languages. In order to meet their obligation to obtain information that is essentially associated with initiating the procedure, the applicant was thus forced to also use foreign languages in order to verify that the registration of the domain name does not infringe registered EU trademarks. According to the Ombudsman, this was inconsistent with the Language Act (record no 1624/4/12).

144. The Ombudsman has evaluated the need to publish the Current Care guidelines and the book *Pharmaca Fennica*, which contains information on medicines, also in Swedish. No official stakeholder directly publishes this material or has a duty to do so. However, this material is of actual importance considering the legal protection of both patients and health care professionals. According to the Ombudsman, this would be a justification for publishing the material in both national languages (record no 5498/4/14).

145. As a more general question, the Ombudsman has investigated the realisation of Finnish and Swedish-speaking patients' equality at the health centre of a bilingual city, as it was publically claimed that Swedish-speaking patients could access treatment faster than others. The investigation sought to establish if there were differences between the times it took patients who spoke different languages to access treatment, what the magnitude of these differences may have been, and if the differences were acceptable. This matter did not lead to action being taken (record no 2533/4/13).

146. The Ombudsman also assessed the impacts of the police department reform carried out in 2014 on the linguistic eligibility of police officers and whether the language proficiency requirements prevent the recruitment of police officers who lack the linguistic eligibility for fixed-term tasks related to asylum seekers (record nos 4158/2/15 and 5511/2/15). The language proficiency requirements of veterinary inspectors have also been addressed (record no 4882/2/14).

147. The Parliamentary Ombudsman has criticised the Finland Chamber of Commerce's Agent Examination Board for almost exclusively including Finnish books in the examination requirements (record no 146/2/15).

148. Issues relevant to the authorities' information activities and web services have recently been increasingly visible in complaints related to language questions. These complaints are about online information on one hand, and e-services on the other. The significance of e-services has increased strongly in recent years, which sets its own requirements to implementing bilingualism.

149. According to the complaint material, it is not exceptional that the authorities publish some material or an entire service on their websites first in Finnish or only in Finnish, or that the Swedish site is temporarily out of service for a lengthy period, in some cases as long as for six months.

150. The complaint material prompts the question of whether the current Language Act provisions are up to date in today's electronic operating environment. The Parliamentary Ombudsman considered that the premises of the Language Act are also compatible with

disseminating information on the Facebook. This also applies to Twitter and other social media services (including LinkedIn).

151. However, the Ombudsman's legal practice shows that the question of when the differences between the contents, volumes and timing of information provision in Finnish and Swedish are within the acceptable limits stated in the Language Act still remains open to interpretation. In the investigation of language-related complaints, there also appears to be scope for interpretation regarding whether or not the Language Act is applicable to the activities of the party referred to in the complaint in general. As examples can be cited the linguistic obligations of private parties providing state-subsidised and interest-subsidy housing and Sitra, especially in online communications. In these cases, the Ombudsman found that the Language Act was applicable.

#### 7.4. Non-Discrimination Ombudsman and National Non-Discrimination and Equality Tribunal

152. The new Non-Discrimination Ombudsman and the National Non-Discrimination and Equality Tribunal started their work at the beginning of 2015. The Non-Discrimination Ombudsman can be contacted by anyone who has experienced or observed discrimination on the grounds of age, origin, nationality, language, religion, belief, opinion, political activity, trade union activity, family relationships, health, disability, sexual orientation or other personal characteristics. Improving the conditions, rights and status of groups at risk of discrimination, including foreigners, are also within the Ombudsman's remit. Additionally, the Ombudsman oversees the deportation of foreigners and serves as the National Rapporteur on Trafficking in Human Beings.

153. The National Non-Discrimination and Equality Tribunal is an independent and autonomous legal remedy appointed by the Government and tasked to provide legal protection for those who feel they have been discriminated against or targeted by prohibited victimisation associated with discrimination.

154. A total of 49 cases where language was the grounds for discrimination were considered in 2016, accounting for approximately 6.5% of all cases. If we also include cases where language was a so-called other characteristic in a discrimination case, the number of cases relevant to language was 59, or about 7.5% of all cases of discrimination.

155. As the Non-Discrimination Ombudsman was inaugurated, the previously independent roles of the Ombudsman for Minorities and the Advisory Board for Minority Issues were abolished.

## 8. STRUCTURES PROMOTING LINGUISTIC RIGHTS

### 8.1. Advisory Board on Language Affairs

156. According to the Government Decree on the Implementation of the Language Act (433/2004), the Advisory Board on Language Affairs is an expert body that operates in conjunction with the Ministry of Justice, supports the ministry and represents different sectors of society tasked to promote linguistic rights. The Advisory Board is appointed by the Government for four years at a time. The current term of the Board runs from 1 April 2016 to 31 March 2020.

157. During its term, the Advisory Board organises annual consultations to discuss language affairs in order to promote dialogue between the Government and linguistic groups, assists the

Ministry of Justice with preparing the Language Report and monitors reforms that affect linguistic conditions and the implementation of linguistic rights.

## 8.2. Sámi Language Council of the Sámi Parliament

158. All three Sámi languages spoken in Finland, Northern Sámi, Inari Sámi and Skolt Sámi, are represented in the Sámi Language Council<sup>41</sup>. The tasks of the Council include maintaining and developing the Sámi languages used in Finland; giving instructions and recommendations on issues concerning the correct use of language, names, and terminology; advancing language research; providing information on Sámi languages, and participating in Nordic co-operation on linguistic issues. In addition, the Sámi Language Council, together with the Language Office, gives a report to the Sámi Parliament every electoral period. The report concerns the implementation of Sámi language legislation and the realisation of language rights, as well as the development of linguistic conditions. The Council has an important political role in overseeing the rights of Sámi speakers and promoting the Sámi languages together with the Sámi Language Office that operates as part of the Secretariat of the Sámi Parliament. The Sámi Language Council works in close cooperation with *Sámi Giellagáldu*, the Nordic Resource Centre for the Sámi languages.

159. A report on the implementation of the Sámi Language Act in 2012–2015 compiled by the Sámi Parliament (Sámi Language Council/Sámi Language Office 2017) notes that awareness of the Sámi Language Act and the right of the Sámi people to use their own languages is low among the employees of municipalities, joint municipal authorities and the central government as well as other public administration staff. The funding allocated to fulfilling the obligations under the Sámi Language Act was generally considered insufficient. The authorities within the scope of the Sámi Language Act can annually apply to the Ministry of Justice for a government transfer intended to cover the costs incurred for the implementation of the act, including interpretation services and the translation of documents. The total amount of this transfer is EUR 120,000 a year.

## 8.3. National languages network

160. The members of the National languages network comprise the ministries' contact persons for the national languages. The network also has permanent experts. The network's task is to exchange information and develop good practices between different ministries in language issues, monitor and promote the implementation of language legislation in government and the authorities' activities, serve as a cross-administrative low-threshold cooperation forum, and prepare an action plan that addresses such issues as completing the long-term objectives of the Strategy for the National Languages of Finland. The term of the current network runs from 1 November 2015 to 31 May 2019.

## 8.4. National languages network of bilingual municipalities

161. The purpose of the National languages network of bilingual municipalities<sup>42</sup> is to highlight good practices, including working methods, sectoral solutions and attitudes, and provide support in language issues. Almost all bilingual municipalities have appointed a contact

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<sup>41</sup> [http://www.samediggi.fi/index.php?option=com\\_content&task=view&id=52&Itemid=69](http://www.samediggi.fi/index.php?option=com_content&task=view&id=52&Itemid=69)

<sup>42</sup> <https://www.kuntaliitto.fi/asiantuntijapalvelut/ruotsinkielinen-palvelu/kaksikielisten-kuntien-kansalliskieliverkosto>

person for the National languages network. The network meets regularly once or twice a year and it also has a Facebook page.

#### 8.5. Finnish Network for Language Education Policies

162. The Finnish Network for Language Education Policies (Kieliverkosto)<sup>43</sup> brings together actors in the field of language education policy, spreads awareness of the multi-dimensional nature of language education and influences decision-making on language education in Finland. The network provides information about language education for policy-makers, teachers, researchers and other stakeholders, creates opportunities for cooperation for developing this area and develops national and international research and education in the area. Year 2017 is the theme year for the "multilingualism of the individual, education and society". Funded by the Ministry of Education and Culture, the network has been operating since 2009.

#### 8.6. Institute for the Languages of Finland

163. The Institute for the Languages of Finland (Kotus) is an agency operating in the administrative branch of the Ministry of Education and Culture. Its tasks include language planning, guidance and dictionary work as well as research related to language planning and dictionaries of Finnish and Swedish. The Institute also coordinates the language planning of the Sámi languages, sign language and Roma language. Its goal is to promote the use of the languages within its remit in society as a linguistic expert. The organisation of the Institute for the Languages of Finland was reformed under an act (1403/2011) in 2012, when some of its research tasks and all its activities related to minority languages were transferred to universities. A Sámi Language Board tasked to issue recommendations that are important in principle or general in nature on the use of the Sámi language still operates as an expert organ in connection with the Institute. The Board has been active to variable degrees.

#### 8.7. National Human Rights Institution

164. The Human Rights Centre, the Human Rights Delegation and the Parliamentary Ombudsman constitute Finland's National Human Rights Institution, which was accredited with A status in compliance with the Paris Principles in late 2014.

165. The Human Rights Centre started its work in early 2012. It was established under an Act (535/2011) that specifies the Centre's tasks and composition. The Human Rights Centre's task is to promote information provision, training, education and research on fundamental and human rights, to draft reports on the implementation of fundamental and human rights, to propose initiatives and give statements for the promotion and implementation of fundamental and human rights, participate in European and international cooperation on the promotion and protection of fundamental and human rights, and to perform other comparable tasks associated with the promotion and implementation of fundamental and human rights.

166. The Human Rights Centre participates both at the national and international level in monitoring the fulfilment of recommendations on linguistic and cultural issues, disseminating information on the contents, implementation and monitoring of treaties and other instruments, and promotes linguistic and cultural rights by organising events and training on its own and in cooperation with such stakeholders as the Council of Europe and other actors.

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<sup>43</sup> <http://www.kieliverkosto.fi/verkosto/>

167. The Human Rights Centre has a Human Rights Delegation, which has between 20 and 40 members. Administratively, the Centre is part of the Office of the Parliamentary Ombudsman. The Human Rights Centre currently has a director and three public officials in expert roles.

168. The Human Rights Centre monitors the implementation of recommendations related to the Charter and communicates about them extensively.

169. The tasks of the Parliamentary Ombudsman are laid down in section 109 of the Constitution. In addition to the Constitution, provisions on the Ombudsman's activities are contained in the Parliamentary Ombudsman Act (197/2002). They include examining complaints, conducting inspections and visits, and issuing statements. The Parliamentary Ombudsman repeatedly addresses linguistic and cultural issues in its activities in the form of complaints, own-initiative investigations and inspections (see paragraphs 135-151).

## 8.8. Government Network of contact persons for fundamental rights and human rights

170. The Government Network of contact persons for fundamental rights and human rights has an established position and sphere of activities. The Network was appointed for a new four-year term in autumn 2015. Its duties include monitoring the status of fundamental and human rights in Finland, fulfilment of international obligations in Finland, and the implementation of the Government's fundamental and human rights policy. The Network was also tasked to prepare a second National Action Plan on Fundamental and Human Rights and to monitor its implementation. In addition to the ministries' representatives, the Network also contains expert representatives of the supreme overseers of legality, the Parliamentary Ombudsman and the Chancellor of Justice of the Government as well as the Human Rights Centre.

171. The second National Action Plan on Fundamental and Human Rights was adopted in 2016. It contains four themes: human rights education and training, equality, right to self-determination as well as fundamental rights and digitalisation. Among other things, the action plan contains projects related to hate crime and hate speech as well as fundamental and human rights education and training projects that are important from the perspective of prevention.

172. The Network will review the forthcoming recommendations by the Committee of Ministers on the implementation of the Charter as well as monitor their implementation.

## 9. IMPLEMENTATION OF THE COMMITTEE OF MINISTERS' RECOMMENDATIONS

### 9.1. Communication about the recommendations

173. On 15 March 2012, the Ministry for Foreign Affairs issued press release no 57/2012 concerning the recommendations on the implementation of the Framework Convention submitted to the Committee of Ministers for approval<sup>44</sup>.

174. Immediately after their adoption, the recommendations were translated into both national languages of Finland, Finnish and Swedish, and also into Northern Sámi. On 5 April 2012, the Finnish, Swedish, English and Northern Sámi texts of the recommendations were communicated to a large number of stakeholders. These recipients included the Office of the President of the Republic, the Prime Minister's Office, all ministries, Parliament and the Parliamentary Ombudsman, the Office of the Chancellor of Justice, the Office of the Prosecutor

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<sup>44</sup> <http://formin.finland.fi/public/default.aspx?contentid=244356&nodeid=15146&contentlan=1&culture=fi-FI>

General, the Supreme Court, the Supreme Administrative Court, the special Ombudsmen, Advisory Boards, churches and religious communities, the Swedish Assembly of Finland, the Sámi Parliament, the Association of Finnish Local and Regional Authorities, municipalities in the Sámi Homeland, research institutes specialising in human rights and a number of non-governmental organisations. The recommendations of the Committee of Ministers were accompanied with a note inviting the recipients to disseminate them as widely as possible.

175. The different language versions of Finland's Fourth Periodic Report on the implementation of the Charter, the report of the Committee of Experts and the recommendations of the Committee of Ministers can be accessed on the Ministry for Foreign Affairs' website.<sup>45</sup>

176. The Unit for Human Rights Courts and Conventions of the Legal Service of the Ministry for Foreign Affairs will, upon request, provide materials relating to the text of the Charter, the legislation implementing it and the monitoring of its implementation, and respond to enquiries concerning the rights and obligations deriving from the Charter.

177. The Swedish Assembly of Finland organised a conference titled "*Securing Linguistic Rights in Practice – Finland and the European Charter for Regional or Minority Languages*" on the Charter and its implementation in Helsinki on 29 March 2012. The guest speaker of the conference was *Stefan Oeter*, who chaired the Committee of Experts at the time.

178. The Council of Europe collaborated with the Sámi Parliament in Finland and the Ministry for Foreign Affairs to organise a seminar titled "*Sámi – The People, Their Culture and Languages and the Council of Europe*" in Inari on 27–29 November 2014<sup>46</sup>. The purpose of the seminar was to build awareness of the Sámi in Finland, Norway and Sweden, promote diversity and non-discrimination as tools for achieving a more coherent society, share examples and good practices for promoting the implementation of all human rights of the Sámi, and to increase awareness of the Council of Europe's relevant human rights treaties and their monitoring structures. Participants at the seminar included members of the Committee of Experts and its Secretariat.

## 9.2. Recommendation – policy and funding for developing education in the Sámi language

*“further strengthen education in Sámi, notably through the development of a structured policy and a long-term financing scheme”*

179. The municipalities in the Sámi Homeland receive the government transfers referred to in the Act on the Financing of Educational and Cultural Provision (2009/1705, section 45, subsection 1). The precondition for receiving the transfer is that the teaching group size of the language in question is at least four pupils at the beginning of the term or, in teaching provided in the form of courses, that at least four pupils or students attend the course when it begins. If the education provider has Sámi or Roma-speaking pupils, the group size may also be at minimum two pupils.

180. In 2017, the Regional State Administrative Agency for Lapland granted the sum of EUR 2.2 million for the organisation of teaching of and in the Sámi language<sup>47</sup>. Funding that has been in place since the beginning of 1999 has made it possible to put Sámi education in the

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<sup>45</sup> <http://formin.finland.fi/public/default.aspx?contentid=66823&nodeid=31372&contentlan=1&culture=fi-FI>

<sup>46</sup> [http://www.coe.int/t/democracy/news/2014/sami\\_event\\_27-29-11-14\\_EN.asp?](http://www.coe.int/t/democracy/news/2014/sami_event_27-29-11-14_EN.asp)

<sup>47</sup> [http://www.avi.fi/et/web/avi/tiedotteet/tiedotteet-2017/-/asset\\_publisher/7FM1i8nEVhsV/content/lapin-aluehallintovirasto-on-myontanyt-2-2-miljoonaa-euroa-saamenkielisen-opetuksen-jarjestamiseen-lappi-;jsessionid=5FAC6840475D08C26721FFFEA338AD0E#.WXnILfmGO71](http://www.avi.fi/et/web/avi/tiedotteet/tiedotteet-2017/-/asset_publisher/7FM1i8nEVhsV/content/lapin-aluehallintovirasto-on-myontanyt-2-2-miljoonaa-euroa-saamenkielisen-opetuksen-jarjestamiseen-lappi-;jsessionid=5FAC6840475D08C26721FFFEA338AD0E#.WXnILfmGO71)

municipalities on a permanent footing and to develop it. The volume of teaching in the Sámi language is increasing as the municipalities have also started developing Sámi language immersion teaching. Basic education is provided in all three Sámi languages spoken in Finland and, since 2007, in all Sámi Homeland municipalities.

181. The highest amount of government transfers for the teaching of and in the Sámi language was received by the municipality of Utsjoki, or some EUR 878,000, while the remaining amount was some EUR 807,000 to Inari municipality, EUR 353,260 to Enontekiö municipality, and almost EUR 170,000 to Sodankylä municipality.

182. These transfers cover the average expenses incurred in hiring the teaching staff for the teaching of and in Sámi by the municipalities. In 2016, the municipalities organised a total of 36,523 hours of teaching of and in Sámi. Municipalities outside the Sámi Homeland may apply to the Finnish National Agency for Education for government transfers for organising pre-primary and basic education and general upper secondary education for pupils and students who speak a foreign language, Sámi or Roma.

183. The volume of teaching of and in Sámi granted to the Sámi Homeland municipalities has doubled since 1999, or the year in which the special provision on financing for Sámi education entered into force. In 2017, the volume of teaching in and of the Sámi language granted to the municipalities in the Sámi Homeland increased by almost 4,600 lesson-hours compared to 2015. Of Sámi children in the basic education age, about 35% live in the Homeland municipalities and are thus within the scope of the Sámi education enabled by this funding.

184. The Sámi Homeland municipalities have prepared and adopted their own curricula for the Sámi language teaching. While the curricula introduced in autumn 2016 are based on the national core curricula, their preparation was more or less based on local elements.

185. The Regional State Administrative Agency for Lapland also provides guidance by information in issues relevant to general education in Sámi in the entire area of Finland.

### 9.3. Recommendation - protecting Inari and Skolt Sámi by means of language nest activities

*“take urgent measures to protect and promote Inari and Skolt Sámi, which are particularly endangered languages, in particular by means of the provision of language nests on a permanent basis”*

186. A language nest is a place of care for children in which all activities are carried out exclusively in Sámi from the start. Language nest activities play a key role in the survival of the Skolt, Inari and Northern Sámi languages. Language nests are the strongest possible language revival method intended for young children by which a minority language can be turned into a child’s natural language outside the home. Funding for the language nest activities has been put on a permanent footing, and in the Budget for 2017, a total sum of EUR 900,000 was reserved for this purpose.

### 9.4. Recommendation - social welfare and health care services in Swedish and Sámi

*“take further measures to ensure the accessibility of social and health care in Swedish and Sámi”*

### *Protection of linguistic rights in services*

187. A government report from 2013 on the implementation of language legislation states that efforts have been made to improve the linguistic services more actively, for instance by specifically including linguistic rights in guideline documents, such as instructions, recommendations and language programmes.

188. Social welfare and health care provided in an individual's own language is an important part of basic security in all stages in life. Despite this, a number of social welfare and health care sectors have found it difficult to organise services in both languages. The forthcoming reforms of health and social services as well as the procurement of health and social services will bring great challenges. It is important that particular attention is paid to the individuals' rights to receive care, treatment and information concerning them in their own language. According to citizens, this particularly concerns medical care and care for older people.

189. The Swedish Assembly of Finland has expressed its concern over the fact that the authorities have not, at least in the Helsinki Region and Southwest Finland, taken the initiative to find out the customer's preferred language.

190. The Finnish Association of Russian-Speaking Organisations has suggested that, especially in the social services sector, there is a need for more social workers who speak Russian and also for information to prevent misunderstandings, especially in the field of child welfare.

191. Children's organisations have expressed their concern over the status of Swedish-speaking children and young people in child welfare and health care services, in which problems related to the realisation of linguistic rights have been observed for some time. According to the organisations, no significant improvement has taken place in this respect in recent years, and in general, there still are shortcomings in the language services of many bilingual municipalities and hospital districts. Among other things, difficulties arise from the insufficient Swedish proficiency of professionals working in the social and health care sector. In practice, social and health care units have also been unable to ensure that there is a sufficient number of employees who have adequate Swedish skills to work with clients/patients speaking this language on every shift. In particular, access to services related to child welfare substitute care and child/youth psychiatry has been found difficult.

### *Linguistic rights in the reform of the public social welfare and health care service structure*

192. A significant reform of the public social welfare and health care services, or the so-called health and social services reform (Sote), has been launched in Finland to create a novel service structure for public social welfare and health care. The objective of the health and social services reform is to ensure the availability of equal and customer-centred health and social services of a high quality across the country.

193. An effort will be made to safeguard linguistic rights in the new service structure created as a result of the reform. Clients and patients will have the right to use the national languages, Finnish or Swedish, and be heard and obtain documents in administrative matters in these languages. Provisions on linguistic rights are contained in the current Language Act, the Sámi Language Act, the Sign Language Act and the act on the organisation of health and social services that is being drafted.

194. Health and social services will be organised in both national languages, Finnish and Swedish, in a county that consists of Finnish and Swedish-speaking municipalities or bilingual municipalities. If all the municipalities in a county are monolingual, the services will be provided and the administration associated with them will work in the language used in the



municipalities of the administrative area. Of the proposed counties, five will be bilingual, and excluding Ostrobothnia, Swedish will be a minority language in the others.

195. Under the Language Act, an authority shall ensure on its own initiative that the linguistic rights of private individuals are secured in practice. When organising services, the activities must be planned in compliance with the Language Act.

196. The right to use Sámi before the authorities mainly applies to the Sámi Homeland, which consists of Enontekiö, Inari and Utsjoki municipalities and parts of Sodankylä. The Sámi currently have the right to use their language in social welfare and health care services in the Homeland municipalities and the Lapland Hospital District. However, the municipalities do not have a statutory duty to organise social welfare and health care services in Sámi, as providing interpretation into that language meets the legal requirements.

197. The inclusion of the client and the patient must also be safeguarded in situations where the client or patient and the personnel do not have a common language or if the patient cannot be understood because of a sensory disability or speech defect, or for some other reason. This is relevant to such language groups as Finnish and Finnish-Swedish sign language users. In a situation where the client or patient and the personnel do not have a common language, it must be ensured that the client is sufficiently informed of their issue and its significance and that they can express their opinion. If it is not possible to obtain an interpreter, understanding must be achieved by other means.

198. Nordic citizens have the right to use their own languages, or Finnish, Icelandic, Norwegian, Swedish or Danish, in social and health care. In this case a region must, as far as possible, ensure that Nordic citizens receive the required interpretation and translation services. A Nordic citizen's right to use their mother tongue is based on the Nordic Convention on Social Assistance and Social Services. The need to use their own language is also taken into consideration in the case of speakers of other languages, including foreigners.

199. The counties that belong to a collaborative catchment area for social welfare and health must conclude a cooperation agreement on the regional coordination of health and social services. This agreement must also contain measures for safeguarding linguistic rights. Strategic objectives for the organisation of health and social services that complement legislation will be adopted by the Government every four years. These objectives must also specify goals for safeguarding linguistic rights.

200. According to the Counties Act that is being drafted, the county executive of each bilingual county shall establish a Language Minority Committee. The members of this organ are to be selected from the minority language speakers of the county. The organ will have the task of examining, assessing and defining the minority's need for services, and it will also monitor and develop the availability and quality of the relevant services. In the context of parliamentary debate on the proposal, the Constitutional Law Committee of Parliament pointed out that, in the interest of linguistic rights and the participation rights referred to in section 14, subsection 4 of the Constitution, it would be justified to institute the Language Minority Committee as a body similar to municipal committees (PeVL 26/2017 vp).

201. If a county includes a municipality located in the Sámi Homeland, the county executive must set up a Language Minority Committee for the Sámi language. The members of this organ will be selected from representatives of Sámi speakers in the county.

#### *Programme to address child and family services*

202. The programme to address child and family services is a government key project aiming to reform the services for children, young people and families as part of the Health and social

services reform and the regional government reform. The programme produces publications and commissions studies relevant to services intended for children, young people and families.

203. It has commissioned reports on services provided for different linguistic groups<sup>48</sup>. So far, the project has completed a charting and assessment of services directed at Swedish-speaking families, a charting of services intended for Roma speakers, and a charting of services for Sámi speakers.

204. According to a study that reviewed the services for Sámi children, young people and families, the right of these groups to services provided in their own language is realised poorly. The situation is slightly better in the Sámi Homeland than outside it, but differences between individual languages are also great in this area. The Skolt Sámi speakers are in the worst situation. The study concludes that social, health and educational services provided in Sámi should be strengthened, especially outside the Sámi Homeland, in order to implement the fundamental rights and equality of Sámi children and families. The availability of trained Sámi-speaking personnel should also be improved. Activities in the Sámi language should be organised for children and young people in youth work, culture and sports. Above all, the services should be improved ensuring that their content is consistent with the Sámi people's own ideas of and needs for these services. The role and resources of Sámi organisations should be strengthened, as the organisations play an important role in maintaining the Sámi language and culture, especially outside the Sámi Homeland. The study was carried out by the Sámi unit of the Centre of Expertise on Social Welfare of Northern Finland, which operates in conjunction with the Sámi Parliament.

#### 9.5. Recommendation - the teaching of Roma

*“develop and implement innovative strategies for the training of Romani teachers, extend the production of teaching materials in Romani and increase the provision of teaching of Romani”*

205. In central government, Roma affairs are dealt with by various sectoral ministries, but the Ministry of Social Affairs and Health plays a coordinating role, since the national Advisory Board for Roma Affairs operates under this ministry. The tasks of the Finnish National Agency for Education include the development of Roma education as well as the promotion of the Roma language and culture. For the development of Roma education, the Finnish National Board of Education allocates government grants to support the basic education of Roma pupils and language nest activities for the Roma language, organises summer schools for the Roma language, produces learning materials and teachers' support materials and prepares reports.

206. Government transfers are available for organising the teaching of the Roma language in pre-primary and basic education as well as in general upper secondary education. As is the case with other language groups, the central government covers 86% of the expenses arising from the teaching of the Roma language. Special government transfers for developing basic education for the Roma have also been granted in Finland. In 2008–2015, government transfers for supporting the basic education of Roma pupils amounted to EUR 2.58 million allocated to a total of 38 municipalities. During this period, 80% of Roma children in the basic education age were within the scope of the activities supported by these transfers. The outcomes achieved by means of these government transfers included an increase in the number of Roma pupils who completed basic education and moved on to further studies, a reduction in the number of pupils transferred to special education, a reduction in

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<sup>48</sup> <https://stm.fi/hankkeet/lapsi-ja-perhepalvelut/julkaisut>

discrimination experienced by Roma pupils as well as the spread of good education practices to neighbouring municipalities. As a structural impact, the fixed-term positions of classroom assistants with a Roma background were made permanent in a few municipalities. In some municipalities, the indirect impacts have included more active involvement and participation in adult education of the Roma population. In the context of the government transfers, the municipalities have prepared development plans for the basic education of Roma children, one element of which has been the teaching of the Roma language.

207. A particular objective in the teaching of Roma pupils is supporting the pupils' identity development and strengthening their awareness of their history and culture. The status of the Roma as an ethnic and cultural minority in Finland is taken into consideration in the teaching. The teaching promotes the preservation of the Roma language and cultural heritage in cooperation with the homes. The Roma-speaking community is used in the teaching.

208. The Finnish National Agency for Education produces Roma language learning materials.

#### 9.6. Recommendation - awareness of regional or minority languages

*"take measures to increase awareness and tolerance vis-à-vis the regional or minority languages of Finland, both in the general curriculum at all stages of education and in the media"*

##### *Ministry of Justice as a promoter of linguistic rights*

209. Implementing linguistic rights is one of the tasks assigned to the Ministry of Justice. The Ministry of Justice monitors the implementation and application of the Language Act, issues recommendations and, if necessary, makes initiatives and takes other action to rectify shortcomings.

##### *Human rights in the curricula*

210. The Finnish National Board of Education approved the core curriculum for pre-primary and basic education in December 2014<sup>49</sup>. Local curricula based on the core curriculum were introduced in 2016 in pre-primary education and for grades 1 to 6, and will be introduced stepwise in 2017–2019 for grades 7 to 9.

211. Basic education promotes well-being, democracy and active engagement in civic society. Basic education provides the pupils with information on gender diversity, challenges gender stereotypes and encourages the pupils to make educational and career choices on the basis of their interests rather than genderised images. The value base of basic education sees cultural diversity as a wealth. The development of basic education is guided by the goal of equality and a broad principle of non-discrimination. The instruction contributes to promoting economic, social, regional and gender equality. The instruction does not encourage the pupils to adopt a certain religion, world-view or political views. The school and the instruction may not be used as a channel for commercial influence.

212. The new national objectives and division into lesson hours as well as the updated core curriculum for general upper secondary education were introduced on 1 August 2016.

213. The Council of Europe's Manual on Human Rights Education for Children, *Compasito*, has been translated into Finnish. It provides basic information on the rights of the child and the objectives of human rights education. Educators who work with children are provided with training in using *Compasito*.

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<sup>49</sup> [http://www.oph.fi/saadokset\\_ja\\_ohjeet/opetusuunnitelmien\\_ja\\_tutkintojen\\_perusteet/perusopetus](http://www.oph.fi/saadokset_ja_ohjeet/opetusuunnitelmien_ja_tutkintojen_perusteet/perusopetus)

214. The Sámi Parliament has expressed its concern over the lack of attention to the history, contemporary lives and languages of the Sámi people in the instruction that is common to all pupils.

#### *Tasks of the Finnish Broadcasting Company*

215. The Finnish Broadcasting Company (Yle) has the task of producing programmes in the minority languages and also providing programme offer for minority groups. The company's activities are regulated under the Act on Yleisradio Oy (1380/1993), which specifies the outlines and special tasks of Yle's public service activities. Among other things, the public service programme activities shall treat Finnish-speaking and Swedish-speaking citizens on equal grounds and produce services in the Sámi, Roma, and sign languages as well as, where applicable, in the languages of other linguistic groups in the country, promote tolerance and multiculturalism, also make programmes for minority and special groups, and promote cultural interaction and maintain production intended for international distribution. The company's operation is funded by a broadcasting tax.<sup>50</sup>

216. Swedish programmes are produced by Svenska Yle. Yle Sápmi is the only service in Finland that produces news and current affairs content, programmes for children and young people, and religious programmes in all three Sámi languages: Northern, Skolt and Inari Sámi. Yle also broadcasts news in the sign language, Roma, Russian and English and, as the only public broadcasting company in the world, in Latin.

#### *Press subsidies*

217. Government decree on Press Subsidies (389/2008) contains provisions on subsidies intended to promote the publication of newspapers and online press in Swedish, Sámi, Karelian, Roma and the sign language. In addition, subsidies may also be granted for the production of Swedish-language news services and the production and publication of Sámi-language material in connection with a magazine published in Finnish or in Swedish. The objective is to promote the freedom of expression as well as the diversity and plurality of the dissemination of information.

218. An amended to the Government Decree on Press Subsidies (538/2011) entered into force on 1 January 2013. This amendment means that press subsidies can in the future also be granted to online publications and attachments published in the Karelian language that come out as part of a magazine published in Finnish or Swedish. In 2017, the Government granted subsidies amounting to EUR 500,000 to support the production of newspapers and online publications in the national minority languages and a Swedish news service<sup>51</sup>.

#### *Training programme for minority youth on using media for exerting influence*

219. The cross-administrative YES 6 project, which was carried out in 2013–2014, implemented a training programme on using media for exerting influence that was intended for young people from minority backgrounds, including Roma youth. Its goals were getting the minority youth's own voices across better in the media, including young people in work against discrimination and giving Roma youth an opportunity of learning how to exert influence in the media.

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<sup>50</sup> <http://yle.fi/yleisradio/>

<sup>51</sup> <http://valtioneuvosto.fi/paatokset/paatokset?decisionId=0900908f804dfef0>

### *Roma portal*

220. A website, [www.romanit.fi](http://www.romanit.fi), was produced as part of the YES 6 project. The Roma portal launched in 2012 contains material for educational purposes specifically targeted at young people. The website offers information about the history, customs and contemporary lives of the Roma and fights prejudices – without avoiding difficult themes. The site is intended for all those interested in Roma affairs. It contains an extensive collection of information about the Roma for many different target groups.

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## PART II

### ARTICLE 7: OBJECTIVES AND PRINCIPLES

221. Article 7, which sets out the objectives and principles of the Charter, is applied in Finland to Sámi and Swedish. When ratifying the Charter, Finland also declared that it undertakes to apply, *mutatis mutandis*, the principles listed in Part II of the Charter to the Roma language and the other non-territorial languages in Finland.

1a) The recognition of the regional or minority languages as an expression of cultural wealth

#### *Government Programme*

222. According to the Government Programme of Prime Minister *Juha Sipilä*, Finland is open and international, rich in languages and cultures. The Government undertakes to foster a bilingual Finland in accordance with our Constitution and values.<sup>52</sup>

1b) Administrative divisions

#### *Regional administrative reform*

223. A major overall reform of regional state administration began in early 2010. The duties of the previous key regional administrators - provincial state offices, TE Offices, regional environmental centres, environmental permit agencies, road districts and the labour protection offices of labour protection districts - were assembled from 1 January 2010 onwards into two authority bodies with multiple branches of activities: Regional State Administrative Agencies (6 agencies) and Centres for Economic Development, Transport and the Environment (15 centres).

224. When approving the legislation on the regional administration reform (EV 150/2009 vp), Parliament included in it a provision requiring a detailed report on the implementation and realisation of the regional administration reform by the end of 2012. The Finnish Government submitted the report to Parliament in February 2013. The report assesses the implementation and realisation of the reform as required by Parliament and makes proposals for the further development of the regional administration based on the assessment.

225. In September 2013, an assessment report by the Faculty of Management at the University of Tampere, "Työvoitto - Haastavan ajan hallinnonuudistus" ["Success - Administrative reform for challenging times"] was published. This report assessing the realisation of the project states that the new regional administration has become functional partly ahead of schedule compared to the expectations of the guiding ministries and rapporteurs. The service capacity of the Regional State Administrative Agencies and ELY Centres has remained on a relatively good level when measured by reviews and customer feedback on external service capacity. However, the report estimates that additional work is required to ensure the functionality of effective regional state administration.

226. In the context of parliamentary debate on the regional government reform legislation, the Constitutional Law Committee found in its statement (PeVL 21/2009 vp) that the provisions of the Constitution may directly restrict the contents of provisions issued by authorisation

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<sup>52</sup> [http://valtioneuvosto.fi/documents/10184/1427398/Ratkaisujen+Suomi\\_FI\\_YHDISTETTY\\_netti.pdf/801f523e-5dfb-45a4-8b4b-5b5491d6cc82](http://valtioneuvosto.fi/documents/10184/1427398/Ratkaisujen+Suomi_FI_YHDISTETTY_netti.pdf/801f523e-5dfb-45a4-8b4b-5b5491d6cc82)

given in a statute, for example when the regulation on an authority's mandate has links to fundamental rights. According to the Committee, significant aspects of the regional government reform included the fact that changes in the authorities' mandates could affect an authority's linguistic status and thus, indirectly, the implementation of linguistic rights protected under the Constitution. The Committee further noted that in decree level statutes on the arrangement of the state's regional and local administration, particular attention should be paid to section 122, subsection 1 of the Constitution, under which in the organisation of administration, the objective shall be suitable territorial divisions, so that the Finnish-speaking and Swedish-speaking populations have an opportunity to receive services in their own language on equal terms. The provisions in section 17, subsections 2 and 3 of the Constitution on the right of everyone to use his or her own language – Finnish, Swedish or Sámi – before the authorities and the public authorities' duty to provide for the cultural and societal needs of the Finnish-speaking and Swedish-speaking populations of the country on an equal basis are also significant. The Committee found that if there are several alternative ways of defining a well-functioning administrative division, the duty to safeguard fundamental rights means that the alternative which implements linguistic fundamental rights the best must be selected. The Committee stressed that in this respect, the Government's decisions comprised consideration involving matters of law, which is based on the requirements laid down in the provisions discussed above. In this case, of divisions that are possible in the administrative sense, the one that implements linguistic fundamental rights the best must be selected.

227. In connection with the preparation of the regional administration reform, the question of where the bilingual county of Central Ostrobothnia should belong came up. The alternative solutions were placing the county under an authority to be formed from either Finnish-speaking or bilingual units. Due to the comments of the Constitutional Law Committee and on the basis of reports on the authorities' capabilities for organising language services, the latter alternative was chosen. Under this decision, Central Ostrobothnia belongs to the bilingual Regional State Administrative Agency of Western and Inland Finland and the bilingual Centre for Economic Development, Transport and the Environment for Ostrobothnia.

228. The reform thus did not create administrative divisions that would have changed the prevailing situation from the linguistic perspective. Each area of responsibility of the Centres for Economic Development, Transport and the Environment that has at least one bilingual municipality, or a municipality in which the other national language is used, in its operating area is bilingual, and it has the obligation to provide services in both national languages. In general, no significant changes in the services of regional government authorities provided in both national languages have come to light compared to the situation before the reform. However, some individual problems in connecting calls came up in the early phases of reform implementation. In a few isolated cases, customers did not always receive appropriate Swedish service from the joint and outsourced telephone exchange of the regional government authorities. The problems in telephone service quality were discussed with the service provider, and no more customer feedback complaining of poor service has been received since.

#### *Health and social services reform and regional government reform*

229. As part of the health and social services reform (Sote) and the regional government reform<sup>53</sup>, new counties will be established, the structure, services and funding of health and social services will be updated, and new tasks will be transferred to the counties. The reform is to enter into force as from 1 January 2020.

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<sup>53</sup> <http://alueuudistus.fi/sote-maku-yleisesittely>

230. The greatest change will be a system based on three levels of administration. In the future, the three levels of public administration in Finland will be the central government, the counties and the municipalities.

231. The autonomous counties will be formed on the basis of the current regional divisions. The 18 counties will organise all health and social services in their areas. The counties will also take over other tasks from the Centres for Economic Development, Transport and the Environment, the TE Offices, the Regional State Administrative Agencies, the regional councils, other joint municipal authorities and municipalities.

232. This will significantly reduce the number of different organisations responsible for organising health and social services and statutory joint municipal organisations, as the tasks of almost 190 different authorities will be taken over by 18 counties. This reform will enable better management of services as a regionally balanced whole.

233. The objective of the reform is to offer people more equal services, reduce well-being and health gaps and curb the rising expenses. Basic services will be built up, and better use will be made of digital services. The funding of the future counties will mainly come from the central government. The multi-channel funding of health and social services will be simplified, and people will have more choice in services.

#### *Linguistic rights in the health and social services reform*

234. Health and social services will be organised in both national languages, Finnish and Swedish, in a county that comprises both Finnish and Swedish-speaking municipalities, or bilingual municipalities<sup>54</sup>. If all the municipalities in a county are monolingual, the services will be provided and the administration associated with them will work in the language used in the municipalities of the administrative area. Of the proposed counties, six will be bilingual, and excluding Ostrobothnia, Swedish will be a minority language in the others.

235. Under the Language Act, an authority shall ensure on its own initiative that the linguistic rights of private individuals are secured in practice. When organising services, the activities must be planned in compliance with the Language Act.

236. The right to use Sámi before the authorities mainly applies to the Sámi Homeland, which consists of Enontekiö, Inari and Utsjoki municipalities and parts of Sodankylä. The Sámi currently have the right to use their language in social welfare and health care services in the Homeland municipalities and the Lapland Hospital District. However, the municipalities do not have a statutory duty to organise social welfare and health care services in Sámi, and the statutory requirements are met by interpretation into Sámi, if no trained professionals who speak this language are available.

237. In a situation where the client or patient and the personnel do not have a common language, it must be ensured that the client is sufficiently informed of their matter and its significance and that they can express their opinion. If it is not possible to obtain an interpreter, understanding must be achieved by other means.

238. Nordic citizens have the right to use their own languages, or Finnish, Icelandic, Norwegian, Swedish or Danish in social and health care. In this case a region must, as far as possible, ensure that Nordic citizens receive the required interpretation and translation services. A Nordic citizen's right to use their mother tongue is based on the Nordic Convention on Social Assistance and Social Services. The need to use their own language is also taken into consideration in the case of speakers of other languages, including foreigners.

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<sup>54</sup> <http://alueuudistus.fi/sote-uudistus/kiellesset-oikeudet>



239. The counties that belong to a collaborative catchment area for social welfare and health must conclude a cooperation agreement on the regional coordination of health and social services. This agreement must also contain measures for safeguarding linguistic rights. Strategic objectives for the organisation of health and social services that complement legislation will be adopted by the Government every four years. These objectives must also specify goals for safeguarding linguistic rights.

240. Under the counties act that is being drafted, the county executive of each bilingual county shall establish a Language Minority Committee. The members of this organ are to be selected from the minority language speakers of the county. The organ will have the task of examining, assessing and defining the minority's need for services, and it will also monitor and develop the availability and quality of the relevant services.

241. If a county includes a municipality that is located in the Sámi Homeland, the county executive must set up a Language Minority Committee for the Sámi language. The members of this organ will be selected from representatives of Sámi speakers in the county.

#### *The new Local Government Act*

242. The new Local Government Act (410/2015) entered into force on 1 May 2015. However, the majority of its provisions have only been applied since 1 June 2017. The new Local Government Act promotes the municipal residents' autonomy and opportunities for inclusion and participation as well as the methodical nature and economic sustainability of the municipality's activities.

#### *Linguistic division of municipalities*

243. The basic unit of linguistic division is the municipality. Under the Language Act, municipalities are either monolingual or bilingual. The linguistic division is based on Population Information System data on the languages of the municipality's residents, and it is confirmed by a government decree every ten years. A person may only register one language as their mother tongue, or own language. A municipality is bilingual if the Finnish or Swedish-speaking minority accounts for at minimum eight per cent or 3,000 residents. A bilingual municipality may not be designated as monolingual unless the proportion of the minority has decreased to less than six per cent.

244. The linguistic divisions of the municipalities are determined by the Government for ten-year periods at a time. Following an amendment to section 5 of the Language Act (1039/2014), a monolingual municipality can, on the local council's proposal and by a government decree, become bilingual in the middle of a ten-year period for which it has been designated a monolingual municipality. Through an amendment to the Act on Central Government Transfers to Local Government for Basic Public Services, monolingual municipalities were given more flexible opportunities of becoming bilingual, as after this amendment entered into force, only bilingual municipalities are entitled to a language increment. Due to the amendment, the last remaining monolingual Swedish municipalities in Continental Finland became bilingual. This amendment has not resulted in monolingual Finnish municipalities becoming bilingual.

245. Monolingual municipalities that were no longer entitled to the language increment have changed their linguistic status to bilingual by a local council decision.

246. Under an amendment to section 27 of the Language Act, the state must send any correspondence to a bilingual municipality in both Finnish and Swedish. This way it can be ensured that a bilingual municipality receives the information it needs in both languages, thus reducing translation costs. Section 29 of the Language Act was also amended, expanding the obligation to issue notices and minutes of municipal meetings both in Finnish and Swedish.

Under the new provision, the municipality shall safeguard the elected officials' opportunities of discharging their duties and meet the residents' information needs when making a decision on the language used in notices of meetings. The obligation to translate meeting notices and minutes would also expand to include the documents of the local executive and municipal committees in all bilingual municipalities.

247. The Decree on the Linguistic Status of Municipalities for the Ten-year Period of 2013 to 2022 (53/2013) was amended in May 2015 (591/2015). After this amendment, there are no longer any monolingual Swedish municipalities in mainland Finland. As from the beginning of 2016, there are 33 bilingual municipalities. Of these, Swedish is the majority language in 15 and Finnish in 18 municipalities. The remaining municipalities in mainland Finland are Finnish. There are 16 monolingual municipalities in the Åland Islands.

#### *Reform of the district court network*

248. The Government submitted its proposal (HE 670/2016 vp) on reforming the district court network to Parliament at the beginning of 2017. The aim is to implement this reform from the beginning of 2019. Under the government proposal, there would be 20 rather than 27 district courts in the future.

249. The reform would merge the District Courts of Espoo and Länsi-Uusimaa; Central Ostrobothnia and Ostrobothnia; Oulu and Ylivieska-Raahe; and Kemi-Tornio and Lapland. Additionally, the jurisdiction of Hyvinkää District Court would be divided by merging its southern municipalities with the District Courts of Itä-Uusimaa, Tuusula and Vantaa, and its northern municipalities would be merged with Kanta-Häme District Court.

250. The district courts would mainly be named according to the counties.

251. The number of district court branches would be reduced from the current 57 to 36. As a result, 12 locations would lose their district court or court office. Three of these are administrative offices (Järvenpää, Porvoo and Raasepori); they are located in southern Finland, where distances are mainly short and transport connections good. A court would remain in Porvoo and Raasepori. The offices in the following localities would also be closed: Iisalmi, Kotka, Lohja, Raahe, Sodankylä, Imatra, Kuusamo, Savonlinna and Varkaus. Their closure is partly justified by the low numbers of cases heard and customers who visit them. The distances to other locations would also be reasonable.

252. Fourteen of the current courts would be closed down, as they are little used and their security is inadequate. Updating their standard of technical equipment would require excessive investments considering the level of their use.

253. The purpose of the reform is to strengthen the structure of the district court network, guaranteeing the accessibility of legal protection and the quality of administration of justice in a changing environment also in the future. The aim is to create an operatively effective network of courts with sufficient geographic coverage. The operating capacities of the district courts would be strengthened by forming larger administrative entities, in which the workloads and resources could be distributed more efficiently and evenly. In larger units, the competence and professional skills of the personnel could be used more diversely and across a wider geographic area. The overall resources allocated to the administration of justice could thus be distributed more efficiently, which would promote the accessibility of justice and equality of citizens.

254. In addition to the sufficiently large size of district courts, attention has also been paid to such aspects as appropriate division of districts, linguistic rights, accessibility of justice and the changes brought about by digitalisation. The proposal would reduce the number of bilingual

district courts from eight to five as the district courts of Espoo and Länsi-Uusimaa, the district courts of Itä-Uusimaa and Vantaa, and the district courts of Central Ostrobothnia and Ostrobothnia would be amalgamated. The majority language of the district court of Ostrobothnia would then be Finnish, and Finnish would replace Swedish as its working language. Under the proposal, the rights of the Swedish-speaking population in the jurisdiction of the district court of Ostrobothnia can be safeguarded in the future by placing there a sufficient number of posts for judges with adequate language proficiency. Considering the population in Ostrobothnia, it must also be ensured that the remaining district court staff includes a sufficient number of persons with both Finnish and Swedish skills. In the future, it should also be ensured that adequate numbers of trainee district judges with sufficient language skills will also be recruited to the district court of Ostrobothnia. This reform would also affect the proportion of the Swedish-speaking population in the jurisdictions of the district courts in Uusimaa: the proportion of Swedish speakers in the jurisdictions of the new district courts of Länsi-Uusimaa and Itä-Uusimaa would be smaller than in the current jurisdictions.

255. According to the proposal, particular attention should be paid to ensuring that the district courts would have sufficient numbers of both Finnish and Swedish speaking staff.

256. In the view of the Swedish Assembly of Finland, the planned district court network reform will undermine the status of the Swedish language. District courts and their branches would be located at the largest population centres.

### 1c) Action to promote regional or minority languages in order to safeguard them

#### *Action Plan for the Revival of the Sámi Language*

257. The Sámi Homeland is located in the northern part of the County of Lapland and comprises the municipalities of Enontekiö, Utsjoki and Inari as well as parts of Sodankylä. Any references to the Sámi language in legislation mean all three Sámi languages spoken in Finland, or Inari Sámi, Skolt Sámi and Northern Sámi. Central government authorities operating in the Sámi Homeland or authorities whose operating area includes the Sámi Homeland must provide their service in Sámi, regardless of which Sámi language the customer uses.

258. However, the number of Sámi people residing outside of the Sámi Homeland, for instance in Rovaniemi, Oulu and in the Helsinki region, has increased steadily. More than half of the Sámi people and over 70 percent of children under the age of 10 live outside the Homeland. Recently, the loss of the Sámi languages outside the Sámi Homeland has been a particular cause for concern.

259. Measures have been taken in recent years to revive Sámi, but they are not alone sufficient to guarantee that the language will survive. All the Sámi languages spoken in Finland are endangered, while Skolt Sámi and Inari Sámi are seriously endangered. Key challenges in preserving them as actively used languages and reviving them include safeguarding the availability of teaching in and of the Sámi and Sámi-language early childhood education and care; the outward migration of the Sámi away from the Sámi Homeland, which has led to a decrease in the natural language use environment for the Sámi languages; as well as the small number of qualified professionals in various fields with sufficient skills in the Sámi language.

260. In July 2014, a government resolution on an Action Plan for the Revival of the Sámi Language<sup>55</sup> was adopted. The action plan includes a vision for the revival of the Sámi languages by 2025 as well as measures for improving their situation. The action plan concerns all three Sámi languages spoken in Finland: Northern, Inari and Skolt Sámi. The resolution also contains

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<sup>55</sup> [http://minedu.fi/export/sites/default/OPM/Verkkouutiset/2014/07/liitteet/periaatepaatos\\_fi.pdf](http://minedu.fi/export/sites/default/OPM/Verkkouutiset/2014/07/liitteet/periaatepaatos_fi.pdf)

21 specific actions for reviving the language. The Ministry of Education and Culture is responsible for monitoring the implementation of the action plan. Both the working group appointed to prepare the programme proposal and its secretariat included representatives from the Sámi Parliament. When reviewing the action plans and strategies of previous governments, Prime Minister *Juha Sipilä's* government decided in December 2016 to continue the implementation of the resolution.

261. The resolution notes that reviving a language requires long-term action where the results will only be visible years or even decades later. The implementation of some of the measures contained in the action plan has got off to a good start. Some, on the other hand, have not yet been initiated. Among other things, the resolution has meant increased support for the operation of Sámi language nests both in the Sámi Homeland and elsewhere in the country. Support intended for producing learning materials in Sámi has been increased. Efforts to develop systems for the remote teaching of Sámi and education in Sámi as part of basic education are under way. In addition, the Ministry of Education and Culture gave the University of Oulu a discretionary grant for launching a project that trains Sámi-speaking kindergarten teachers. A good number of students applied to the programme, and the education began in autumn 2016 in cooperation between the university and the Sámi Education Institute.

262. The Sámi Parliament has published a report on the best practices for reviving the Sámi languages and the national language policies in Finland, Norway and Sweden<sup>56</sup>.

#### *Action Plan for the Revival of the Karelian Language*

263. An appropriation amounting to EUR 100,000 was granted to the Action Plan for the Revival of the Karelian Language in spring 2017. The purpose of this appropriation is to launch an Action Plan for the Revival of the Karelian Language to support the preservation and use of the Karelian language and culture. The action plan seeks to encourage the use of Karelian in everyday life by using the language and culture in tourism and increasingly teaching it in pre-primary, basic and secondary level education. The language and culture will also be revived by producing contemporary Karelian art, literature, music and drama. The revival of the Karelian language encompasses all forms of the language spoken in Finland.

264. The action plan will be implemented by the Society for the Karelian Language with a number of partners between 1 May 2017 and 30 April 2018.

#### *National Policy on the Roma*

265. Finland's National Policy on the Roma was adopted in 2009. It has six priority areas and ten policies. The document contains 147 measures, and various administrative branches are in charge of implementing them. The Government is committed to promoting actions for strengthening the status of the Roma language and preserving the language, for instance by developing the preconditions for teaching it.

266. In 2012, the Ministry of Social Affairs and Health appointed a working group to coordinate and monitor the implementation of the National Policy on Roma. Of the 24 members in the working group, one half had a Roma background. The group's mandate ended at the end of 2013.

267. A monitoring report<sup>57</sup> was prepared on the National Policy on Roma. The contents of this report are based on information collected in 2013 from the ministries and other stakeholders

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<sup>56</sup> [http://www.samediggi.fi/index.php?option=com\\_content&task=view&id=1299&Itemid=149](http://www.samediggi.fi/index.php?option=com_content&task=view&id=1299&Itemid=149)

<sup>57</sup> Romanipoliittisen ohjelman toimeenpanon ohjaus ja seuranta – työryhmän raportti (Guidance and monitoring of the implementation of the Roma policy programme – a working group report). Reports and Memorandums of

responsible for implementing the policy, from municipalities in connection with municipal consultations, and from the Roma, for instance by consulting their organisations. The report examines how the objectives of the Roma policy have been met in the fields of employment, education, social welfare and health care services, anti-discrimination activities and housing. The report also describes how the policy has been implemented at regional and local level.

268. The National Policy on Roma has improved awareness and coordination of Roma affairs at national level. The measures entrusted to various ministries have been the most successful, and significant progress has been made in some of them, especially in the education sector. Policy implementation at local level has been challenging. Particular challenges can be identified in the fields of Roma employment and adult education.

269. Municipal consultations and the consultation of Roma organisations as well as the national negotiation sessions of the Advisory Boards for Roma Affairs indicate that there is functional cooperation between the Roma, the Government and the municipalities. The active involvement of the Roma population in the implementation of the policy indicates that there is mutual trust between the stakeholders. The confidential relations are also promoted by the Finnish practice of including the Roma population in the decision-making process concerning themselves.

270. In 2014, the Ministry of Justice published a report on the implementation of the constitutional linguistic rights of the Roma<sup>58</sup>. The study was based on the National Policy on Roma, the National Action Plan on Fundamental and Human Rights 2012–2013 and the Government Programme.

271. As part of implementing the National Policy on the Roma, the Ministry of Education and Culture published a report on the educational backgrounds of Roma adults<sup>59</sup>. The report also contains proposals for measures that will be implemented in 2017–2019.

#### *Annual consultation on language affairs*

272. The Advisory Board on Language Affairs appointed by the Government organised the first annual consultation on language affairs on 20 October 2016 with the aim of launching a new operating method in promoting dialogue between different language groups and the Government. At this event, the Government was represented by the Minister of Justice, who engaged in dialogue with the language groups. The consultation was attended by the representatives of different language groups and public officials from different ministries that play a key role in language affairs. Essential themes of the consultation were the climate of attitudes and linguistic conditions in Finland, as well as the implementation of linguistic rights in social welfare and health care.<sup>60</sup>

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the Ministry of Social Affairs and Health 2013:48,

[http://www.stm.fi/c/document\\_library/get\\_file?folderId=9882185&name=DLFE-30052.pdf](http://www.stm.fi/c/document_library/get_file?folderId=9882185&name=DLFE-30052.pdf)

<sup>58</sup> Selvitys romanien kielellisten oikeuksien toteutumisesta (Report on the implementation of Roma people's linguistic rights). Reports and guidelines of the Ministry of Justice 11/2014,

[http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1392988540383/Files/OMSO\\_11\\_2014\\_Romani\\_kieli\\_48\\_s.pdf](http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1392988540383/Files/OMSO_11_2014_Romani_kieli_48_s.pdf)

<sup>59</sup> Katsaus aikuisten romanien koulutustaustoihin (A review of Roma adults' educational backgrounds). Finnish National Board of Education Publications 2015, 8.

[Http://www.oph.fi/download/175254\\_katsaus\\_aikuisten\\_romanien\\_koulutustaustoihin.pdf](Http://www.oph.fi/download/175254_katsaus_aikuisten_romanien_koulutustaustoihin.pdf)

<sup>60</sup> Press release of the Advisory Board on Language Affairs 21 October 2016 [http://www.oikeusministerio.fi/fi/index/ajankohtaista/tiedotteet/2016/10/kieliryhmatjainisterilindstromkeskus\\_telivatensimmaisillakieliasianneuvottelupaivilla.html](http://www.oikeusministerio.fi/fi/index/ajankohtaista/tiedotteet/2016/10/kieliryhmatjainisterilindstromkeskus_telivatensimmaisillakieliasianneuvottelupaivilla.html)

273. On 3 November 2017, the Advisory Board on Language Affairs organised a second annual consultation on language affairs, at which the Minister of Family Affairs and Social Services and the language groups had a discussion about health and social services.

274. In the future, this consultation will be organised annually with the aim of encouraging genuine dialogue between language groups and the Government.

### *Cultura Foundation*

275. The Cultura Foundation<sup>61</sup> started operating on 1 January 2013. The Foundation supports the linguistic and cultural identities of Russian speakers in Finland, promotes the development of the Russian population's culture and also otherwise develops two-directional and multidisciplinary integration. The Foundation has also worked to promote interaction between the cultures at national and international level. By means of arts and culture, cooperation is developed to promote interaction between immigrants and the mainstream population as well as the inclusion of immigrants. Culture is a central field in terms of fostering and developing immigrants' identities, language and culture but also in terms of active citizenship.

276. The Foundation serves as a channel for cooperation and a low-threshold meeting place, and it organises multidisciplinary events that support integration as well as provides information and coaching services in cooperation with other actors. The Foundation provides a meeting place launched in April 2013 for Russian-speakers as well as the mainstream population.

277. The Foundation provides a meeting place launched in April 2013 for Russian-speakers as well as the mainstream population. The founding members of the Cultura Foundation include the Ministry of Education and Culture, the municipalities of Helsinki, Espoo, Vantaa, Tampere, Turku, Joensuu and Lappeenranta as well as non-governmental organisations - the Finland-Russia Society and the Union of Finland's Russian-Speaking Societies. The Foundation receives most of its funding from the Ministry of Education and Culture.

278. The Cultura Foundation also administrates the Fund for the 150th Anniversary of Regular Legislative Work in Finland established by Parliament on 18 September 2013. The Fund grants support to Finnish students of the Russian language and culture and the development of Russian teaching. The objectives of the Fund are to increase the popularity of studying Russian and improve the learning outcomes, encourage mobility and exchanges between Finland and Russia, and build up awareness of the Russian culture in Finland. Grants may be applied for by Finnish private individuals, Finnish working groups, and organisations registered in Finland that have been operating for at least one year. The Fund awarded a total of 35 grants in 2015 and 92 in 2016.

### *The Russian library*

279. In January 2013, a Russian library was opened at Sello, the City of Espoo's library, to serve Russian speakers and customers interested in the Russian language. The objective of the library is to support the language and culture of the Russian-speaking population living in Finland and provide information to all visitors interested in the Russian culture and society. The core of the Russian language library consists of the collection from the library of the former Finnish Institute for Russian and East European Studies. The activities of the library are based on a special task assigned to the Espoo City Library by the Ministry of Education and Culture.

280. The library significantly expands the selection of Russian material. In addition to fiction and non-fiction for adults and children, the library has films, audiobooks and a collection of

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<sup>61</sup> <http://www.culturas.fi/>

some 40 different periodicals. In the general library network search for the metropolitan area, you can now also search for Russian language material using the Cyrillic alphabet. The Cyrillic alphabet can be used for novelty items and for part of the older material. All customers of the library network can have access to the library's collections by visiting Sello or by ordering the material to their own local library.

### *Report on the participation of the Roma in cultural activities*

281. In 2012, the Finnish League for Human Rights published a report funded by the Ministry of Education and Culture on Roma people's inclusion and participation in cultural activities in Finland<sup>62</sup>. For this report, an extensive study was carried out to map the use of cultural services by the Finnish Roma aged over 15 years. The report looked at all forms of art and fields of culture. It also set out to gather information about the specific wishes and needs of the Roma people related to developing cultural services and thus promote their right to their own culture.

282. The report provides information on how the Roma themselves define the quality and content of cultural services. It also suggests that the Roma culture is undergoing a transition. Most respondents were fearful of the changes, as they feel that the generations have increasingly grown apart, the community is disappearing and traditions have changed, which makes observing them more difficult. While the respondents were satisfied with the increasing education and employment available for the Roma, they wondered if the Roma culture will disappear because of the changes. In particular, the importance of the language for the culture was stressed in the responses. The respondents felt that the language plays a key role in the Roma culture, but that learning the language should take place within the Roma community. The respondents hoped that the Roma culture would be better known in the mainstream population's cultural institutions and that cultural centres would be established to maintain the Roma culture.

283. Very few of the respondents felt that wearing traditional Roma clothing or looking like a Roma would be an obstacle to using cultural services. In addition to the lack of interesting cultural contents, the lack of time was considered a much more important obstacle. This information was interesting, as different studies and reports indicate that racism can be a specific obstacle to using cultural services. According to this survey, the culture-specific outfits of the Roma and the associated fear of discrimination are not, however, an important reason for not attending cultural events.

284. The study clearly indicated that the use of cultural services is by no means a self-evident part of Roma life. Several open-ended responses stated that rather than using cultural services, the Roma were more accustomed to visiting family and friends, and these visits involved many cultural experiences, including music and story-telling. The majority of the respondents clearly hoped for cultural services that somehow included the Roma culture.

285. Based on the study, we can say that the Roma are highly active media users. Both television and radio programmes should be improved by increasing the Roma inclusion in the production of programmes and in performing in programmes. The importance of Roma-language programmes was also greatly emphasised.

286. The survey suggests that there is cause for concern over the situation of Roma artists. Art created and produced by the Roma is often not acknowledged as art. Technical and

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<sup>62</sup> Romanit ja kulttuuri - Selvitys romanien osallisuudesta ja osallistumisesta kulttuuritoimintaan Suomessa (The Roma and culture - a report on the inclusion and participation of Roma in cultural activities in Finland). Toivanen, Reetta (2012). The Finnish League for Human Rights. [Http://www.ihmisoikeusliitto.fi/images/pdf\\_files/Romanit%20ja%20kulttuuri.pdf](http://www.ihmisoikeusliitto.fi/images/pdf_files/Romanit%20ja%20kulttuuri.pdf)

financial support structures should be rapidly created for upholding and developing the work of Roma artists.

#### *Report on Russian speakers' participation in cultural activities*

287. A report produced by the Finnish Institute for Russian and East European Studies on the Russian speakers in Finland as users and producers of cultural services in Finland<sup>63</sup> was published in 2012.

288. According to this report, the obstacles to participating in art and cultural services faced by Russian speakers living in Finland are partly due to attitudes held by both Russian speakers and the service providers. Russian speakers tend to isolate themselves within their own cultural group and only use art and cultural services provided in their own language. This may be due to the fact that their own culture is believed to be richer in tradition and of a higher standard or because it is felt that their own cultural group will alleviate the potential experiences of discrimination. Finnish arts and cultural services, on the other hand, are not always willing to design services that target Russian speakers.

289. According to the Union of Finland's Russian-Speaking Societies, Russian speakers would like to be more closely involved in the cultural activities offered by the Finns, though the language is an obstacle to some groups. An example of an improvement in this situation is such activities as *Harasoo! Week of Russian culture* at Kanneltalo and Malmitalo launched by the City of Helsinki Cultural Centre in autumn 2013, which are to be made an annual event. The Week of Russian Culture includes Russian and Finnish associations and other operators promoting cultural dialogue and relations between population groups. In 2017, the main responsibility for the *Harasoo!* activities has been assumed by the Cultura Foundation, and the event is now known as the *Cultura.Fest*. In the future, it will continue to be produced in cooperation by the Russian-speaking and Finnish organisations and the cultural institutions, including museums, in the Helsinki region.

290. As for literature, there is a relatively good supply of Russian language literature. In theatres, there would be demand for Russian language plays, particularly children's theatre. Children's theatre associations *Pelikan* and *Superkids* meet this demand to some extent. The majority of Russian language arts and culture is targeted at the older generation, which is why the offer may not reach or interest children and young people.

#### *Report on Estonian speakers' participation in cultural activities*

291. As the linguistic and cultural differences between the Estonians and Finns are smaller than is the case for most other immigrant groups, particular integration measures in the field of culture directed at Estonians have often not been found necessary. The use of cultural services by Estonian speakers in Finland was charted for a report completed in 2011<sup>64</sup>. The methods used were an online questionnaire and group interviews. The most typical factor that drew Estonians to Finland was work.

292. The most frequently used cultural services were libraries, cinemas and theatres. The longer the respondents had lived in the country, the more they used almost all types of Finnish cultural services. In the questionnaire, lack of time was the most frequently mentioned

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<sup>63</sup> Lammi, Anelma & Protassova, Ekaterina. 2012. Suomen venäjänkieliset kulttuuripalveluiden käyttäjinä ja tuottajina. (Russian speakers in Finland as users and producers of cultural services.) Helsinki: Finnish Institute for Russian and East European Studies.  
[http://www.kulttuuriakaille.info/doc/monikulttuurisuus\\_kansio/suomen\\_venajankieliset\\_kulttuuripalveluiden\\_kayttajina\\_\\_ja\\_tuot.pdf](http://www.kulttuuriakaille.info/doc/monikulttuurisuus_kansio/suomen_venajankieliset_kulttuuripalveluiden_kayttajina__ja_tuot.pdf)

<sup>64</sup> [http://www.tuglas.fi/tiedostot/Vironkielisten\\_maahanmuuttajien\\_osallistuminen.pdf](http://www.tuglas.fi/tiedostot/Vironkielisten_maahanmuuttajien_osallistuminen.pdf)



obstacle to participating in cultural activities, whereas in the group interviews, lack of information was brought up the most often. The respondents would like to see better communication, especially about events and recreational activities associated with the Estonian culture. The recently immigrated would like to exchange experiences with other Estonians living in Finland, receive information about how to organise practical aspects of life and also simply speak their mother tongue.

293. Issues related to reconciling a Finnish and an Estonian identity, or preserving an Estonian identity while living among Finns, did not appear to be topical or problematic for most respondents. The low level of identity-related problems experienced by the Estonians can even be considered surprising. The respondents were only concerned over motivating their children to learn Estonian and finding Estonian language teaching groups for them close to home.

294. The Government has agreed on a donation of EUR 6 million to increase the capital of the Finnish-Estonian Cultural Foundation in the Budget for 2018. The purpose of this Foundation is to promote networking and cooperation between Finland and Estonia in the field of culture and arts, skills in each other's languages in both countries, as well as economic activities with an immediate association with cultural activity. The Foundation was established in 2015.

1d) Facilitation and/or encouragement of the use of regional or minority languages, in speech and writing

#### *Realisation of linguistic rights*

295. A government report from 2013 on the implementation of language legislation states that efforts have been made to improve the linguistic services more actively, for instance by specifically including linguistic rights in guideline documents, such as instructions, recommendations and language programmes. New regional and local bodies have also been established and key persons have been appointed to coordinate and develop linguistic services provided by the authorities. At all administrative levels, the reforms and legislative work have assessed or brought up the impact on linguistic rights. Online communications by the authorities in both national languages and other languages have increased substantially. In a number of administrative sectors, more attention is now paid to the employment of personnel, for instance by producing recruitment instructions that take linguistic skills into consideration. The authorities have made progress on the planning level, but no progress has as yet been made in the implementation of the plans - the good intentions have not reached the practical level.

296. The authorities have not yet systematically examined their customer service or the functionality of the service chains. The lack of personnel proficient in languages is still the greatest problem. It is hoped that language courses for the personnel and, over the longer term, language immersion activities will also increase the availability of personnel with good language skills.

297. It is up to the authorities to take the initiative to search for information on the customer's mother tongue in the Population Information System, which contains data such as the individual's mother tongue and language of contact. Despite this, the authorities do not always check or use the individual's preferred language when providing their services. Ensuring the protection of linguistic rights has in recent years thus increasingly depended on the individual's personal initiative. All authorities monitor the observation of the Language Act in their own branches of activity, but ultimately, whether or not the customer's mother tongue is checked and used is crucial in practical work.

298. The Swedish Assembly of Finland has expressed its concern over the fact that the authorities have not, at least not in the Helsinki Region and Southwest Finland, taken the initiative to find out the customer's preferred language.

299. Under the Language Act, the municipalities are only obliged to issue communications in the national languages. However, the websites of most municipalities have been translated into English, and the websites of some municipalities also contain information in other foreign languages, particularly in Russian or in German. Information on basic services is also available in English, but the practices vary in the extent of communications on social welfare and health care services, for instance. There are not enough speakers of Sámi in the TE Office of Lapland for public employment and business services. In order to provide services in Sámi where necessary, the TE Office purchases interpretation services. The TE Office of Lapland is also in the process of translating its service brochure into the Sámi languages.

300. In many bilingual municipalities, attention has recently been paid to linguistic services by producing language programmes. Bilingual services have also become a topical subject in many municipalities due to a change in the service structures. The potential need for certain special solutions is understood. Among other things, it has been suggested that an intermunicipal cooperation body and sector-specific networks between the municipalities be established to ensure linguistic services. A recommendation has also been made to establish a centralised coordinating party with the authority to order from external providers certain services that the local municipality cannot provide.

301. In many municipalities with a majority of Finnish speakers, customer feedback was mentioned as the primary way of monitoring the functionality of the bilingual service. In municipalities with a majority of Swedish speakers, spot checks may be performed to control the functionality of the services, and the service provider's view of the standard of the service is relied on.

302. To facilitate the systematic review of the customer service provided by municipalities, the Finnish Local Government published a three-stage model for the municipalities to use in examining and developing the protection of linguistic rights in 2012. In the first stage of this model, the employees review the realization of linguistic rights in services such as the municipal telephone exchange, counselling points, website and signs. The review may also concern notice materials and the registration of the customer's language. The second stage of the model requires a systematic approach and potentially, resources as well. It may concern such features as structural changes and quality issues in connection with procurements or assessments. The third stage concerns developing and supporting linguistic services by means of guidelines, rules and plans of action.

1e) Maintenance and development of links between groups using a regional or minority language and other groups

#### *Finnish-Russian Cultural Forum*

303. The Finnish-Russian Cultural Forum <sup>65</sup> was launched in 2000. Forum events are organised once a year, with Finland and Russia taking turns to host the event. In 2017, the forum will be hosted by St Petersburg, and this will be the main event of the celebrations marking the centenary of Finland's independence in Russia. Some 450 people will participate in this forum, which will provide the framework for 139 negotiations on a total of 100 cooperation projects in the field of arts and culture. All of Finland is involved in the activities, and regular participants

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<sup>65</sup> <http://www.kultforum.org>

from Russia include Moscow, the Moscow area and twelve regions of Northwest Russia. By means of the cultural forum activities, an attempt is made to develop new forms of cooperation with regional and local cultural administrations and between the Finnish Ministry of Education and Culture and the Ministry of Culture of the Russian Federation.

304. The Cultura Foundation, which promotes the integration of Russian speakers in Finland through arts and culture, organised an international media sector conference (*'The Russian-Speaking Communities of Europe in a Fragmented Media Landscape'*) in autumn 2016, which attracted participants from EU Member States and Russia. At this conference, the participants discussed the modes of media use by Russian speakers living in EU Member States and changes in it, the meaning of their own-language media for the Russian communities in the EU Member States, and communications by cross-border communities on the social media. The conference received a lot of attention on conventional and social media. This conference was the first one of its kind, and the organisers intend to develop it into a recurring event.

1f) Provision of appropriate forms and means for the teaching and study of regional or minority languages

#### *Roma language*

305. Under the Early Childhood Education and Care Act, the municipality must ensure that early childhood education and care can be provided in the child's mother tongue, whether Finnish, Swedish or Sámi. Other languages may also be used in early childhood education and care, as long as this does not put the achievement of the objectives set in the core curriculum for early childhood education and care at risk. In this case, support must also be provided for the development of skills in the Finnish or Swedish language that the child speaks as their mother tongue. In cooperation between the staff, the guardians and different cultural communities, the continuation of children's and families' cultural heritage is promoted and the children's possibilities of expressing their cultural backgrounds are supported. The children are encouraged to interact in bilingual and multilingual environments.

306. The majority of Roma pupils enjoy excellent, good or satisfactory success in basic education<sup>66</sup>. Roma pupils may need support and encouragement, in particular to create a strong self-image as learners. In this work, special needs assistants with a Roma background have often proven helpful in supporting the pupils' school attendance and identities. Promoting general school satisfaction and smooth cooperation between the home and the school are crucial for Roma pupils.

307. Providing Roma pupils with guidance counselling as individually as possible is often necessary. Many Roma parents also need more information about such issues as the joint application system, availability of support for students and places in further education.

308. Roma language and literature is one of the syllabi in the subject of mother tongue and literature. Its particular task is to support the viability of the Roma language spoken in Finland and to strengthen its status among other languages. The Roma language has a very special meaning for a positive Roma identity, and the doubling of the number of pupils who participate in the teaching of this language can thus be considered an excellent result. This syllabus can be studied by pupils if their mother tongue, or one of the languages spoken in the family, is Roma. The low number of Roma language teachers hampers the organisation of Roma language teaching in practice.

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<sup>66</sup> Review of basic education for Roma pupils 2011.

309. The fact that a large share of Roma children at basic education age does not receive teaching of the Roma language continues to be a major problem. However, the ability of the younger generations to use the language would be crucial for its preservation and development. The national curriculum has a major role in this, as is the case for the teaching of Sámi.

310. In addition to school syllabi, the Roma language is being revived at grass-roots level in language nests and clubs. Roma language nest activities started in 2009 as a pilot project at three locations. In 2010–2015, government transfers amounting to EUR 75,000/year were granted for the language nest activities at 12 to 14 localities every year. The purpose of the language nest activities was to promote the use and revival of spoken Roma language. They promoted communality and the Roma culture. The most serious obstacle that restricts the language activities continues to be the lack of Roma language teachers. Another obstacle is the lesson hour quotas of special needs assistants who teach the Roma language or lead Roma language activities at schools, which restricts their opportunities of providing teaching or leading Roma language activities.

311. New research points to positive trends in such areas as successful cooperation between Roma homes and the school. While Roma children continue to participate in pre-primary education less often than children of the mainstream population, their participation has increased significantly over the last ten years. Roma homes have understood the importance of participation in pre-primary education for the development of the child's study skills.

312. Whereas an increasing share of Roma children does well in basic education, one out of five of all Roma pupils still have significant difficulties with school attendance. Leaving the parental home and starting a family early as well as lack of information and support hamper their participation in further studies and vocational education and training. This has direct negative impacts on the employment of the Roma.

313. Approximately one half of the Roma pupils go on to vocational further studies, while very few continue their studies at general upper secondary level. The Roma pupils thus need more support than others in the transition to secondary level studies. In development activities, a lot of attention has been paid to guidance: many municipalities have supported Roma pupils at all transition points of education, and especially when they move on to vocational studies or the general upper secondary level. Cooperation between Roma homes and schools today is extremely positive, and hopefully this will result in better education levels among the Roma over the long term. Different forms of cooperation aiming to inform Roma families about education and develop guidance counselling, mentoring and career planning for Roma youth are important.<sup>67</sup>

314. The frequent absences of Roma pupils have been identified as a factor which hampers successful school attendance and where intervention is needed. These absences are often caused by family reasons. A study conducted by the Finnish National Board of Education shows, however, that Roma children are also more likely than the children of the mainstream population to stay at home for various reasons.

315. A certain amount of bullying at school also came up in interviews with Roma pupils, which resulted in absenteeism. Intervention in the bullying of Roma children, which often takes the form of ethnically motivated name-calling, has become more effective. Bullying motivated

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<sup>67</sup> Finnish National Board of Education; Publications 2011, 26

by ethnic origin should be included in the KiVa Koulu anti-bullying programme in order to improve the teachers' abilities to deal with bullying.

316. The teaching of the Roma language at basic education schools has declined. In 2016, Government transfers granted by the Finnish National Board of Education supported the teaching of the Roma language in seven municipalities. There were 98 pupils in the autumn term and 67 in the spring term. At the beginning of 2010, the minimum group size for the teaching of the Roma language was reduced from four to two pupils. As a result, the number of pupils who received teaching of the Roma language increased in 2010. In the spring term 2010, 174 pupils received Roma language teaching, while this figure in spring 2009 had been 104. Roma parents have not always known that they could request teaching of the Roma language for their children.

317. In 2013, the Finnish National Board of Education produced a brochure titled 'Guiding Roma pupils to upper secondary education and supporting them in secondary education' for use by schools and Roma families. The Finnish National Board of Education has engaged in cooperation related to continuing training with teacher education units, municipalities and schools to improve teachers' capabilities for supporting the school attendance of Roma pupils.

318. Homework clubs have also proven a good practice for supporting Roma pupils' learning. Doing their homework regularly at these clubs has improved the study skills of many pupils. The homework club also sets an example for the whole family on the long-term nature of school attendance and studies. The homework clubs have frequently improved Roma pupils' learning outcomes, which has reduced absenteeism.

319. Good experiences have been gained of special needs assistants with a Roma background. The special needs assistants support all pupils in a class, which has proven an effective practice. In particular, they support the identities of Roma children.

320. Textbooks and other learning material for basic and advanced courses in the Roma language have been published systematically in the last few years.

321. In spring 2015, the Finnish Education Evaluation Centre evaluated the learning outcomes of pupils in grades 7 to 9 in the syllabus for Roma language as mother tongue<sup>68</sup>. This was the first evaluation of its kind. Twelve pupils from seven schools participated in it.

322. There were major differences between the pupils' competence levels. Some were only learning the Roma language for the first year, whereas the longest period of study was eight years. The number of weekly Roma lessons the pupils had also varied. They may have pursued their studies continuously, or the studies may have been interrupted. The best pupils achieved over 60% of correct answers in all content areas, whereas the less successful pupils scored no points in some of the content areas. On average, the best results were achieved in listening comprehension assignments. While the pupils did not find that they were particularly good at the Roma language and their attitudes to the usefulness of the language were neutral on average, they liked Roma as a subject. Some 80% of the pupils felt that knowing Roma is important and liked learning the language. The educational background of the Roma language teachers varied from basic education to a higher education degree. More than 90% of the teachers found that the small quantity of available learning materials makes it more difficult to achieve good learning outcomes in the Roma language.

323. Any further education pursued by the Roma population has mainly been vocational education and training. The aims of the forthcoming reform of vocational education and training include ensuring that education and training respond to labour market needs. After

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<sup>68</sup> [https://karvi.fi/app/uploads/2016/03/KARVI\\_0416.pdf](https://karvi.fi/app/uploads/2016/03/KARVI_0416.pdf)

the reform, vocational education and training will to a great extent consist of work-based learning. There is a high level of awareness of the challenges to the Roma population's employment. In order to eliminate obstacles that make vocational qualifications less accessible for the Roma, constructive dialogue between employers, education providers and the Roma population will be needed. Finding work-based learning jobs for students with a Roma background should not be left to the education providers alone; the employers should also be involved.

324. The Finnish National Board of Education published a report on the educational situation of the Roma in 2015. Of respondents in all age classes, 39% had completed a qualification in vocational education and training. In the academic year 2013–2014, a total of 168 Roma people were studying at vocational institutions. The responses obtained from educational institutions indicate that there were Roma students in all of the major fields of education. Popular fields included technology, communication and transport, social sciences, business and administration, social services, health and sport, humanities and education as well as tourism, catering and domestic services. Roma students typically fell into the two youngest age groups, or 18 to 24 and 25 to 34.

325. As the result of a multidisciplinary research project mapping the history of the Roma, a work on the history of the Finnish Roma was published in October 2012. The particular objective was to find the point of view of the Roma themselves on their history. The project was funded by the Ministry of Education and Culture and carried out by the Finnish Literature Society in conjunction with the national Advisory Board on Romani Affairs. The researchers involved in the project were granted the State Award for Public Information in September 2013.

326. Roma organisations have noted that the oral traditional knowledge of the Roma, the knowledge held by families on the nomadic lifestyle and old customs, is disappearing. In addition to the published review mentioned above, oral tradition should be recorded systematically.

### *Russian*

327. The Finnish Association of Russian-Speaking Organisations has noted that the teaching of the Russian language has expanded in Finland compared to 2013. There are also plans to provide more teaching of the Russian language at Helsinki metropolitan area schools. Many Russian speakers are timid about using their mother tongue, and many children and young people even forget their mother tongue and Russian culture, declining to study the language at school. In small localities, the offer of Russian-language services is poor, as the services are centralised to the cities.

328. According to the Finnish Association of Russian-Speaking Organisations, the greatest problems are faced by those Russian-speaking older people and persons with disabilities or long-term illnesses who do not receive adequate support from municipal services: an assistant to accompany them outside the home, language assistance, assistance with documents, crisis help etc.

329. The Association notes that according to the report produced as an outcome of a Ministry of Economic Affairs and Employment research project (*'Discrimination in the Finnish labour market - Syrjintä suomalaisilla työmarkkinoilla'*, 2012), Russian speakers in Finland face significant discrimination in the labour market: the report relates that Russian-speaking test applicants had to send out twice as many applications as their Finnish counterparts to be invited to a job interview in the study. Regional differences can be seen in attitudes towards

Russian speakers. In Eastern Finland, the standard of Russian-language services is relatively good, and Russian is also studied more actively.

### *Tatar*

330. Nothing new to report.

### *Yiddish*

331. Nothing new to report.

### *Estonian*

332. Child groups of an Estonian language day-care centre established in 2012, Anni Lastentarha, operate in Helsinki and Espoo. Kielipesä, a private Finnish-Estonian day-care centre, operates in Turku. In 2016, only 1,000 Estonian children, or less than a half of the Estonians in the basic education age, participated in mother tongue teaching offered by municipalities.

333. Latokartano basic education school in Helsinki has more than 100 Estonian children who are receiving bilingual teaching in Finnish and Estonian. In school year 2016–2017 more than 1,000 Estonian children, or less than a half of Estonians in the basic education age, participated in mother tongue teaching offered by municipalities. The Association of Education in Estonian organises continuing training for mother tongue teachers in cooperation with the Tuglas association.

334. The Association of Education in Estonian organises online mother tongue courses for basic education grades 3 to 9. Some 150 children from different countries and around 40 children from Finland participate in these courses every year. The courses are implemented on project funding provided by Estonian stakeholders.<sup>69</sup>

335. Estonian is only studied as a foreign language in a handful of Finnish basic education and general upper secondary schools.

336. Since 2015, Tuglas Association in cooperation with the Estonian *Innove* Foundation has been organising national level B1 and B2 language examinations in Helsinki.

1g) 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

### *Integration*

337. The purpose of the Act on the Promotion of Immigrant Integration is to promote integration and the immigrant's opportunities to become an activate member of Finnish society. The act also seeks to promote equality, non-discrimination and positive interaction between different population groups. Integration refers to interactive development of the immigrant and society aimed at providing the immigrant with the knowledge and skills needed in working life and society while supporting their opportunities of preserving their own language and culture.<sup>70</sup>

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<sup>69</sup><http://www.eestikeelsehariduseselts.fi/e-ope/yleilmakool/the-global-school-for-estonian-children-living-abroad/>

<sup>70</sup> Act on the Promotion of Immigrant Integration (1386/2010), Section 1 Purpose of the Act, Section 3 Definitions.

338. In the legislation and instructions on its implementation, particular attention is paid to providing for integration in either Finnish or Swedish. The immigrant should indicate in an early stage of integration which language they wish to use.<sup>71</sup>

339. A reference to the Strategy for the National Languages of Finland was added to the instructions for applying the act issued by the Ministry of Economic Affairs and Employment in spring 2015. The instructions state that in accordance with the government resolution on the Strategy for the National Languages of Finland, when using services referred to in the Act on the Promotion of Immigrant Integration, foreigners settling in Finland should also systematically be given information about the bilingual status of Finland, the significance of this status in the labour market, and the offer of Finnish and Swedish language courses. The resolution also recommends that, especially in bilingual localities, bodies procuring integration training for adult immigrants consider the needs for instruction in the Finnish and Swedish languages when procuring the training to enable working life-oriented learning of Finnish and Swedish.<sup>72</sup> However, there are major differences between different regions in Finland in how well integration training can be organised in Swedish. Integration training is not organised in all regions<sup>73</sup>.

1h) The promotion of study and research on regional or minority languages at universities or equivalent institutions

#### *Swedish*

340. There are 14 universities in Finland, of which Hanken School of Economics and Åbo Akademi University are Swedish speaking. There are also three bilingual universities in Finland, which offer certain degree programmes taught fully through Swedish. These are Aalto University, the University of Helsinki and the University of Arts Helsinki. University students have the right to receive instruction and take individual courses and examinations in Swedish. There are two Swedish-speaking universities of applied sciences, Yrkeshögskolan Arcada and Yrkeshögskolan Novia.

341. Swedish language is taught at the Universities of Helsinki, Eastern Finland, Jyväskylä, Oulu, Tampere and Turku. At the University of Helsinki, for example, two options are offered in this subject: one for students who speak Swedish as their mother tongue and another for those whose mother tongue is Finnish<sup>74</sup>. Both options have two specialisation, linguistics and subject teacher studies. Swedish-speaking students may become teachers of mother tongue and literature working at Swedish-speaking schools, while Finnish-speaking students may become Swedish language teachers at Finnish-speaking schools.

#### *Sámi language*

342. Sámi language and culture studies are offered at three Finnish higher education institutions: the Universities of Oulu, Helsinki and Lapland. The University of Oulu's *Giellagas*

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<sup>71</sup> Kan vi stå till tjänst? Integration på svenska i Finland (Can we help? Integration in Swedish in Finland). Mika Helander 2015. Integrationsvägen i Finland och svenska som integrationspråk (Integration path in Finland and Swedish as the language of integration), Karoliina Teikkari, p. 25.

<sup>72</sup> Ohje kotoutumisen edistämiseksi annetun lain (1386/2010) soveltamisesta työ- ja elinkeinotoimistoissa (Instruction on the implementation on the Act on the Promotion of Immigrant Integration), Ministry of Economic Affairs and Employment 642/07.10.02/2015.

<sup>73</sup> Kan vi stå till tjänst? Integration på svenska i Finland (Can we help? Integration in Swedish in Finland). Mika Helander 2015. Integrationsvägen i Finland och svenska som integrationspråk (Integration path in Finland and Swedish as the language of integration), Karoliina Teikkari, p. 25.

<sup>74</sup> <http://www.helsinki.fi/sup/pohjoismaisetkielet/>



Institute<sup>75</sup> has been assigned a special national responsibility for teaching and researching Sámi language and culture at higher level. The subjects taught by the *Giellagas* Institute are the Sámi language (Northern Sámi and Inari Sámi options) and the Sámi culture, both of which can be studied as a major subject. In addition, Northern Sámi as a foreign language and a programme in Skolt Sámi that includes subject studies can be selected as minor subjects at the Institute. The *Giellagas Institute* offers the only education programme for Sámi language subject teachers in Finland.

343. At the University of Lapland, the students can take basic studies in Northern Sámi intended for native speakers which can, for example, be included in a class teacher's qualification. Non-degree courses in the Sámi languages can be taken at the University of Helsinki.

344. The Sámi higher education institution *Sámi allaskuvla* is the only higher education institution in the Nordic countries where the main language of teaching, research and administration is Sámi.

### *Roma language*

345. Basic and subject studies in the Roma language were launched at the University of Helsinki in 2011. The instruction was initiated as an experiment in 2009, and since 1 August 2012, Roma has been offered as an optional minor subject. Since 2013, it has also been possible to apply for special study rights to study the Roma language and culture. As from autumn semester 2013, the basic studies can also be completed at the Open University. Instruction and research in the Roma language and culture are a national special responsibility assigned to the University of Helsinki. Every year, around 15 students have started in the basic studies of the Roma language and culture. The learning environment is research-driven and international: instruction has been delivered in Finnish and English.

346. The current priorities of the instruction and research are the structure and dialectology of the Finnish Roma language and other northern dialects in the Baltic area as well as the historical development of the Roma language. The world's foremost expertise in northern dialects of the Baltic area is concentrated at the University of Helsinki. The University of Helsinki is one of the few European universities that offer the Roma language and culture as a subject. The University of Helsinki is becoming a significant and attractive hub of Roma research with extensive international networks and one of Europe's leading institutes in this field of research and as a provider of scientific further education.

347. In 2016, the University of Helsinki implemented an extensive project on producing a descriptive grammar of the Roma language titled "The Finnish Roma language and Roma dialects in the northern Baltic area". The project was funded by the Kone Foundation. Producing a systematic school grammar meeting the needs of language teaching in basic and adult education that would be more approachable than the scientific work would be a natural way of extending this project.

348. As the Roma language has now reached academic status for the first time, this will add to the prestige of the language and promote linguistic rights. We can thus expect that the situation of Roma language teaching will also improve in basic education and at general upper secondary level, as the number of those proficient in the language increases among both the Roma and the mainstream population. The Roma of Finland have also not objected to the newly started university studies, even if they have traditionally been very protective about their language.

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<sup>75</sup> <http://www oulu.fi/giellagasinstituutti/>

### *Russian*

349. Russian can be studied at the Universities of Helsinki, Tampere, Jyväskylä and Joensuu as a major and a minor subject. Russian studies at university level open up opportunities for both practical and theoretical linguistic research and acquisition of expertise.

### *Karelian*

350. The University of Eastern Finland has been assigned a national responsibility for the teaching of and research in the Karelian language<sup>76</sup>. Karelian has been taught at the university since 2009; it has a professorship of the Karelian language and culture, and basic, subject and advanced studies are offered. A dictionary of Karelian is freely available online.

351. The significance of university-level teaching has been even greater than expected. Karelian continues to be a popular subject, which turns out many new researchers and literature. A project led by the university for Finnish and Russian translators of Karelian is also under way. The instruction at university level has drawn dozens of new enthusiasts to the efforts to revive Karelian, and even the older generation of Karelian speakers has started reviving their skills. Significant numbers of new teachers, translators and artists have joined the projects of the association and other organisations.

### *Yiddish*

352. In the University of Helsinki's Middle Eastern studies programme, students can take key Semitic languages (especially Hebrew and Aramaic) and Jewish studies. As part of Jewish studies, Yiddish can also be studied.

### *Estonian*

353. The Estonian language and culture can be studied at the universities of Helsinki<sup>77</sup> and Turku<sup>78</sup> in Finland.

## 1i) Promotion of transnational exchanges for languages used in two or more States

### *Sámi Giellagáldu*

354. *Sámi Giellagáldu*, a Nordic vocational and resource centre for the Sámi language, continued to operate in 2016 on support of the *Giellagáldu* project launched by the Sámi Parliaments of Finland, Sweden and Norway on 1 August 2015. The *Giellagáldu* project is funded by the EU Sápmi sub-area of the EU's Interreg V Nord programme, the Sámi Parliaments of Finland, Sweden and Norway, the Regional Council of Lapland and the province of Tromsø. This project, which will conclude on 31 May 2018, is led by the Sámi Parliament of Finland. The aim of *Sámi Giellagáldu* is to develop and strengthen the language planning of and cooperation between Sámi languages. The centre caters for five Sámi languages: Southern, Lulea, Northern, Inari and Skolt Sámi. The staff are language professionals in full-time employment. *Sámi Giellagáldu* has the highest responsibility for linguistic cooperation between the Sámi languages, professional language work and Sámi language services intended for users of the languages. An effort will be made to put Sámi Giellagáldu onto a permanent footing during the project.

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<sup>76</sup> <https://www.uef.fi/web/hum/karjalan-kieli-ja-kulttuuri>

<sup>77</sup> <http://www.helsinki.fi/sup/suomalaisugrilainen/zvi.html>

<sup>78</sup> <https://www.utu.fi/fi/yksikot/hum/yksikot/viro/opiskelu/Sivut/home.aspx>

### *International networks of the Jewish community*

355. The Jewish Congregation of Helsinki, and the entire Jewish community in Finland, have strong connections with the society around them, and they are also represented in international networks. The Central Council of Jewish Communities of Finland with its nine-strong board is the national representative body of the Finnish Jews. The Central Council represents Finnish Jews both at national and international level. Among other things, it participates in the National Forum for Cooperation of Religions in Finland and is a member of *the World Jewish Congress* and *the European Jewish Congress*. In addition, Finnish Jews actively participate in the dialogue between religions and the promotion of minority rights.

## 2. Elimination of unjustified distinction relating to the use of a regional or minority language

356. Nothing new to report.

## 3. Respect, tolerance and mutual understanding between all linguistic groups

### *General language atmosphere*

357. The general language atmosphere appears to have become harsher since the previous periodic report was submitted. This is indicated by the results of the Language Barometer 2016 study, statements received by the Ministry of Justice and surveys, including a general survey organised on the otakantaa.fi website on the topic 'How are linguistic rights implemented in Finland', and also the fact that general discussion on language issues is accompanied by the different linguistic groups' sharp comments about each other.

358. Strong opinions on Finland's second national language, Swedish, have been expressed in political debate and especially on the social media. The status of Swedish as the second national language has been questioned. For example, it has been suggested that Swedish should be an optional subject at all levels of education. Threats against Swedish speakers and/or those working with Swedish language received by journalists, public officials and such bodies as the Swedish Assembly of Finland have been an exceptionally serious phenomenon.

359. The Chancellor of Justice's annual report 2015 drew attention to the dwindling of the Swedish language in administration and among public officials. This is seen as a decline of viable bilingualism in administration and work organisations. As Swedish is used less in the administration and fewer public officials speak Swedish, this has a direct impact on the linguistic services the authorities are able to provide for Swedish speakers. In fact, the Chancellor of Justice notes that Swedish speakers mostly have to give up the right to use their mother tongue on their own initiative when using the authorities' services.<sup>79</sup>

360. The Chancellor of Justice has been informed in various contexts of negative attitudes shown by authorities that customers have encountered in situations where a language other than the majority language is used.<sup>80</sup>

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<sup>79</sup> Annual report of the Chancellor of Justice 2013, p.21-22.

<sup>80</sup> Implementation of the language legislation, a summary of statements; Finnish Association of the Deaf, City-Sámit Association, Resa Forum, the Swedish Assembly of Finland, South Coast Regional Council, Regional State Administrative Agency for Western and Inland Finland, Finnish Youth Cooperation – Allianssi, Finnish Association of Russian-Speaking Organisations.

361. According to the Language Barometer 2016 survey<sup>81</sup>, less than one per cent of the Finnish and Swedish language groups find that they are frequently harassed or discriminated against in daily life because of their language. However, there is a clear difference between the two groups. Less than 45% of the Swedish speakers felt they have been harassed or discriminated against once or a few times because of their language. This figure for Finnish speakers is slightly over 20%. 79.5% of Finnish speakers, but only 55.1% of Swedish speakers, do not feel they have been harassed or discriminated against because of their language. It should be noted that almost one half of Swedish speakers find that they have been harassed or discriminated against a few times in daily life because of the language they use. "Only" one Finnish speaker out of five felt this way.

362. According to the Sámi Parliament, discrimination encountered by the Sámi mainly concerns the organisation of and resource allocations to Sámi language services. Discrimination against the Sámi typically takes the form of so-called structural discrimination, which is difficult to pinpoint, especially outside the Sámi Homeland. The Sámi Parliament is concerned over the frequent negative references to the Sámi people and their culture, Sámi industries and the rights of the Sámi on social media and in letters to the editor in printed media. The anti-Sámi references are damaging to the entire Sámi people, but highly damaging to the identities of Sámi youth and children.

363. According to the Finnish Association of Russian-Speaking Organisations, discrimination against Russian speakers has been more obvious in the last few years. Negative stereotypes hamper Russian speakers' daily life and integration, and attitudes towards the Russian-speaking mainstream population are also becoming more negative. "Hatred of Russians" continues to be a visible phenomenon, which may vary from an openly hostile attitude to silent tolerance. According to the research report *Syrjintä suomalaisilla työmarkkinoilla*<sup>82</sup> (Discrimination in the Finnish labour market) produced in a research project of the Ministry of Economic Affairs and Employment, Russian speakers in Finland face significant discrimination in the labour market; an empirical study showed that Russian-speaking test applicants had to send out twice as many applications as their Finnish counterparts to be invited to a job interview. Regional differences can be seen in attitudes towards Russian speakers. In Eastern Finland, the standard of Russian-language services is relatively good, and Russian is also studied more actively. There are also plans to provide more teaching of the Russian language at Helsinki metropolitan area schools.

### *Fight against hate speech*

364. The difficult economic situation, uncertainties related to fast-paced societal change and the refugee crisis have created a hotbed of hostile language, extremist attitudes and sharp juxtapositions in Finland and elsewhere in Europe. Hate speech is targeted at different groups of citizens, minorities and individuals. It undermines the foundations of trust and the feeling of security. The Finnish Government and Parliament have paid attention to the increased prevalence of hate speech and initiated actions aiming to intervene in it.

365. The hate speech and harassment encountered by different population groups in Finland, including minority representatives, foreign citizens, persons with an immigrant background and persons with disabilities, and the impacts of these phenomena have been studied in Finland<sup>83</sup>.

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[http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1481790713420/Files/OMSO\\_52\\_2016\\_Sprakbaro\\_korj.pdf](http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1481790713420/Files/OMSO_52_2016_Sprakbaro_korj.pdf)

<sup>82</sup> [http://www.tem.fi/yhdenvertaisuus?104075\\_m=106487](http://www.tem.fi/yhdenvertaisuus?104075_m=106487)

<sup>83</sup> "I often find myself thinking how I should be or where I shouldn't go". Survey on hate speech and harassment and their influence on different minority groups. Ministry of Justice publication 7/2016, Reports and guidelines

Streets, parking lots, parks and other public areas were highlighted as scenes for harassment or hate speech experienced by these groups. The Internet, public chat rooms and, in particular, the Facebook were the second most common environment in which they occurred. Hate speech and harassment had the strongest impact on the target group's general sense of security (61%) and psychological health (52%). In almost one out of three, they also undermined the victim's trust in the authorities.

366. The Internal Security Programme adopted in 2012 in Finland addresses the prevention and resolution of problems related to everyday safety.

367. In 2017, the national discrimination monitoring system coordinated by the Ministry of Justice produced a report on hate speech and harassment and their impacts on different minority groups. This report contained important information and recommendations that have been used and will be used in the future to target measures. The discrimination monitoring system will produce monitoring data on the subject every four years.

368. In September 2016, the Government discussed questions related to hate speech, extremist movements and violent extremism. Guaranteeing a life of human dignity for everyone means that no-one should have to encounter violence, threats or hostility. According to a Government decision, hate speech will be intervened in firmly before more serious consequences arise. This means intensified prevention and police investigations where the focus will be on active measures taken by the police to detect hate speech and intervene in it by investigating it as an offence. The appointment of a rapporteur to work on the implementation of this project is being prepared. The National Action Plan on Fundamental and Human Rights also contains measures aiming to prevent hate speech on the Internet and to prevent hate crimes more effectively.

369. The Ministry of Education and Culture launched a broad action plan for the prevention of hate speech and racism and promotion of inclusion in society in May 2016. The Meaningful in Finland action plan contains ten measures that target such areas as the education of teaching personnel, youth work, sports and dialogue between religions.

370. In 2013, the Ministry of Education and Culture appointed a working group to study the role of democracy and human rights education in the curricula for teacher education at universities and universities of applied sciences. This study<sup>84</sup> contained twelve development proposals that were implemented in teacher education programmes by combining the networking of teacher educators and concrete development work in line with the proposed measures. The project aiming to develop teacher education was implemented in 2016–2017. Its outcomes included a report<sup>85</sup> on the development projects carried out and the networking of trainers as well as a plan on the common direction to be taken by the teacher education institutions.

371. Finland participated in the European Union's two-year *Good Practice* project, which improved the capabilities of the police and prosecutors for identifying and dealing with hate crimes. This project also addressed issues related to hate speech, which have very close links with hate crimes, across a broad front.

372. In 2015, all parliamentary parties in Finland signed the Charter of European Political Parties for a Non-Racist Society and undertook to defend human rights and to reject all forms of racist violence and incitement to racial hatred. The Charter was signed as a joint initiative of

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<sup>84</sup> Democracy and human rights Objectives and content in teacher education. Reports of the Ministry of Education and Culture 2014: 18.

<sup>85</sup> Männistö, Rautiainen, Vanhanen-Nuutinen. Hyvän lähteillä – Demokratia- ja ihmisoikeuskasvatus opetustyössä (Sources of goodness – Democracy and human rights education in teaching). University of Jyväskylä, Department of Teacher Education, 2017.

the Finnish League for Human Rights, the Non-Discrimination Ombudsman and the Advisory Board for Ethnic Relations (ETNO).

### *Police actions to recognise and prevent hate speech*

373. The police have taken action to recognise and fight hate speech<sup>86</sup>. On 17 December 2015, the National Police Board reminded the police units of their duty to have a low threshold for intervening in acts that are suspected of being hate-motivated. Even if there are no grounds to suspect an offence, the police must intervene in acts that put public order and safety at risk.

374. When it is suspected that an offence is hate-motivated, particular attention should be paid to taking all evidence for and against hatred being the motive into account in the pre-trial investigation. The perpetrator's actions before the offence, including shouting of slogans and offensive name-calling, may suggest hatred as a motive. Other indications may include the perpetrator's prior activities related to hate crimes or suggestions of membership in certain groups, for example those whose mission is based on racism.

375. In 2013, the National Police Board issued an instruction on categorising a suspected hate crime or an offence that has features of a hate crime in the Police Information System. The instruction stresses the duty of the police to ensure that the offence is appropriately categorised. The purpose of the categorisation is to enable the Police Information System to search for cases that may have characteristics of a hate crime.

376. The National Police Board has also issued an instruction on offences to be notified to the prosecutor, notification procedure and the prosecutor's actions which, among other things, provides details of the duty to notify the prosecutor under Chapter 5, section 1 of the Criminal Investigations Act.

377. Following guidelines issued by the National Police Board, police units pay more attention to hate crimes as a potential motive and evidence related to hate crimes in pre-trial investigations, and use the classification of hate crimes more efficiently. Considering motives related to hate crimes has also been discussed as part of developing the cooperation between the police and the prosecutor.

378. On 1 March 2017, a ten-strong investigation team focusing on hate speech was set up in the Helsinki Police Department. The specific task of this team is to combat hate speech in discussions on the social media and the Internet.

379. The latest change in Internet hate crime was observed in autumn 2015. As a proportion of the total number of hate crimes, reports of hate crimes on the Internet made to the police declined, but their number in absolute figures was higher than before. The effects of the asylum seeker situation were also seen on the Internet and social media, and the police struggled to respond to the increased volume of hate speech.

380. There are currently three full-time Internet police officers in Finland, who are based at the Helsinki Police Department. Their role involves providing a visible police presence on the social media, one element of which is combating hate speech on the Internet. There are also some 30 to 40 police officers who are active online and use social media services part time in

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<sup>86</sup> Vihapuheidien ja -rikosten torjuntaan liittyvän toimintasuunnitelman valmistelua koskevan työryhmän loppuraportti 14.11.2016 (Final report of the working group preparing an action plan for combating hate speech and hate crimes 14 November 2016).  
[https://www.poliisi.fi/instancedata/prime\\_product\\_julkaisu/intermin/embeds/poliisiwwwstructure/55559\\_53788\\_Vihapuheidien\\_tehostettu\\_torjunta\\_raportti.pdf?c6106bf1ae75d488](https://www.poliisi.fi/instancedata/prime_product_julkaisu/intermin/embeds/poliisiwwwstructure/55559_53788_Vihapuheidien_tehostettu_torjunta_raportti.pdf?c6106bf1ae75d488)

addition to their main duties. The web surveillance unit of the National Bureau of Investigation receives web tips, also on hate speech on the Internet ([www.poliisi.fi/nettivinkki](http://www.poliisi.fi/nettivinkki)).

381. The police has increased and strives to increase further its cooperation with the representatives of minorities and minority organisations, both nationally and locally. The National Police Board established a cooperation forum for the police and ethnic communities in 2010 to step up cooperation and dialogue between the police and different ethnic communities. Forum participants include the Advisory Board on Romani Affairs and the Finnish Association of Russian-Speaking Organisations (FARO). The forum meets a few times a year.

4. The needs and wishes expressed by the groups using regional or minority languages in determining the policy with regard to these languages

#### *Advisory boards*

382. Several advisory boards with tasks related to implementing, promoting or monitoring fundamental and human rights, including linguistic rights, operate under the auspices of the Government. These advisory boards play an essential part in civic society participation, as they offer an opportunity for regular interaction with the government. For this reason, the organisations find the advisory board system important.

#### *Annual consultation on language affairs*

383. The annual consultation on language affairs promotes dialogue between different language groups and the Government. The consultation provides a forum for hearing the needs and wishes expressed by language groups.

5. Implementation of the principles listed in paragraphs 1 to 4 of Article 7 to non-territorial languages

384. This report addresses for the first time Estonian as a language spoken in Finland.

## PART III

### III.1 SWEDISH: THE LESS WIDELY USED NATIONAL LANGUAGE

#### ARTICLE 8: EDUCATION

##### *Early childhood education and care*

385. Children's right to early childhood education and care provided in Swedish is mainly realised well. However, challenges arise in Finnish-speaking municipalities with a small Swedish minority.

386. The language environment of early childhood education and care is important for supporting the child's linguistic development and affects the child's linguistic identity and the foundations for the language used at school. In recent years, several Swedish day care centres where the personnel occasionally speak Finnish have prepared a language strategy or special principles for language use with the children. In some day care centres with high numbers of Finnish-speaking children, the personnel speak Swedish among themselves and with the children as a principle, making an effort to avoid a mixture of Finnish and Swedish.

387. Some day care centres also organise Swedish language immersion programmes, the goal of which is functional bilingualism. The families of the children admitted to day care centres with language immersion activities speak Finnish, and the children have no knowledge of Swedish before the language immersion begins. No knowledge of Swedish is required of the parents.

388. There has been a shortage of qualified kindergarten teachers in Swedish-speaking early childhood education and care, but the situation has improved somewhat in recent years. Swedish kindergarten teacher education began in 2011 in cooperation between the University of Helsinki and Åbo Akademi University. One of the priority areas of this programme is education related to multilingualism.

##### *Pre-primary education*

389. Pre-primary education has been mandatory in Finland since 2015. This means that a child must participate in one year of pre-primary education or other activities that achieve the objectives of pre-primary education in the year before he or she reaches the age of mandatory education (section 26 a, subsection 4 of the Basic Education Act (1040/2014)). Participation in pre-primary education supports basic education and the child's social adjustment in a general.

##### *Basic education*

390. Under the Constitution, Finland has two national languages, Finnish and Swedish. Learning the second national language is mandatory: Swedish-speaking pupils and students learn Finnish, while their Finnish-speaking peers study Swedish at comprehensive schools, general upper secondary schools and vocational institutions. Everyone has the right to receive basic education in their own language, Finnish-speaking pupils in Finnish and Swedish-speaking pupils in Swedish. The education is primarily provided by the municipality. Under the Basic Education Act, the municipality must provide basic education in both national languages if it has Finnish and Swedish-speaking residents.



391. Monolingual Swedish-speaking municipalities offer basic education in Finnish if this is needed. Monolingual Finnish-speaking municipalities strive to offer basic education taught in Swedish either locally or in cooperation with another municipality. There are 16 monolingual Finnish-speaking municipalities in Finland that provide basic education in Swedish. A monolingual Finnish municipality that provides basic education in both languages is entitled to a 12% increase in its operating costs for each pupil that participates in Swedish-speaking basic education.

392. The Swedish skills of Finnish-speaking pupils have deteriorated. They do not provide the pupils with a sufficient foundation for secondary level studies after basic education, which is later reflected in such areas as language studies at higher education institutions. A key conclusion is that the time at which the pupils in Finnish-speaking schools begin their Swedish language studies, or grade 7, is problematic in many ways.

393. A reform of the distribution of lesson hours was adopted in summer 2012. The aims of the reform included safeguarding equal opportunities for language teaching, in other words bridging the gaps between municipalities, and offering versatile language teaching as well as enabling studies of both national languages also in the future. The focus should be on communication skills, and the objective is to encourage students to master their mother tongue in a versatile way in their studies and to improve their interactive skills in the second national language and in other languages. The pupils now start learning the second national language earlier, or in grade six.

394. In Swedish-language education services, the availability of qualified teachers has improved since previous years. The latest data collection on teachers (2016) shows that the positive changes in teachers' qualification status are reflected in such groups as class teachers and vocational education and training teachers. Data collections carried out every three years have been commissioned by the Ministry of Education and Culture and carried out by Statistics Finland. The latest data collection took place in 2016.

#### *General upper secondary education*

395. A new structure in the matriculation examination was introduced across the country in 2005. Under the new structure, the students must sit at least four tests; the only compulsory subject for all students is mother tongue, whereas the students may choose the remaining three among the second national language, foreign languages, mathematics and arts and sciences. Since this reform was implemented, the test in the second national language has no longer been compulsory, and there has been a steady decline in the number of students who take this test.

#### *Reform of vocational education and training*

396. The reform of vocational education, which is one of the Government's key projects, will update vocational education and training as a whole. It is the Ministry of Education and Culture's largest legislative project in almost twenty years (the new Act on Vocational Education and Training will enter into force on 1 January 2018). The goal is vocational education and training that can provide a better and more agile response to changes in the economy, the labour market and society and to future competence needs. The reform will also prevent young people's social exclusion: every young person finishing basic education is guaranteed a place in secondary level studies. In the future, a personal study plan will be prepared for everyone, which will specify a method of studying, and also receiving support and guidance during the studies, that is suitable and motivating for the young person. Applications to education and training will be received throughout the year, which will make it possible to offer places for those who are at risk of dropping out and need a new path. The new funding

model will offer education providers an incentive to reduce the drop-out rate and look after each student.

397. When granting licences to provide education, the Ministry of Education and Culture will ensure that the licences form an entity that safeguards the sufficient availability of vocational education and training, also in the Swedish language. The licence will specify the languages in which the education provider will teach and award qualifications. The teaching language may be Finnish, Swedish or Sámi. The education provider may also be bilingual, in which case the teaching languages are Finnish and Swedish. In addition to the teaching language specified in the licence, an education provider may also provide instruction in the second national language, the Roma language, the sign language or a foreign language.

398. The Ministry of Education and Culture launches a campaign to improve the students' motivation to study Swedish in vocational education and training in 2017. Student motivation will be improved by communicating efficiently about the benefits that Swedish skills bring in the Finnish and Nordic job market. Partners' participation is a precondition for implementing the campaign.

399. The Ministry of Education and Culture and the Finnish National Agency for Education will together start promoting integrated learning of the national languages in vocational education and training. Skills in both national languages are useful and even necessary in many occupations. 1,7 million Finnish people live in bilingual municipalities. Knowing the vocabulary needed in your occupation in both national languages is particularly important. Learning the vocabulary of a second national or foreign language and practising to use a language naturally while working on practical assignments has proven a successful and necessary form of language learning, and it is increasingly used at vocational institutions. The introduction of so-called integrated language learning at vocational institutions is promoted by highlighting good practices in different ways (including seminars, development meetings, publications and websites).

#### *Education at universities and universities of applied sciences*

400. See paragraphs 340–341.

### ARTICLE 9: JUDICIAL AUTHORITIES

#### *Linguistic rights in the Criminal Investigations Act and the Enforcement Code*

401. The reformed Criminal Investigations Act (805/2011) entered into force on 1 January 2014. However, the provisions on linguistic rights in the new Criminal Investigations Act entered into force already on 1 December 2013. The new act contains more specific provisions on the process language in pre-trial investigations and the duty to ensure that the linguistic rights of a person to be heard are implemented.

402. A new section 111a added to the Enforcement Code (705/2007) entered into force on 1 June 2016. Before this amendment, the language legislation applicable to enforcement was ambiguous. The section now clearly states that the provisions of the Language Act on the language in which a dispute is handled and on the right to receive a translation of a document containing a decision and other documents shall apply in an enforcement matter.

#### *Judiciary*

403. The new Courts Act (673/2016) that entered into force at the beginning of 2017 lays down the eligibility requirements concerning the Finnish and Swedish proficiency of judges. The act also promotes the realisation of linguistic rights. The new Courts Act strives to realise

the population's linguistic rights by introducing posts for judges with special language proficiency, not only in district courts but also in other bilingual courts<sup>87</sup>.

404. As was the case under previous legislation, a person appointed a judge shall have excellent oral and writing skills in the majority language of the population in the jurisdiction and (1) in a monolingual court, satisfactory skills in understanding and speaking the other language, and (2) in a bilingual court, satisfactory oral and writing skills in the other language.

405. As was the case under previous legislation, for district court judge posts that require particular language proficiency, in order to safeguard the linguistic rights, a bilingual district court shall have a sufficient number of judge's posts, and the persons appointed to these posts shall have excellent oral and writing skills in the language spoken by the minority of the population in the jurisdiction, and satisfactory oral and writing skills in the majority language. However, the court shall always have at least one such post. The number of posts in each bilingual district court shall be determined under a government decree.

406. The Courts Act also contains provisions on other judge's posts that require specific language proficiency. In order to safeguard linguistic rights, a bilingual court of appeal or administrative court, the market court and the insurance court may have a sufficient number of judges trained and qualified in law, where the persons appointed to these posts shall have the language proficiency described in section 403.

407. The number of posts in each bilingual court shall be determined under a government decree. Before a matter is presented to the Government, the Ministry of Justice shall request a statement on the need for posts from the relevant highest court.

408. The Act also contains provisions on the language proficiency requirements for expert members.

409. The eligibility requirements applicable to judges shall also be applied to the eligibility requirements associated with language skills for presenting officers and referendaries. If necessary, the court may be divided into divisions as determined in the court's rules of procedure. A language department can be set up in a district court and all other bilingual courts if this is necessary in order to secure services for both the Finnish and Swedish-speaking population. Establishing a language department in a district court was also possible previously, and provisions on this possibility were contained in section 18 a (629/2005) of the act (581/1993) repealed by the Courts Act.

#### *Swedish-language law studies*

410. The University of Helsinki's Faculty of Law has organised education leading to a third-level law degree in Vaasa since 1991. In autumn 2010, a Master's degree programme also became available in Vaasa. The education provided in Vaasa is bilingual. Finnish and Swedish-speaking students attend the same instruction, approximately equal shares of which are delivered in Finnish and Swedish. A specific student quota has been adopted for Vaasa. Every year, 38 students are admitted, of whom 26 are Finnish speakers and 12 are proficient in Swedish.

#### *Police administration*

411. In recent years, the police has made extensive efforts to protect different linguistic rights. As part of efforts to safeguard the realisation of linguistic rights, the National Police Board appointed a working group to assess the implementation of access to police services in different languages, assisted in the preparation of a report on service accessibility, and

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<sup>87</sup> Uusi tuomioistuinlaki (The new Courts Act), Ministry of Justice publication 26/2014, Reports and statements

submitted to the National Police Commissioner a final report containing development proposals. The mandate of the working group extended from 1 April to 31 October 2013. In this context, the police also commissioned a large-scale report based on a survey on the implementation of linguistic rights nationally.

412. The working group's final report<sup>88</sup> shows that only 40% of the Swedish speakers who would have preferred to use the service in Swedish were able to do so. For the Sámi languages and sign languages, the situation was even worse. The final report contains proposals for measures aiming to develop language services in police activities. Among other things, the working group proposed that a post of an official responsible for police services in different languages be established at the National Police Board. This official would work together with the police units' network of language contact persons. Many police units already have such contact persons, and the system thus is almost complete. On the basis of the report, the police has launched a programme to support the development of the language skills of police officers in a public service post and to ensure regular police education in Swedish as well as different measures related to the availability of language services in police departments. The emphasis on safeguarding linguistic rights is also seen in practical police activities as various own-initiative measures that improve the service. Examples of these are translating forms related to the rights of a person suspected of an offence into Romanian and Bulgarian, as well as posting a police liaison officer for these countries in Helsinki in the summer.

413. The Government Decree on the Operating Areas of Police Departments (415/2013) entered into force on 1 January 2014. This reform reduced the number of police departments from 24 to 11. The change had an impact on the linguistic position of the police department districts and the language skill requirements for the personnel.

414. The police find that the language skill requirements for Finnish and Swedish language police administration and the training corresponding to these languages are compliant with the legislation and thus appropriately arranged.

415. One Swedish-speaking basic course begins at the Police University College every year. Due to the small total number of Swedish speakers in Finland, the applicant numbers to this course are lower than to the Finnish courses. In 2016, 22 Swedish-speaking students were admitted, while the total number of students was 297. As a whole, the relative proportion of Swedish-speaking students in applicants admitted to the Police University College has increased as the total student numbers have decreased.

416. The Advisory Board on Language Affairs has brought up payment orders for fines and summary penal orders, which often are processed in Finnish even when issued to a Swedish-speaking citizen, as a problem area in police activities. This undermines Swedish speakers' legal protection. However, the questions on the forms for on-the-spot and other fines are printed in the text boxes in both national languages, and the actual decision thus is bilingual as a default.

417. The point of departure in the reform of the police administration structure (PORA III) was that the provision of police services in both languages will be safeguarded and that the status of Swedish will not be weakened. The police contribute to achieving the objectives determined in the Strategy for the National Languages of Finland. As the network of police service points and services is assessed, compensatory measures are taken and, for example, permanent offices will be replaced by mobile units to ensure that the standard of police services will not be lowered.

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<sup>88</sup> Språklig polisservice, Arbetsgruppen för språklig polisservice, slutrapport, (Police services provided in different languages. Final report of a working group on police services), National Police Board publications 2/2013).

## *Border Guard*

418. As a central government authority, the Border Guard's obligations under the Language Act (423/2003) include offering services, communicating and publishing proposals for statutes and reports in Finnish and Swedish on the required scale. Border Guard public officials operating in the Åland Islands, in particular, are required to have excellent skills in the Swedish language. This is taken into consideration in the Border Guard's internal training and recruitments.

419. The Border Guard strives to encourage its staff to acquire, improve and maintain their skills in the minority languages spoken in Finland and other languages. Teaching of Swedish and Russian has been part of the instruction offered by the Border and Coast Guard Academy for a number of years. The Border and Coast Guard Academy has permanent posts for teachers of both Russian and Swedish. The Academy also organises English courses as required.

## ARTICLE 10: ADMINISTRATIVE AUTHORITIES AND PUBLIC SERVICES

### *Processing language of administrative matters*

420. In accordance with the Language Act, state authorities are either monolingual or bilingual. Under the Language Act, central government authorities (including the ministries) are always bilingual. Their local and regional administrative units are monolingual, however, if all the municipalities in the area in which they are competent use the same language. For example, the Finnish Tax Administration as a central authority is bilingual, whereas of its regional units, the Tax Office of Savo-Karjala is monolingual (Finnish) and the Southwest Finland Tax Office is bilingual. The division into monolingual and bilingual authorities affects both the individual's linguistic rights and the authority's obligations related to languages. A bilingual authority has a more extensive duty to provide services in both languages than a monolingual authority.

421. A bilingual municipality and joint municipal authority must serve the public in Finnish and Swedish. In a bilingual municipality, the processing language of an administrative matter is determined according to the language used by the interested party, in other words his or her personal choice. The Association of Finnish Local and Regional Authorities has prepared a guide for municipalities with practical tools for municipal authorities, office holders and employees that support them in applying the language legislation, taking the fundamental rights of Finnish and Swedish-speaking citizens into account. The tools illustrate the implementation of the Language Act in different administrative tasks, for example the municipality's communications, procurement practices and recruitments. The tools are intended for both bilingual and monolingual municipalities, joint municipal authorities and counties.

422. In areas where the language groups are equal in size or the proportion of the minority group is relatively large, linguistic rights are realised well as a rule. The personnel are often bilingual, or an employee who speaks the other national language can be called without delay. In a bilingual environment, using your own language also feels more natural.

423. In areas where the proportion of minority language speakers is small, the practical realisation of linguistic rights requires particular planning. Especially in the case of Swedish-speaking services, the relative share of Swedish-speaking population has a direct correlation with the availability of services provided in Swedish<sup>89</sup>. A partial reason for this is difficulties in recruiting personnel with language skills and the fact that the personnel does not have enough opportunities of learning and practising the language that is used less in the area. A minority

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<sup>89</sup> Language Barometer, p. 59.

group may be small as a relative proportion of the population but large in numbers. In the Helsinki metropolitan area, for example, Swedish speakers are unsatisfied with the standard of linguistic services, even if their number corresponds to the population of a major Finnish city<sup>90</sup>. To protect the realisation of linguistic rights, the service provider should specify the area of the service chain where it is particularly important that the customer can be directed straight to an employee who speaks the customer's language well.

#### *The ministries' translation and language services*

424. As the Government Administration Department was established on 1 March 2015, the ministries' translation and language services were centralised to the Prime Minister's Office. The Swedish unit of the department's translation and language services takes care of the ministries' translations into Swedish. An average of 50,000 translator's pages (1,560 characters) of statutes and current affairs texts are translated into Swedish every year. Following the recommendations of the Strategy for the National Languages of Finland, the ministries strive to communicate extensively in both national languages. Due to the growing demand for Swedish translations of current affairs communications, the translation and language services together with the ministries' communication departments have formulated translation policies on communications to ensure that the obligations under the Language Act can also be met in the future with the current resources.

425. The Prime Minister's Office is responsible for the Government's joint language training, which is also organised in the Swedish language for small groups and as intensive and thematic courses. Public officials' practical language skills are tested in the recruitment interview. An effort has been made to identify key roles in terms of proficiency in the national languages. The opportunities offered by the Swedish unit for public officials to use and improve their Swedish skills have been utilised within the organisation as part of both work and breaks.

#### *Assessment of linguistic impacts*

426. When preparing reforms and legislative amendments in the public administration, it is important to assess whether the action will have linguistic impacts and whether the planned actions meet the requirements of the language legislation. The Ministry of Justice published instructions for assessing linguistic impacts (kivaus) in October 2016.<sup>91</sup> The instructions concern the national languages, but they can also be used to assess impacts on the opportunities of using Sámi and other languages. The instructions are primarily intended for those participating in legislative drafting. The instructions are followed when drafting acts and lower-order statutes, particularly administrative changes. The linguistic impacts of legislation may affect an individual or the entire language group. They may also be indirect, or only emerge over the long term. Statutes may also have cumulative impacts that affect linguistic minorities with a particular force.

427. In its report on the Government Annual Report (PerLV 1/2010), the Constitutional Law Committee stressed that attention should be paid to the realisation of linguistic rights when preparing administrative reforms. According to the Committee, a comprehensive assessment of language impacts is essential especially when administrative changes may affect the actual possibilities of linguistic groups to obtain services in their own language (see PeVL 21/2009 vp, p. 3— 4). In the opinion of the Swedish Assembly of Finland, an analysis of how linguistic rights will be implemented is often lacking in government proposals. According to the Swedish

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<sup>90</sup> Language Barometer, p. 57.

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<http://www.oikeusministerio.fi/fi/index/toimintajatavoitteet/perusoikeudetjademokratia/kielilaki/kielilistenaik-utustenarviointi.html>

Assembly of Finland, this undermines the public officials' and courts' capabilities for safeguarding Swedish speakers' right to their own language and puts their legal protection at risk. The Swedish Assembly of Finland has stressed the need to strengthen the assessment of linguistic impacts, in particular in legislative drafting.

428. Children's organisations have also emphasised follow-up assessments in the reporting process of linguistic impact assessments. They can be used to describe the actual fulfilment of human rights obligations in the State Parties.

#### *Centres for Economic Development, Transport and the Environment (ELY Centres)*

429. The Government Decree on the Centres for Economic Development, Transport and the Environment (1392/2014) entered into force on 1 January 2015. Section 34 of the decree contains provisions on Swedish service teams, and section 35 on language skill requirements. The eligibility requirement for posts in the Swedish service teams is excellent oral and writing skills in Swedish as well as satisfactory oral and writing skills in Finnish. The Swedish service teams are a new way of safeguarding Swedish-speaking services when functions are centralised to ELY Centres that previously were Finnish-speaking.

#### *Regional State Administrative Agencies*

430. Under an amendment to the Government Decree on Regional State Administrative Agencies (906/2009) that became effective on 1 May 2015, early childhood education and care tasks are included in the remit of the Swedish education services unit of the Regional State Administrative Agencies. This amendment centralised tasks related to Swedish early childhood education and care tasks to a single unit, promoting consistent practices and the linguistic rights of the Swedish-speaking population.

#### *Amendment to Health Care Act provision on urgent medical care*

431. An amendment to section 50 of the Health Care Act (1326/2010) on urgent medical care entered into force on 1 January 2017. This amendment defines the locations where 24-hour emergency care is available. Some 50% of the residents within the catchment area of Vaasa Central Hospital are Swedish speakers; however, this hospital is not one of the units providing extensive 24-hour emergency care, and the closest unit to these residents is Seinäjoki Central Hospital, which is a monolingual Finnish-speaking hospital. Under the Health Care Act, a hospital together with its special catchment area can itself decide on the scope of its emergency services. Vaasa Hospital District is part of Turku University Hospital's bilingual catchment area for highly specialised medical care. Turku University Hospital is bilingual.

432. The Swedish Assembly of Finland has expressed its concern over the realisation of linguistic rights in health care.

433. Following a debate in Parliament, a provision was added to section 50, subsection 3 of the Health Care Act, under which the South Ostrobothnia Hospital District shall provide emergency care services in Finnish and Swedish, ensuring that patients can use the services in the language of their choice, in order to safeguard the linguistic rights of the population.

434. As he approved the act on 29 December 2016, the President of the Republic issued a rare statement, according to which emergency care services may only be transferred from Vaasa to Seinäjoki if it can be ensured that patients can obtain these services in the language of their choice, either Finnish or Swedish.

### *Social welfare and health care services*

435. In a bilingual municipality or joint municipal authority, health care and medical care as well as social welfare must be provided in Finnish and Swedish. The services must be organised ensuring that the clients can use them in the language of their choice. This means that the client's right to use Finnish or Swedish does not depend on their other language skills. If the patient documents are prepared in a language other than the client's own language, they must be translated to the extent that this is necessary to provide the patient with sufficient information about their treatment. A monolingual municipality organises the services in the language used in the municipality. However, the patient's mother tongue should be taken into consideration as far as possible.

436. Under the Act on the Status and Rights of Social Welfare Clients and the Act on the Status and Rights of Patients, if the social welfare or health care professional does not know the language used by the patient or if the patient because of a sensory handicap or speech defect or some other reason cannot be understood, interpretation should be provided if possible, and an interpreter should be called.

437. The client's possibility of understanding and being understood in social welfare and health care service situations is an element of quality; in other words, it plays a key role for the realisation of other rights. The realisation of linguistic rights also affects patient safety and is a precondition for implementing the patient's right to self-governance.

438. A bilingual municipality has the duty to provide social welfare services in Finnish and Swedish. Social welfare means actions by professional social welfare personnel, social welfare services and support services included in them that promote and maintain the functional capacity, social well-being, safety and inclusion of the individual, the family and the community. The Social Welfare Act (1301/2014) lists elements that are included in general social welfare services, and specialised legislation contains further provisions on matters that are relevant to social welfare. In the duties of social welfare services, the needs of children and families with children including child welfare, care for older people, services for persons with disabilities and intoxicant abuse welfare services are emphasised. Social welfare services contain many functions that involve close contact with the clients. The availability of service in the client's own language is a precondition for realising social rights. A client should always be directed to a social worker who speaks their language. This does not mean that all employees should know both Finnish and Swedish equally well, even in the context of social welfare services. Linguistic rights can also be implemented by directing Swedish-speaking clients to social workers with good Swedish skills. A person who speaks the minority language in the area should always be available at social welfare emergency services.

439. Section 8 of the Act on Supporting the Functional Capacity of the Older Population and on Social and Health Services for Older Persons (980/2012) contains provisions on bilingualism and its preconditions, and the right of Nordic citizens to use their own language, for example through the assistance of interpretation or translation services.

### *Labour Administration*

440. Provisions on the services provided by the Employment and Economic Development Offices are contained in the Act on Public Employment and Business Service (916/2012), which entered into force on 1 January 2013. Public employment and business services (TE services) support the functioning of the labour market by securing the availability of skilled labour, promote jobseekers' employment and the development of citizens' employment capabilities, as well as influence the creation of new entrepreneurship and improve the operating



preconditions of companies. The new model is based on three service lines, where the services are organised to meet the clients' needs.

441. The customers of the TE services are jobseekers, citizens living in Finland and persons who would like to work in Finland. TE services include

- information about vacancies and occupations as well as trends in professional fields,
- advice and coaching related to applying for jobs and identifying one's competence,
- personal career guidance and support for career planning,
- training aiming for upskilling or finding employment in a new sector,
- support for returning to the labour market in a changing life situation, and
- information about entrepreneurship as a career option.

442. TE services are provided by 15 regional TE Offices that have approximately 120 branches. The TE service network consists of regional TE Offices and their branch offices, Labour Service Centres, joint service points, sub-regional business services and other service cooperation with stakeholders.

443. TE telephone services have three Swedish service numbers. Calls to the Swedish lines are answered by one of the eight bilingual (Swedish-Finnish) officers, while two officers work on the Swedish-language service line of the Enterprise Finland telephone service. A chat services is also available on working days between 9 a.m. and 4 p.m. The telephone and chat service provide general guidance and advice related to employment, entrepreneurship and using e-services. On the *Oma asiointi* (My services) website, the customers can use services related to their personal affairs.

444. From the beginning of 2020, the current TE services and the business services offered by the Centre for Economic Development, Transport and the Environment are to be combined into growth services provided by the 18 counties as part of the regional government reform. As regional growth services, recruitment and competence services must be organised. A county may also organise other service packages, for example those related to business activities and entrepreneurship. The counties will be responsible for coordinating the growth services with municipal and central government services and other services organised by the county. The services will be outsourced. According to current plans, a county may only provide these services if no suppliers can be found in the market.

### *Defence administration*

445. Under section 39 of the Language Act (423/2003), the language of Defence Force units is Finnish. However, there shall be at least one Swedish-speaking unit. The language of command of the Defence Forces is Finnish. Under section 55 of the Conscription Act, the training language for conscripts is Finnish or Swedish. For this reason, any learning materials are prepared in Finnish and Swedish.

446. In connection with the reform of the Finnish Defence Forces carried out in 2014, an assessment of how the linguistic rights of Swedish speakers are realised was conducted. The conclusion was that the reform does not have significant impacts. The preconditions for using Swedish are improved by translating guide books, instructions and sets of questions into Swedish. Regulations and guides are translated on a case-by-case basis in the Finnish Defence Forces.

447. Uusimaa Brigade, which is part of the Navy, is the only Swedish-speaking unit in Finland. The teaching language is Swedish, while the language of command is Finnish. Finnish conscripts

who speak Swedish are also admitted to this unit on application, should places be available. The Uusimaa Brigade troops operate on the coast and in the archipelago.

### *Emergency Response Centres*

448. The new Emergency Response Centre information system ERICA to be introduced in Finland in 2018 will make it possible to utilise the language skills of duty officers, regardless of the Emergency Response Centre where the employee works. This will promote the realisation of linguistic rights.

449. The purpose of the information system upgrade is to achieve a national system that is in common use of all stakeholders participating in Emergency Response Centre activities (the police, rescue services, social welfare and health care services and the Border Guard). The new information system will manage emergency calls nationally. Calls will continue to be primarily connected to the Emergency Response Centre closest to the caller, but if this centre is busy or cannot respond for some other reason, a free duty officer is found at one of the other centres.

450. An emergency may also be reported by sending a text message to 112. The message is directed to the emergency call queue and will be responded to in the same way as a telephone call. The emergency text message service will be provided in both national languages.

451. The training of Emergency Response Centre officers is the responsibility of the Emergency Services College and the Police University College. A challenge for the training leading to a basic qualification for Emergency Response Centre duty officers is that sufficient numbers of bilingual persons cannot be recruited to secure the availability of Emergency Response Centre services in both national languages. The Emergency Response Centre Administration pays a language skills supplement to those with a proficiency in the second national language. A precondition for receiving the supplement is that the employee is able and fully prepared to perform their duties in the other national language. The Emergency Response Centre Administration supports employees who wish to take the government language examination by paying the participation fee.

452. The Emergency Response Centre Administration ensures that the employees it recruits have sufficient language skills. By means of communications, an effort has been made to attract students to the training from different parts of the country, including the Swedish-speaking areas. The employees' language skills are also supported by means of training and personnel policy measures. Work shifts are arranged to ensure that employees who speak Swedish are available, and if necessary, calls are directed to them. The Emergency Response Centres also have the possibility of using simultaneous interpretation at all times of the day and night under a separate service agreement. Situations requiring interpretation come up around 20 times a year, and they involve a number of different languages.

453. The Swedish Assembly of Finland has expressed its concern over the lack of Emergency Response Centre officers with Swedish skills and the impacts of this on the rights of the Swedish-speaking population to access emergency response services in their language.

### *Emergency alerts*

454. The Act on Emergency Alerts (466/2012) entered into force on 1 June 2013. The objectives of this act include safeguarding the realisation of linguistic rights better than before (Swedish and the Sámi languages) in the authorities' communications about emergencies and accidents. Since the act entered into force, all emergency alerts communicated by the Emergency Response Centre have been relayed in Finnish and Swedish.

455. To support the implementation of the Act, a detailed guide on emergency alerts has been published in Finnish, Swedish and the Sámi languages (Inari Sámi, Skolt Sámi and

Northern Sámi)<sup>92</sup>. The new Act can be seen as a clear step forward in the implementation of linguistic rights, especially as communicating emergency alerts in the Sámi languages has required extensive cooperation between different actors and authorities. An effort has been made to speed up communication by preparing ready-made emergency alert templates.

456. The need to produce translations has slowed down the communication of emergency alerts especially if, rather than delivering the information on a standard form following the normal process, the authority issuing the alert dictates it to the Emergency Response Centre. Translating an alert into Swedish always takes from 30 minutes to an hour, depending on whether the emergency alert, which very often contains specific vocabulary of the authority's special field, can be translated at the Emergency Response Centre or if outside assistance is needed. Obtaining a translation into Sámi may take up to several hours.

#### *Language strategy of the Evangelical Lutheran Church*

457. In Finland, the Evangelic-Lutheran Church and the Orthodox Church have a special status under public law. Provisions on their status, rights (including the right to levy taxes) and obligations are contained in the Church Act (1054/1993) and the Orthodox Church Act, (985/2006).

458. Under the Church Act (1054/1993), church services and other activities shall be organised in minority languages as needed, whether in Finnish, Swedish or some other minority language. Members of the church are entitled to have their private religious ceremonies performed in their mother tongue, Finnish or Swedish. Other languages may also be used in church services and ceremonies.

459. To ensure the services of its Swedish-speaking members, the Finnish Evangelical Lutheran Church has a Swedish-speaking diocese. The National Church Council also has a separate unit for Swedish-language activities. All church members also have the right to be served in either Finnish or Swedish in all parishes around the country. However, in practice there may be shortcomings in this respect in various parts of the country.

460. Social work is one of the basic tasks of the church. Where necessary, the church's social and other workers support people in their interactions with the authorities. In these concrete situations and its advocacy work, the church can highlight the right and need of Swedish speakers to receive services in their mother tongue. In particular, this concerns social welfare and health care services. The situation of emergency services is a particular cause for concern.

461. In November 2012, the Church Assembly assigned the Church Council the task of preparing a language strategy for the church. In February 2013, the Church Council appointed a working group to prepare a proposal for the language strategy of the Evangelical Lutheran Church in Finland. The objective of the strategy is the protection of linguistic rights. The language strategy produced by the working group in December 2013, *Talking to God and about God in your own language*,<sup>93</sup> does not require amendments to the Church Act. The strategy is about ensuring that both national languages are used in the parishes to the extent that the local needs are met. The language strategy of the church supports the Strategy for the National Languages of Finland and stresses the implementation of linguistic rights in church activities.

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<sup>92</sup> [http://www.intermin.fi/download/39448\\_vaaratiedoteopas\\_julkaisu\\_012013.pdf?2ba430271c05d188](http://www.intermin.fi/download/39448_vaaratiedoteopas_julkaisu_012013.pdf?2ba430271c05d188)

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[http://sakasti.evl.fi/sakasti.nsf/0/9297F603C875C1C8C225770A002E3448/\\$FILE/Puhetta%20Jumalalle%20ja%20Jumalasta%20omalla%20kielell%E4.pdf](http://sakasti.evl.fi/sakasti.nsf/0/9297F603C875C1C8C225770A002E3448/$FILE/Puhetta%20Jumalalle%20ja%20Jumalasta%20omalla%20kielell%E4.pdf)

### *Signs and place names*

462. In connection with amendments to the Act on Municipal Divisions, currently the Municipal Structures Act (1698/2009), section 33 of the Language Act on signs, place names and public transport was amended on 1 June 2013. The new provision leaves it to the discretion of the municipality to decide in connection with a municipal merger to what extent the street signs of an area that previously was monolingual are to be replaced by bilingual signs.

463. The Institute for the Languages of Finland and its language boards have for many years been concerned over the preservation of traditional place names, safeguarding their preservation and using old place names when new sites are planned. The Institute, together with the National Land Survey of Finland, has proposed a place names act that would contain provisions on adopting place names, expert assistance, responsibility for registering names and using names in official connections. A competent expert organ to be established under the act would ensure that good practices will be followed in official names.

## ARTICLE 11: MEDIA

### *Swedish-language radio and television services*

464. Over the decades, the public Swedish-language services of the Finnish Broadcasting Company (Yle) have been put on a permanent footing, and they are valued by Swedish-speaking and bilingual Finns. In a study published in November 2016, Yle scored 8.9 on a scale of 1 to 10 for its societal importance. This assessment was more or less the same as the year before (the score in 2015 was 9.0). The respondents felt that Svenska Yle, the organisation for Swedish-language programme activities, has been increasingly successful in fulfilling its public service task. Of Swedish speakers, 64% found that Svenska Yle had succeeded extremely well or well. The year before, 47% of the respondents were of this opinion. In particular, the ratings given by women and respondents aged 15 to 29 improved.

465. Yle Teema Fem also broadcasts Swedish programmes. YLE Vega is a channel for Swedish news and regional, cultural, sports and current affairs programmes, and Yle X3M is a Swedish-language youth channel. Yle also has a Swedish-language web service, svenska.yle.fi, and a Swedish teletext service.

466. In 2016, Yle Svenska broadcast 18,131 hours of programmes in Swedish (111 hours more than the year before) and 3,660 hours of regional programmes (174 hours more than the year before). Yle Fem broadcast 2,569 hours of TV programmes (136 hours more than the year before).

467. Swedish-language content for children and young people has been developed especially for the web, for younger children mainly on the Swedish-language *Barnens Arena* service and for older ones on the *Hajbo* web service. For young audiences, Svenska Yle has invested in video production, developed its news broadcasts and updated the offer of its youth channel, Yle X3M.

### *Swedish press*

468. Thirteen Swedish-language newspapers are published in Finland, the largest ones being *Hufvudstadsbladet* (circulation of around 27,000) and *Vasabladet* (circulation of around 16,000).

469. Under an amendment to the Decree on Press Subsidies (538/2011) that entered into force at the beginning of 2013, press subsidies can in the future be granted to web publications

and attachments that appear in connection with Finnish or Swedish-language papers and periodicals.

## ARTICLE 12: CULTURAL ACTIVITIES AND FACILITIES

### *Promotion of arts and other cultural activities*

470. Central government transfers and grants for promoting arts and culture are used to support Swedish-language culture. The Ministry of Education and Culture allocates transfers to five Swedish-language theatres, one of which is a children's theatre. The grants and subsidies distributed by the central government's system for promoting arts (state art committees, regional art committees, separate committees) are available for Swedish-speaking artists.

## ARTICLE 13: ECONOMIC AND SOCIAL LIFE

### *State-owned companies*

471. The State of Finland owns shares in more than fifty major companies. About two thirds of them are commercial companies in which the state is a majority shareholder or associated companies in which the state is a minority owner. The remainder are companies that either have a certain special task assigned to them by the Government or some dispensation that disqualifies them from operating in a competitive environment.<sup>94</sup>

472. As tasks that have been previously handled by the state are transferred to companies, an effort has often been made to separate public administration tasks from other tasks and keep the public administration tasks in the hands of the state. However, state-owned companies continue to handle matters that include public administration tasks, public tasks or special tasks of societal significance.

473. From the perspective of applying the Language Act, whether or not the company has been assigned tasks that contain exercise of public power or public administrative tasks is crucial. In that case, the same obligations related to languages apply to private companies as to authorities. Section 24 of the Language Act and section 17 of the Sámi Language Act contain provisions on the obligation of public enterprises and state-owned companies to provide services and information in Finnish, Swedish or Sámi. This legislation represents an effort to safeguard linguistic basic services when functions that have previously been handled by authorities are transferred to public enterprises and companies. The companies have selected different solutions regarding the scope of services offered in Finnish, Swedish and Sámi. As in other sectors, recruiting personnel who speak especially Sámi but also Swedish is challenging.

474. An *otakantaa.fi* site survey conducted by the Ministry of Justice contained questions on the quality of linguistic services provided by state-owned companies. The respondents rated the Swedish service of state-owned enterprises extremely low. Almost three out of four (72%) of the Swedish speakers find the Swedish-language service of state-owned companies poor, while only 15% find it good.

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<sup>94</sup> <http://vnk.fi/omo/omistajapolitiikka-ja-ohjaus1>

## ARTICLE 14: TRANSFRONTIER EXCHANGES

### *Nordic cooperation in the area of legislation*

475. Nordic cooperation in the area of legislation has long traditions. Work aiming to harmonise legislation and remove barriers on the borders has also been a key part of the activities of the Nordic Council and the Nordic Council of Ministers. Under the Treaty of Cooperation on the Council's activities (Treaty series 28/1962), the contracting parties shall endeavour to maintain and develop further co-operation between the Nordic countries in the legal, cultural, social and economic fields, as well as in those of transport and communications and environmental protection, and hold joint consultations on matters of common interest which are dealt with by European and other international organisations and conferences.

### *Joint patrolling by Finnish and Swedish police*

476. The Finnish and Swedish police engage in practical-level language cooperation in the northern border zone between the two states. Joint patrolling in the form in which it is planned on the Finnish-Swedish border would be unique in Europe. Common training for joint patrolling has been attended by 150 Finnish and Swedish police officers. Finnish officers have learned Swedish and vice versa. Those originating from the Torne River Valley are able to use the local dialect as a common language. During the training, the officers have learned about differences in such areas as penalty practices and the norms for technical and tactic police investigations. The joint continuing training for police officers began with EU support in 2014 and ended in summer 2016. In the future, the inclusion of a special course on joint patrolling in police education is being planned.

### *Nordic cooperation between hospitals*

477. Municipalities and hospital districts have engaged in transfrontier cooperation between Finland and Norway as well as Finland and Sweden. The Lapland Hospital District and *Helse Finnmark*, which provides specialised medical care in the province of Finnmark, concluded an agreement on the use of specialised medical care services in 2007. Under this agreement, Sámi-language child and youth psychiatry services (Karasjoki), adult psychiatry services (Tana) and specialised medical care services (deliveries at Kirkkonieni hospital) have been purchased. Utsjoki municipality's River Tana Valley project looked at opportunities for improving the accessibility of social welfare and health care services, especially those provided in the Sámi language, through transfrontier cooperation. The project examined children's day care, child welfare and family counselling clinic services, primary health care and services for older people and persons with disabilities. The project concluded on 31 October 2012.

### *Nordic education and research cooperation*

478. Nordic education and research cooperation has long traditions. Official Nordic research cooperation takes place through a number of cooperation bodies, one of which is the Sámi University of Applied Sciences. The university is financed from a joint Nordic budget but also directly by national funding.

### *Nordic cooperation between education institutions*

479. Many stakeholders in Finland support the Nordic cooperation of comprehensive schools, general upper secondary education and vocational institutions through their activities or by granting financial support for student and teacher exchanges and development projects. The new *Portti Pohjolaan* website<sup>95</sup> contains a wide range of information on opportunities for

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<sup>95</sup> <http://www.edu.fi/porttipohjolaan>

Nordic cooperation, mainly for comprehensive schools, general upper secondary schools and vocational institutions. On the website, information and ideas related to Nordic cooperation are collected for teachers and students. The website also provides more extensive content relevant to education, culture, child and youth work, summer jobs and Nordic cooperation between municipalities.

480. Since 2008, the Ministry of Education and Culture has supported the *Svenska nu* project coordinated by Hanaholmen Cultural Centre on supporting Swedish skills in general education.

#### *Nordic cultural cooperation*

481. In Nordic cooperation, cultural cooperation between the Nordic countries, the visibility of Nordic countries in the European Union, and cooperation with neighbouring areas are emphasised. Nordic cultural cooperation is based on an agreement concerning cultural cooperation signed by the five Nordic countries in 1971.

482. In late 2012, the Nordic Ministers of Culture approved a new, more far-reaching Strategy on Cultural Cooperation for 2013–2020. The strategy contains the following five visions:

- The sustainable Nordic region
- The creative Nordic region
- The intercultural Nordic region
- Young people in the Nordic region
- The digital Nordic region.

483. The Nordic Cultural Fund, which is located in Denmark, supports wide-ranging Nordic cultural cooperation. Finland is actively involved in the activities of the Fund. The Nordic Culture Point, *Nordisk kulturkontakt*, administrates the Nordic Council of Ministers' Culture and Art Programme, Nordic-Baltic Mobility Programme for Culture and NORDBUK grant programmes. In 2017, the Nordic Culture Point launched a new programme titled *Volt*, which aims to promote Nordic cooperation between children and young people through creative projects that support the understanding of Nordic languages.

484. Finland also has bilateral cultural foundations with all the Nordic countries: The Swedish-Finnish Cultural Foundation (established in 1960), the Icelandic-Finnish Cultural Foundation (1974), the Finnish-Norwegian Cultural Foundation (1979) and the Finnish-Danish Cultural Foundation (1981). The bilateral cultural foundations are administrated by the Swedish-Finnish Cultural Centre Hanaholmen.

#### *Swedish-Finnish Cultural Centre Hanaholmen*

485. The Swedish-Finnish Cultural Centre Hanaholmen promotes and develops interaction and cooperation between Finland and Sweden in all sectors of society. Hanaholmen plans and arranges different types of events, courses, seminars and projects as well as examines various social development needs.

486. The operating principle of Hanaholmen is to communicate about the benefits of Finnish-Swedish cooperation and foster a feeling of solidarity with the other Nordic countries in Finnish people. Hanaholmen builds bridges for Swedish people into Finland and for Finnish people into Sweden. Hanaholmen's operational strategy for 2017–2020<sup>96</sup> emphasises the Cultural Centre's general mission, or promoting cooperation between Finland and Sweden in the cultural, societal and business sector.

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<sup>96</sup> <https://www.hanaholmen.fi/kulttuurikeskus/hanasaari/strategia/>

487. Hanaholmen is a non-profit organisation that is funded by State aid from Finland and Sweden.

*Nordic library cooperation*

488. The Nordic central government library authorities meet annually to exchange national news and discuss Nordic development work in connection with the *National Authorities on Public Libraries in Europe* (NAPLE) forum. Finland operates two mobile libraries relying on Nordic cooperation in Lapland. One of these is owned jointly with Norway and Sweden (Enontekiö, Muonio, Karesuando, Kautokeino) and the other with Norway (Kaarasjoki, Porsanki, Utsjoki). The annual Ministry of Education and Culture funding is allocated for the Finnish part of the operation.

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## III.2 SÁMI LANGUAGE: A REGIONAL MINORITY LANGUAGE

### ARTICLE 8: EDUCATION

#### *Early childhood education and care*

489. Under the Act on Early Childhood Education and Care, the municipality must ensure that children's early childhood education and care can be provided in the Sámi language that is the child's mother tongue. An appropriation of EUR 120,000 was granted in the state budget for early childhood education and care in the Sámi language provided in the Sámi Homeland.

490. In 2016, early childhood education and care in their mother tongue as required under the Act on Early Childhood Education and Care (36/1973) was provided for a total of 105 children, of whom 76 lived in the Sámi Homeland. In spring 2017, a total of 174 children under the school age received early childhood education and care in Sámi. A total of 89 children received day care in Sámi, of whom 60 lived in the Sámi Homeland and 29 outside this area. Until spring 2017, Northern Sami was the only language used in Sámi day care. Day care in Inari Sámi was launched in autumn 2017. At the same time, Northern Sámi day care was also launched in Sirkka village of Kittilä municipality (Levi Centre).

491. Finding qualified employees with language skills for early childhood education and care delivered in Sámi is difficult. There is a shortage of both kindergarten teachers and child carers. The shortage of labour is also reflected in the group sizes and the children's waiting times for a place in a group. There is also a shortage of substitute employees with language skills, and it is often necessary to use Finnish-speaking substitutes in the groups. No special kindergarten teacher services are available in Sámi in the cities or in the Sámi Homeland. Personal assistants needed by children with special needs for Sámi-language groups are difficult to find. The Sami Education Institute has launched the education of Sámi-speaking kindergarten teachers in cooperation with the University of Oulu as an exceptional programme in 2016, and this is likely to gradually improve the availability of competent staff with Sámi language skills. The programme was more popular than expected, and the cooperation project was initiated in autumn 2016. The students represent all three Sámi languages, and the majority of them work in Sámi early childhood education and care and are pursuing their studies as blended learning in addition to their work. It is expected that this education programme will significantly improve the operating preconditions of Sámi-language early childhood education and care and serve its expansion needs, as there is a serious shortage of professionals with language skills in this field.

#### *Language nests*

492. A language nest is a place of care for children in which all activities are carried out exclusively in Sámi from the start. The activities are based on organising day-care or open early childhood education and care activities in Sámi for under school-age children and afternoon activities for schoolchildren using the language immersion method. The language nests follow the principle of early total immersion.

493. Since 2011, the state budget has included a separate appropriation for Sámi language nest activities, the purpose of which is to safeguard the continuity and development of cultural and language nest activities in Skolt Sámi, Inari Sámi and Northern Sámi. The funding reserved for the language nests in the Budget for 2017 is EUR 900,000 (EUR 700,000 in the Sámi Homeland and EUR 200,000 outside it). The annual operating grants for the language nest are

allocated by the Sámi Parliament. In recent years, the grant has covered the main part of the language nests' operating expenses.

494. A total of 85 children participated in the language nest activities in spring 2017, of whom 54 lived in the Sámi Homeland and 31 outside this area. The number of participating children was a total of 28 in Inari Sámi language nests, 11 in Skolt Sámi nests and 46 in Northern Sámi nests.

495. A total of nine Sámi language nests operate in the municipalities of Utsjoki, Inari and Sodankylä, of which the Inari and Skolt Sámi nests operate in Inari. So far, there are no language nest activities in Enontekiö. One of the language nests in Sodankylä municipality operates at a municipal centre outside the Sámi Homeland. Sámi day care has been provided in the Northern and Inari Sámi languages since autumn 2017. The following is a list of the Sámi-language early childhood education and care units:

496. Inari municipality:

- Northern Sámi day-care centre group Urbi in Inari
- Northern Sámi day-care centre group Násti in Ivalo
- Skolt Sámi language nest Če'vetjääu'r ħiöllpie'ss in Sevettijärvi
- Skolt Sámi language nest Pe'sser in Ivalo
- Inari Sámi language nest Kuáti in Inari
- Inari Sámi language nest Piervâl in Inari, which also has a group receiving day care in their mother tongue since autumn 2017
- Inari Sámi language nest Piäju in Ivalo

497. Sodankylä municipality:

- Northern Sámi language nest Biedju in Vuotso
- Northern Sámi language nest in Sodankylä centre

498. Utsjoki municipality:

- Northern Sámi day-care centre Gollerássi in Karigasniemi
- Northern Sámi language nest in Karigasniemi
- Northern Sámi day-care centre group Duottaraski in Utsjoki
- Northern Sámi language nest in Utsjoki

499. Enontekiö municipality:

- Northern Sámi day-care centre Miessi in Heta
- Northern Sámi day-care centre Lávvu, a services outsourced to a day-care centre operating in connection with Karesuvanto Sámi school in Sweden

500. Sámi-language early childhood education and care units operating outside the Sámi Homeland:

501. City of Rovaniemi:

- Northern Sámi day-care centre in Karinrakka
- Northern Sámi language nest in Karinrakka

502. City of Oulu:

- A Northern Sámi early childhood education and care group at Mäntylä-Snelmann day-care centre, which has both a Sámi-language day-care centre group and a language nest

503. City of Helsinki:

- Northern Sámi group at day-care centre Troolari in Ruoholahti
- Northern Sámi language nest Máttabiegga in Länsi-Pasila

504. Kittilä municipality:

- Northern Sámi group in Sirkka day-care centre

505. Outside the Sámi Homeland, language nest activities have been launched in the following localities:

- Northern Sámi language nest in Helsinki
- Northern Sámi language nest in Rovaniemi
- Northern Sámi language nest in Oulu
- Northern Sámi language nest in Sodankylä centre

506. Sámi-language early childhood education and care units elsewhere in Finland:

507. City of Rovaniemi:

- Sámi-language day care centre

508. City of Oulu:

- Mäntylä-Snelmann day care centre, Sámi-language early childhood education and care section

509. City of Helsinki:

- Day care centre Troolari, Sámi-language group, Ruoholahti

### *Basic education*

510. Pupils living in the Sámi Homeland with knowledge of the Sámi language have the right to basic education in their own language. Sámi is also taught as a mother tongue and literature subject, which is associated with instruction of Finnish or Swedish following a special syllabus adapted for Sámi speakers. Sámi may also be taught as a long foreign language syllabus beginning in the lower grades of basic education and a short foreign language syllabus beginning in the higher grades of basic education or in general upper secondary school. Sámi may also be used in language immersion programmes and as a teaching language in bilingual education. The provisions apply to all three Sámi languages. In the Sámi Homeland municipalities, national syllabi and divisions into lesson-hours are followed in the teaching of and in the Sámi language. Appropriations to cover expenditure on teaching provided in Sámi in the Sámi Homeland are granted from the state budget. The appropriation fully covers this expenditure on teaching.

511. In basic education, the linguistic rights of the Sámi are best realised in the education provided in the Sámi Homeland. The number of students participating in teaching in Inari Sámi serves as an indication of successful language revival and comprehensive funding provided for the education: the student numbers have regularly increased since the 1990s, when no students participated in teaching in Inari Sámi.

512. In school year 2016–2017, education in a Sámi language was provided for 213 pupils, of whom 176 were taught in Northern Sámi. 354 pupils studied Sámi as a free-choice/optional language (2 weekly lesson-hours). The total number of students of the Sámi languages was

584. In addition, 93 pupils studied Sámi outside the Sámi Homeland, 15 of whom at native level.

513. In school year 2016–2017, education in Inari Sámi was provided for 34 pupils, and 49 pupils studied it as a foreign language. Three pupils received teaching delivered in Skolt Sámi in mother tongue, music and religion, while 28 pupils studied Skolt Sámi as a foreign language.

514. In addition, 93 pupils studied Sámi outside the Sámi Homeland, 15 of whom at native level (in school year 2015–2016).

515. The bilingual teaching that started in Utsjoki in 2015 continues. Approximately one half of the instruction comprises Sámi language immersion. In Heta, Enontekiö, language-enriched bilingual teaching was launched in autumn 2016, in which Sámi language immersion is used as a teaching method.

516. The challenge to basic education provided in Sámi lies in a lack of qualified subject teachers as well as learning materials of a good quality based on the Sámi culture. The problem related to teacher availability has exacerbated in recent years. The situation of Inari and Skolt Sámi gives particular cause for concern.

517. The number of teaching hours allocated to instruction in and of the Sámi language granted to the municipalities in the Sámi Homeland increased in 2017 by almost 4,600 lesson-hours compared to 2015. The volume of teaching provided has increased from year to year.

518. The Sámi Homeland municipalities have prepared and adopted their own curricula for the Sámi language teaching. While the curricula introduced in autumn 2016 are based on the national core curricula, their preparation was more or less based on local elements.

#### *Teaching of the Sámi language outside the Sámi Homeland*

519. According to data collected by the Sámi Parliament in connection with the most recent elections, as many as over 70% of the Sámi children and young people are living outside the Sámi Homeland. Sámi-language teaching outside the Homeland is possible under a Ministry of Education and Culture decree (1777/2009). The ministry has lowered the size requirement of the teaching group that is a precondition for receiving the government transfer from four to two pupils. No obligation to provide teaching of the Sámi languages is imposed on education providers operating outside the Homeland.

520. Outside the Sámi Homeland municipalities, only teaching of the Sámi language that complements basic education is provided (2 weekly lesson-hours), and the availability of this instruction is uncertain from year to year, the accessibility of the instruction is poor, the number of pupils is low, and the language does not have proper status as a subject.

521. The number of pupils attending teaching of a Sámi language outside the Sámi Homeland municipalities is low, or some 15 % of the total of 93 pupils receiving Sámi language teaching.

#### *General upper secondary education*

522. In general upper secondary school and secondary-level vocational education and training, instruction can be provided in Sámi. Sámi can also be studied as a mother tongue and literature subject and an optional subject (a foreign language).

523. As far as general upper secondary schools are concerned, the Sámi General Upper Secondary School in Utsjoki is the only one that has also provided instruction in Northern Sámi in some subjects. Ivalo General Upper Secondary School provided instruction of the Sámi language as distance learning in school year 2016–2017 for six students living outside the Sámi Homeland, three of whom studied the subject as their mother tongue subject.

524. In the matriculation examination, the mother tongue examination can be taken in Inari and Northern Sámi, and since the 2012 matriculation examination, it is also possible to take the mother tongue examination in Skolt Sámi. A foreign language examination can be taken in Northern, Inari and Skolt Sámi. The opportunity of taking the entire matriculation examination in Sámi would greatly impact Sámi studies. The Matriculation Examination Board is looking into the matter on the initiative of the Sámi Parliament.

#### *Vocational education and training*

525. In vocational education and training, students can study the mother tongue syllabus for Sámi. The Sámi Education Institute (*Sámi oahpahusguovddáš*) is the only vocational institute in Finland whose official teaching languages are Sámi and Finnish and where all students in different programmes take at least one course in the Sámi language. The institute has a significant impact on reviving the Sámi language among the adult Sámi population, as it organises intensive training programmes of one academic year in length in all three Sámi languages. The Sámi Education Institute also organises online courses of different levels in the Sámi languages, which make it possible to study the language regardless of where the student lives.

#### *Education at universities and universities of applied sciences*

526. See sections 342–344.

#### *Distance learning of the Sámi Language*

527. The virtual school of the Sámi Education Institute has developed online pedagogy and technical solutions for virtual teaching in the Sámi languages since 2004, and the Institute can even be considered a national pioneer in this field. The Institute would have technical and pedagogic capabilities for initiating teaching of the Sámi languages relying on remote connections, also for basic education pupils around the country. So far this has not been possible as under the Basic Education Act, the instruction provided for pupils in the compulsory education age must be contact teaching, and also because of funding-related problems.

#### *Work on Sámi learning materials*

528. An appropriation has been set aside in the state budget for supporting Sámi learning materials. The amount of this subsidy has been increased in recent years, and it now is EUR 500,000. The work to produce learning materials, especially for Inari and Skolt Sámi, has intensified and good results have been achieved. The Sámi Parliament plans, administrates, produces, markets and distributes the Sámi-language learning materials published in Finland. In years to come, the Sámi Parliament aims to shift the emphasis in the learning material work towards digital materials.

529. Some 40 projects were funded by government grants in 2016. During the year, seven new sets of material were completed in Northern Sámi, three in Inari Sámi, two in Skolt Sámi and two that comprise all three languages. The funds were also used to purchase user rights to the updated Northern Sámi mother tongue materials provided online, including an e-ABC book, e-grammar and e-exercises, for teachers who teach a Sámi language or a Sámi-language class. The Sámi Parliament has also continued its cooperation with the *Sámi Giellatekno* project administrated by the University of Tromsø aiming to produce a translation programme, a digital dictionary and a spellchecker for Inari Sámi. A version of the Inari Sámi dictionary has been published at: [saanih.oahpa.no](http://saanih.oahpa.no). In cooperation with *Sanoma Kids Media*, the Sámi Parliament has published a section of Sámi language fairy tales in the company's fairy tale

library, where the stories can be both read and listened to free of charge<sup>97</sup>. The publication of online audiobooks expands Sámi language environments, which are particularly vital for children growing outside the Sámi Homeland.

### *Evaluation of learning outcomes in Sámi languages*

530. The Finnish Education Evaluation Centre carried out its first evaluation of learning outcomes in the Sámi languages<sup>98</sup> in 2015. The evaluation report was published on 3 May 2016. In the evaluation of learning outcomes in Sámi as the mother tongue, the pupils on average achieved 60% of the maximum score in the test, and in the evaluation of Sámi as the A language, the average proportion of correct answers was 46%. In all Sámi languages, the pupils were the most successful in listening comprehension assignments.

531. The development proposals contained in the report include requiring that teachers instructing Sámi should have a subject teacher's qualification and that continuing education related to Sámi language teaching should be offered to teachers regularly every year. The pupils should also have more opportunities of using the language outside the school, and transfrontier cooperation should be increased, for example by organising school camps and using online connections.

### *Teachers' continuing education*

532. Central government aid to the Osaava programme for teachers' continuing professional development is administrated by the Regional State Administrative Agency. The Regional State Administrative Agency communicates about the programme, promotes the establishment of networks and cooperation in line with the programme objectives, monitors and assesses the progress of funded network projects and promotes the spreading of good practices regionally and in national cooperation. As from 2010, the Regional State Administrative Agency for Lapland has made government grants under the Osaava programme totalling EUR 127,000 available also for developing the competence of teachers in the Sámi area. The Osaava programme ended at the end of 2016.

533. The Regional State Administrative Agency has organised continuing education events only intended for Sámi-speaking teachers annually, and in addition, teachers who teach Sámi or in Sámi have been able to participate in other training events organised by the Agency.

534. Supported by a central government grant allocated to it by the Finnish National Board of Education, the Sámi Parliament and the University of Oulu's *Giellagas Institute* implemented a training project for personnel working with Sámi-language teaching titled Sámi language immersion at school – supporting the pupils' own language and culture in teaching in 2015–2015. Around 40 employees of Sámi-language early childhood education and care and education participated in the training. Other project partners were the Sámi University of Applied Sciences *Sámi allaskuvla* and the University of Vaasa. Those who completed the training were issued with certificates showing six academic credits. The Sámi Parliament continued to receive a central government grant from the Finnish National Board of Education for editing a thematic book on Sámi language immersion teaching. The book is due to come out in late 2017.

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<sup>97</sup> <https://lastenoma.satukirjasto.fi/saame>

<sup>98</sup> <https://karvi.fi/2016/05/03/uhanalaisten-saamen-kielten-oppimistulokset-arvioitu-ensimmaista-kertaa-elvytystoimia-tarvitaan-edelleen/>

### *Labour force training*

535. The ELY Centre for Lapland has procured labour force training provided in the Sámi area annually, and approximately EUR 100,000 has been spent on these procurements every year. Elements that promote the Sámi language and culture combined with support for livelihoods have been prominent in the contents of the training. The Sámi Education Institute has provided the following programmes among others: Further Vocational Qualification in Sámi crafts, module on leather and fur products; training in log building; fish processing and further processing; as well as a Further Vocational Qualification in Tourism Activities. Education and training have been organised in Inari, Enontekiö and Ivalo. The duration of the programmes has varied between 25 to 133 working days.

## ARTICLE 9: JUDICIAL AUTHORITIES

### *Judiciary*

536. Under Chapter 4, section 1, subsection 2 of the Code of Judicial Procedure, the Sámi language can be used as the process language in the Sámi Homeland. Despite the efforts of the Lapland District Court to promote this, few Sámi people wish to use their mother tongue before the district court. This is due to a number of reasons, including the fact that there are no judges or other staff members in the district court who would speak Sámi as their mother tongues. The Sámi people are also accustomed to using Finnish in court proceedings.

537. In keeping with its equality and non-discrimination plan, the Ministry of Justice charted the need for translating forms in its administrative branch into Sámi. Information was requested from the Ministry of Justice's branch of administration, other agencies and the Sámi Parliament. The majority of respondents did not have Sámi-language forms; however, some had a Sámi website, for example, or the possibility of using an interpreter or have decisions translated into Sámi. The stakeholders who responded to the Ministry of Justice's request for information had not received demands to provide more forms in the Sámi languages. Many felt that Sámi-speaking customers were few or that the customers chose to use Finnish to conduct their business. In the Sámi Homeland, however, customers speaking the Sámi language use the authorities' services. Some of the respondents reported that they would promote or examine the availability of material in Sámi in the future. The fact that translations very soon go out of date and thus offer outdated information to the customers was also experienced as a problem by some respondents.

### *Police administration*

538. As part of efforts to safeguard the realisation of linguistic rights, the National Police Board appointed a working group to assess the implementation of access to police services in different languages, assisted in the preparation of a report on service accessibility, and submitted to the National Police Commissioner a final report containing development proposals. The mandate of the working group extended from 1 April to 31 October 2013. According to the working group's final report<sup>99</sup>, the situation is poor where the Sámi languages are concerned. In its final report, the working group made several proposals for improving the linguistic rights of the Sámi (including translating forms into Sámi and establishing centralised Sámi-speaking police services).

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<sup>99</sup> Språklig polisservice, Arbetsgruppen för språklig polisservice, slutrapport, (Police services provided in different languages. Final report of a working group on police services), National Police Board publications 2/2013).

539. According to the Lapland Police Department, the Sámi people rarely wish to use their own language before the police. This is explained by the possibility that the process would be slowed down if interpretation or translation services were requested. However, the police take the linguistic rights of the Sámi people into account in all police activities, and services can be provided in their mother tongues if they so wish. In the last year, the Lapland Police Department has translated different forms, for example notifications of a fine, into Sámi.

#### *Border Guard*

540. In the Border Guard's equality and non-discrimination plan, realising the linguistic and cultural rights of the Sámi is mentioned as a special question.

541. The Sámi Homeland is located within the operating area of the Lapland Border Guard District. The Lapland Border Guard District strives to offer as good a service as possible in Sámi during office hours at each of its customer service points located in the Sámi Homeland. It is estimated that there are currently ten border guards or public officials serving in an office other than a military one who can communicate in Sámi.

542. The Lapland Border Guard District has followed a plan prepared to improve the Sámi language skills of the border guards serving in this area. The District has supported public officials' Sámi studies by granting them paid leave pursuant to section 25 of the Sámi Language Act. In addition to supporting independent language studies, the Lapland Border Guard District has organised teaching of Sámi for public officials in cooperation with the Sámi Education Institute.

543. Official forms and instructions have been translated into Sámi, and the District has also liaised with other authorities, including the Police and the Defence Forces, in the context of the translation work. The Border Guard has already translated some of its brochures, including the border zone brochure, as well as signs into different languages and also Sámi. In Ivalo, the warning signs for the shooting range of the Border Jaeger Company in the terrain have been replaced and are now provided in all three Sámi languages. A Border Guard website in Northern Sámi ([www.raja.fi/se](http://www.raja.fi/se)) was launched in October 2012. In addition to information on the Border Guard, the website currently offers four forms translated into Sámi: two forms intended for applying for border zone permits, an application form for military service in the Border Jaeger Company, and an application form to Border Guard basic course. Instructions for appealing to the administrative court have also been translated into Sámi.

544. As part of the work carried out by the communications division of the regional preparedness committee, the Lapland Border Guard District participated in 2014 in a project that formulated, collected and later translated into the three Sámi languages the phrases used in emergency alerts in cooperation with the Police and rescue services. The purpose of collecting the phrases was to speed up the translation of emergency alerts in emergency situations and to facilitate the production of radio bulletins released by the Border Guard. Bulletins and alerts are published on the Border Guard's website<sup>100</sup>.

545. When border and coast guards are recruited, the applicants may score additional points in the selection process for Sámi, Russian and Chinese skills.

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<sup>100</sup> [http://www.raja.fi/www-sivusto\\_saame/lappi\\_r\\_djegov\\_hus/v\\_ruhusalmmuhusat](http://www.raja.fi/www-sivusto_saame/lappi_r_djegov_hus/v_ruhusalmmuhusat)



## ARTICLE 10: ADMINISTRATIVE AUTHORITIES AND PUBLIC SERVICES

### *Defence administration*

546. The realisation of Sámi speakers' rights in the Finnish Defence Forces was last evaluated in 2015. No problems or ambiguities have been encountered in the practical implementation of the Sámi Language Act. Call-up notices to all those liable for military service in the four Sámi-speaking municipalities were sent out in Finnish and in Skolt, Northern and Inari Sámi. Instructions for attending call-ups translated into the three Sámi languages were attached to these notices.

547. At call-ups, the Sámi speakers' statutory right to use the Sámi language before the authorities in the Sámi Homeland laid down in the Sámi Language Act (1086/2003, section 12) has been provided for by ensuring that the call-up board operating in the area of the aforementioned four Sámi municipalities has included a Sámi-speaking member who has served as an interpreter when required. As a rule, interpretation has not been necessary. As for written communication with the authorities, documents have been translated where needed into the customer's Sámi language by translators assigned by the Sámi Parliament. The annual number of Sámi speakers liable for military service is 30 to 40. No administrative or other complaints have come to light concerning inability to provide services for conscripts in compliance with the Sámi Language Act.

548. The Defence Forces have looked into the possibility of translating the basic tests completed during military training referred to in the Conscription Act (1438/2007, section 64) into Sámi. The results obtained in the basic tests are used as a criteria when selecting conscripts for training and duties. The outcome was that, for practical reasons, the basic test cannot be introduced in the Sámi language. As a challenge emerged that the preconditions for producing a new language version of the basic tests would have included not only the translation work but also verifying the statistical functionality of the new test and collecting reference data with a sufficiently large sample (approx. 300–500 people). In this respect, the number of Sámi-speakers who are liable for military service and start their service is too small.

549. In the norms on basic tests and the conscripts' duties and selections, which were updated in 2014–2015, the Defence Forces issued the following orders concerning completion of the tests and absence of test results: the conscripts complete the basic tests in their mother tongue, either in Finnish or Swedish. If the conscript to be tested speaks a language other than Finnish or Swedish as their mother tongue, the tests will not be taken. If a conscript does not take the basic tests because their mother tongue is a language other than Finnish or Swedish, they will be given selection points that make up for this score based on an assessment of suitability conducted by the instructing officer. The criteria for producing this assessment of suitability are given in the second one of the norms cited above. This way, a conscript score on the training selection form will not groundlessly be lower. Consequently, Sámi speakers also have access to special duties and, for example, leadership training. This change that entered into force on 1 January 2015 represents an effort to promote the fair treatment of conscripts and to ensure that the prohibition of discrimination in section 56 of the Conscription Act is complied with.

550. Under section 39 of the Language Act (423/2003), the language of Defence Force units is Finnish. However, there shall be at least one Swedish-speaking unit. The language of command of the Defence Forces is Finnish. Under section 55 of the Conscription Act, the training language for conscripts is Finnish or Swedish. For this reason, any learning materials are prepared in Finnish and Swedish.

551. If the Defence Forces organise exercises in the Sámi Homeland, mainly north of Vuotso, any information bulletins and administrative decisions concerning the exercises must be published in Sámi, and the bulletins must be broadcast by a Sámi radio station.

### *Social welfare and health care services*

552. Since 2002, the state budget has contained a separate central government transfer granted for one year at a time for securing the availability of Sámi-language social welfare and health care services in the Sámi Homeland. This transfer is allocated to cover the expenditure on social welfare and health care services provided in all Sámi languages. The central government transfer for securing Sámi-language social welfare and health care services (a fixed appropriation) was EUR 480,000 in the 2016 Budget.

553. Responsibility for providing Sámi-language services mainly rests with the municipalities. Some services are also outsourced to NGOs. However, the offer of Sámi-language social welfare and health care services is insufficient, and bilingual professionals are not always available, or their Sámi language skills are inadequate. There is a lack of material in Inari and Skolt Sámi.

554. At general level, the exceptionally sparse population and large surface areas of the municipalities set challenges for organising social welfare and health care services in the Sámi Homeland. The services are concentrated in municipal centres, and private service providers in this region are practically non-existent. The Sámi people in the Homeland mainly live in their traditional scattered settlements, and distances to the services are often long.<sup>101</sup>

555. The Ministry of Social Affairs and Health and the Sámi Parliament organised a development seminar on Sámi-language social welfare and health care services in Inari in September 2013. At the seminar, a presentation was delivered on a study in the well-being and health of the Sámi population conducted by the University of Lapland and funded by the Ministry of Social Affairs and Health<sup>102</sup>. The study showed that the Sámi people are considerably less satisfied with the social welfare and health care services than the mainstream population. According to this survey (interviews with 118 respondents), the level of satisfaction with social welfare services was as low as 28% and with health services 55%.

556. A project titled SaKaste sought to build up the competence related to the Sámi language and culture of social welfare and health care personnel working in the Sámi Homeland. Operating models and tools for the personnel were developed, especially for early childhood education and care and work with older people. The tool kit for work with older people is an online guide produced in 2013 titled "*What to do when my client is an older Sámi person?*". Unique local features are added to the guide in each area.

557. Sami-Soster, a national association focusing on the social and health care of the Sámi people, considers it important that the right of the Sámi as an indigenous people to receive social and health care services provided in their language and consistent with their culture is safeguarded, at least in the Sámi Homeland, by a statute at the level of an act that is sufficiently precise and unambiguously obliging to the party organising the service.

558. In February 2015, a seminar on transfrontier cooperation of the Sámi was held in Inari. The event was organised by the Regional State Administrative Agency for Northern Finland, the Sámi Parliament and the Ministry of Social Affairs and Health. Particular topics discussed at the

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<sup>101</sup> Niskala Asta & Räisänen Rea (ed.) 2016: Lapin sairaanhoitopiirin alueen sosiaali- ja terveydenhuollon palveluiden nykytilan kuvaus (Description of the current state of social welfare and health care services in the Lapland Hospital District), Hospital District of Lapland and Centre of Expertise of Northern Finland, p. 48.

<sup>102</sup> Saamelaisten hyvä elämä ja hyvinvointipalvelut (Good life and welfare services for the Sámi), <http://www.doria.fi/handle/10024/92140>

seminar included the quality and accessibility of Sámi-language services and cooperation between Norway and Finland.

559. As part of the Government's key project 'Health and wellbeing will be fostered and inequalities reduced', the Ministry of Social Affairs and Health has granted project funding for 2017-2018 to Utsjoki municipality for a project on providing first aid for those at risk from suicide. The project targets the Sámi population. It has links with a Nordic suicide prevention project, which is funded by the Nordic Council of Ministers, and the Rising Sun project of the Arctic Council.

560. The University of Lapland has been granted European Social Fund financing for a project that promotes the well-being and equality of the Sámi people. The goal of the project is to look at the service situation of those living outside the Sámi Homeland from the viewpoint of social inclusion. The project will conclude in 2018.

### *Report on the current status of Sámi-language services*

561. In November–December 2016, the Sámi Parliament and the Sámi unit of the Centre of Expertise on Social Welfare of Northern Finland charted the current status of Sámi-language services for children, young people and families in Finland<sup>103</sup>. This survey was commissioned by the Ministry of Social Affairs and Health.

562. The survey examined the current status of services available for Sámi children, young people and families. It covered early childhood education and care, cultural, youth, leisure, library, museum as well as social welfare and health care services. The report discusses the strengths and development needs of service provision and gives recommendations for filling in gaps in services. The review focused on services of municipalities, parishes and other stakeholders providing Sámi-language services in the Sámi Homeland and, outside the Homeland, on services provided in Rovaniemi, Oulu, Tampere, Jyväskylä and the Helsinki metropolitan area.

563. The survey indicates that the right of Sámi speakers to services provided in their own language is realised poorly. In the Sámi Homeland, the situation is slightly better than outside it. However, differences between individual languages are also substantial in the Sámi Homeland. The poorest situation both in the Homeland and elsewhere in Finland is faced by Skolt Sámi speakers. The best selection of Sámi-languages services in the Homeland is available in Utsjoki municipality. The availability of Sámi-language services is the best in early childhood education and care, basic education and home services for older people, and the poorest in youth work and leisure time, cultural, sports and library services.

564. In the Lapland Hospital District, Sámi-language services are mainly provided by using interpretation.<sup>104</sup> Emergency care situations where interpretation cannot be pre-arranged are a challenge. Sámi-speaking older persons with memory disorders and Sámi children have been identified as client groups who cannot manage in Finnish. The care personnel has access to a Northern Sámi phrase book<sup>105</sup>, especially to support the care of persons with memory disorders and for situations where interpretation cannot be arranged. The personnel have also been offered language training paid for by the employer in their free time. Language proficiency is not taken into account in pay, but Sámi language skills may be emphasised in recruitments in case of applicants who are otherwise equal.<sup>106</sup>

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<sup>103</sup> [http://www.samediggi.fi/index.php?option=com\\_content&task=view&id=1314&Itemid=149](http://www.samediggi.fi/index.php?option=com_content&task=view&id=1314&Itemid=149)

<sup>104</sup> See section 5.1.2

<sup>105</sup> <http://www.sosiaalikallega.fi/uutiset/saamenkielisen-muistisairaan-hoidon-avuksi-fraasisanakirja> (referred to on 5 January 2017).

<sup>106</sup> Lapland Hospital District (video conference on 3 January 2017).

565. The Lapland Hospital District website has a Northern Sámi section, and information on patient rights, for instance, is also available in the other Sámi languages to a variable degree.

566. Transfrontier cooperation does not alleviate the problems associated with specialised medical care services for Inari and Skolt Sámi speakers. Special measures will be needed to safeguard them, for example by improving the availability of personnel with language skills, providing more language and cultural training, resorting to special measures in recruitments and introducing an interpretation service. Additionally, closer cooperation with the Skolt village meeting will be needed.<sup>107</sup> In addition to specialised medical care services, this also applies to other social welfare and health care services.

567. Studies show that on average, Sámi-language social welfare services are more readily available than health care services. The availability of social welfare services in Sámi has also improved somewhat in recent years, but as a whole, the offer remains meagre. Sámi-language services for the disabled or child welfare services, for example, are not available in practice. Sámi-language social work, intoxicant abuse work and crisis assistance services are also few and far between. On the other hand, in many areas the respondents are satisfied with home services for older persons and children's day care.<sup>108</sup>

568. The need for Sámi-language services is highlighted in the care for older people and services for persons with memory disorders. Older Sámi people and those with memory disorders often only speak Sámi. If Sámi-language services are available not at all or only occasionally, the clients' communication may be severely restricted.<sup>109</sup> Sámi-speaking children are also in a particularly vulnerable position when services in their language are not available. In practice, Sámi-speaking children with disabilities are now forced to grow up as Finnish speakers, as all rehabilitation services are provided in Finnish and in line with the Finnish culture. No speech or other therapies are available in the Sámi languages in Finland, and cross-border services are either complicated to use or not available.<sup>110</sup>

569. Developing Sámi-speaking online services is a good way of promoting the linguistic rights of Sámi speakers in social welfare and health care. Through online services, Sámi speakers can be reached both in the Homeland and outside it.

570. The Sámi Language Council, which operates in conjunction with the Sámi Parliament, grants an annual Sámi Language Act of the Year award to a service provider for having promoted the status of Sámi and Sámi-language services in Finland. The Language Act award of 2015 was presented to the Helsinki and Uusimaa Hospital District and its partners for a self-care guide in Northern Sámi for treating depression developed in the Mielenterveystalo.fi project.<sup>111</sup>

571. SámiSoster association has produced the Sámi culture sensitive *Muitogiisá material bank* to support the families of Sámi speakers with memory disorders and social welfare and health

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<sup>107</sup> Niskala Asta, Räisänen Rea & Martin Maria (ed. 1 July 2016): Lapin sairaanhoitopiirin alueen sosiaali- ja terveydenhuollon tulevaisuuden palveluprosessit (Future social welfare and health care service processes in the Lapland Hospital District). Final report, p. 71.

<sup>108</sup> Sámi Barometer 2016, pp. 30–31; Heikkilä Lydia, Laiti-Hedemäki Elsa ja Pohjola Anneli (2013): Saamelaiden hyvä elämä ja hyvinvointipalvelut. (Good life and welfare services for the Sámi.) Lapin yliopistokustannus, Rovaniemi 2013, pp. 97–157.

<sup>109</sup> Statements of the Sámi Parliament (27 June 2016) and SámiSoster association (31 May 2016) to the Ministry of Justice.

<sup>110</sup> Niskala Asta & Räisänen Rea (ed.) 2016: Lapin sairaanhoitopiirin alueen sosiaali- ja terveydenhuollon palveluiden nykytilan kuvaus (Description of the current state of social welfare and health care services in the Lapland Hospital District), Hospital District of Lapland and Centre of Expertise of Northern Finland, pp. 51-54.

<sup>111</sup> Yle web news 22 December 2015 at 13:01 [http://yle.fi/uutiset/osasto/sapmi/saamen\\_kieliteko\\_-\\_palkinto\\_saamenkieliselle\\_masennuksen\\_omahoito-ohjelmalle/8544469](http://yle.fi/uutiset/osasto/sapmi/saamen_kieliteko_-_palkinto_saamenkieliselle_masennuksen_omahoito-ohjelmalle/8544469) (referred to on 11 November 2016).

care professionals. Among other things, the material bank contains information on the Sámi culture and language. *Muitogiisá* is also suited for planning cross-generational activities and for teaching use.<sup>112</sup> SámiSoster association has implemented *Muitogiisa*, a material bank that is sensitive to the Sámi culture and associated with the *Muittohallat – Muistutella* activities. The association also currently implements culturally sensitive intoxicant abuse work that draws on nature in a project titled *Goaikkanas – saamelaiset voimavarat päihdetyöhön* (Sámi resources in intoxicant abuse welfare work) and *Birgen ruovttus – Pärjään kotona* (I can cope at home) activities that support the well-being of older Sámi people and informal carers. In addition, the association launched this year a new project titled *Coahkis – Koossa* (Together), which aims to promote the well-being of and provision of health advice for the Sámi by collating existing material to form an online material bank, thus improving the availability of health advisory material in Sámi.

### *Labour Administration*

572. The TE Office for Lapland has 14 offices as well as local joint service and virtual service branches. Separate instructions for using the services have been published in Northern Sámi, Inari Sámi and Skolt Sámi. If necessary, interpretation services and translations of documents have been used to provide services for Sámi-speaking customers, as sufficient numbers of staff who speak these languages are not available.

### *Sámi language in the Evangelical Lutheran Church*

573. Three Sámi-speaking pastors are currently working in the posts dedicated to work with the Sámi in the parishes of the Sámi Homeland (Sámi priests in Enontekiö and Inari and the vicar of Inari). The Diocese of Oulu has a secretary for Sámi work, and in the Church Council, Sámi work has been assigned to the office holder in one of the operative departments. The advisory body on Sámi work within the Church Council coordinates and develops Sámi-language activities in all areas of Finland. The mandate of the current advisory body extends from 2017 to 2020.<sup>113</sup>

574. A hymn book in Northern and Inari Sámi came out in 1993 and a New Testament in Northern Sámi in 1998. In these books, the contemporary method of notation is used. A translation of the Old Testament into Northern Sámi is about to be completed. Other religious books have also been translated into Northern and Inari Sámi.

575. Yle Sápmi broadcasts religious programmes in Inari and Northern Sámi.

### *Sámi language in the Orthodox Church*

576. The Skolt Sámi have traditionally been members of the Orthodox Church. The traditions of the Orthodox religion are part of the Skolt Sámi culture, and religion has a great importance as a factor that unites the Skolt Sámi.

577. The Skolt Sámi language has not had a very strong status in the church, but in recent years, this language has been increasingly used in church activities. Skolt Sámi is spoken in the Lapland Orthodox Parish. Services in Sámi can be conducted based on such translations as Johannes Chrysostomus' handbook of the priest, or liturgy, and the handbook of Orthodox knowledge into Skolt Sámi. A Skolt Sámi prayer book was published in 1983, and the Gospel of John in 1988.

578. YLE Sápmi broadcasts religious programmes in Skolt Sámi.

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<sup>112</sup> [www.samisoster.fi/muitogiisa](http://www.samisoster.fi/muitogiisa) (referred to on 5 December 2016).

<sup>113</sup> <http://www.oulunhiippakunta.evl.fi/tyoalat/saamelaistyo/>

579. There are three Orthodox churches and a chapel in Inari municipality. In Kerijärvi, there is a chapel ('tsasouna') built on donated funds and by volunteer workers for ecumenical use.

580. A priest and a cantor employed by the Orthodox parish of Lapland are stationed in Ivalo to serve the Skolt Sámi and other Orthodox Church members in the northernmost municipalities.

581. The most important readings and hymns of the Orthodox Church have also been translated into Skolt Sámi. The Skolt Sámi version of the Handbook of Orthodox faith communicates the religious traditions for Skolt Sámi speakers of different ages.

### *Emergency Response Centres*

582. The Emergency Response Centre Administration has employed Sámi speakers from time to time, but guaranteeing 24-hour service in Sámi has not been possible. When filling the posts of duty officers at Emergency Response Centres, Sámi language skills can be considered an advantage for applicants. A language skills supplement following a personal appraisal discussion may also be paid to a staff member. Recruiting Sámi speakers to the Emergency Response Centre Administration can be considered challenging, however, considering the number of persons who speak Sámi in Finland. The Emergency Response Centre Administration has prepared for potential emergencies by producing ready-made translations of alerts into Sámi.

583. Under the Act on Emergency Alerts that entered into force in June 2013, emergency alerts must be broadcast in the three Sámi languages if the hazardous incident or its consequences affect the Sámi Homeland referred to in section 4 of the Act on the Sámi Parliament (974/1995). In July 2013, the Regional State Administrative Agency for Lapland published a Sámi translation of an emergency alert manual, which supports the production of emergency alerts in Sámi. The manual was translated into the three Sámi languages spoken in Finland.

## ARTICLE 11: MEDIA

### *Television and radio broadcasts in Sámi*

584. Finnish Broadcasting Company's Sámi service, Yle Sápmi<sup>114</sup> located in Inari, fulfils the public service duty in the Sámi language. Yle Sápmi is one of the regional news and current affairs services, but its contents are also followed outside the Sámi area and it serves the Sámi community living in all parts of Finland. The use of Sámi-language services on the web has increased considerably.

585. The Yle Sápmi service produces news, current affairs and cultural content in Sámi on weekdays, as well as programmes for children and young people and religious content in all three Sámi languages for the radio, television and its website. Yle Sápmi has its own radio channel, an online service in four languages, and 30 yearly episodes of a Sámi-language children's programme on television, as well as two daily news broadcasts.

586. A joint Nordic news broadcast, *Ođđasat*, is transmitted every day ten months of the year. Additionally, Yle launched its own Sámi-language TV news broadcast, *Yle Ođđasat*, in late 2013, which is watched by some 130,000 spectators every day. Inari and Skolt Sámi were introduced as languages used by newscasters in this programme, in addition to Northern Sámi.

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<sup>114</sup> <https://yle.fi/uutiset/osasto/sapmi/>

587. Yle Sápmi continued to produce a children's programme titled *Unna Junná* and *Sohkaršohkka*, a radio programme for young adults. A new, one-off television programme for young adults, *Sohkaršohkka*, was piloted. It was produced in three Sámi languages in cooperation with the Arts Promotion Centre and the Sámi Education Institute in 2016.

588. A new mid-day radio broadcast, *Dearvva! Tiörv! Tiervâ! or Hello!* was launched in early 2015. It is broadcast in Inari Sámi on Tuesdays and Skolt Sámi on Wednesdays. The purpose of this new programme is to offer Sámi content in the daytime when many people listen to the radio in the workplace, in the forest and in their cars.

589. Yle Sápmi is the Sámi-language news service with the widest coverage in Finland. Yle Sápmi produces the majority of its content in the Sámi languages, as an exception to other Sámi services that publish their web news, for example, mainly in the majority languages of Swedish or Norwegian.

590. The work to digitalise the archives of Yle Sami Radio made progress in 2016. The building of the Living Archive in Sámi began with the efforts of a single full-time employee. This work has been funded under the existing budget by cutting back on radio production. The archive contains invaluable cultural material going back to the 1970s in the three Sámi languages spoken in Finland. Digitalisation has been carried out in cooperation with the Sámi Culture Archive of the University of Oulu's *Giellagas* Institute.

### *Sámi press*

591. Lapin Kansa, a newspaper published in Rovaniemi, has included a few news items in Northern Sámi every week since 2012. Providing a news service in the minority language is enabled by a government grant (EUR 40,000 in 2016). The newspaper strives to produce Sámi material on a regular basis.

## ARTICLE 12: CULTURAL ACTIVITIES AND FACILITIES

### *Support for Sámi culture*

592. The Ministry of Education and Culture has prepared a state cultural policy development strategy for 2020.<sup>115</sup> Its purpose is to guide the activities of the Ministry of Education and Culture in the field of cultural policy. The aims under this strategy include supporting the Sámi Cultural Centre and new creative production arising from the Sámi culture in order to secure its status as an indigenous culture.

593. The Sámi culture is supported in many different ways in Finland. The general services and support forms for arts and culture are available for the Sámi on the same terms as for other population groups. Additionally, a specific appropriation is set aside in the state budget every year for supporting Sámi-language culture and Sámi organisations.

594. The separate appropriation is part of the special treatment given to the Sámi. Its purpose is to ensure that a certain minimum amount of the subsidies for arts and culture is used for the promotion of the Sámi culture. According to the principle of the Sámi cultural autonomy, the Sámi Parliament makes decisions on granting the subsidies. Subsidies are granted as actual cultural subsidies, such as project subsidies and grants for work activities, as grants for the activities of Sámi organisations and as publication subsidies. Each year, approx. 13.7 percent of the appropriations go to individual artists. Young artists in particular apply to the Sámi Parliament for subsidies at the beginning of their career. In addition, the committee may grant

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<sup>115</sup> Strategy for Cultural Policy 2020. Publications of the Ministry of Education and Culture 2009:12, <http://www.minedu.fi/export/sites/default/OPM/Julkaisut/2009/liitteet/opm12.pdf?lang=fi>.

a particular cultural award without an application. The amount of the cultural award is EUR 191,000 in 2017. In addition to the actual appropriation for supporting the Sámi culture, the Ministry of Education and Culture has supported Sámi children's culture as well as film and music centre activities annually from Lottery funds.

595. The subsidies granted to artists by the state art promotion system (state art committees, regional art committees, separate committees) and government transfers are also available to Sámi artists. The Arts Council (currently the Arts Promotion Centre Finland), national arts councils, the Board for Grants and Subsidies to Writers and Translators and the Board for Public Display Grants for Visual Artists receive some 14 to 20 applications from Sámi artists, and 2 to 4 applications from Sámi organisations. These represent approx. 0.3 percent of all applications. Most applications are received from artists in the fields of literature and the visual arts. Community applications are focused on activities such as film. About one half of the applicants receive a grant, with literature, visual arts and cinema as the key fields. Music has also received support in Lapland.

596. Each year, the Ministry of Education and Culture grants the Finnish Literature Society Government funding to translate, publish and introduce Finnish literature abroad and to promote literature in Finnish, Swedish and Sámi (various translation and printing subsidies). Since 2010, there have also been subsidies to publish the native language literature of Eastern Finno-Ugric nations and translate it into Finnish.

597. A state-owned Sámi Cultural Centre, *Sajos*<sup>116</sup>, was opened in the municipal centre of Inari in early 2012. The Centre serves both as an administrative centre for the Sámi Parliament and a versatile cultural centre. Its purpose is to give the Sámi people better capabilities for maintaining and developing their language, culture and industries on their own terms as well as managing and developing their cultural autonomy and to support the improvement of the general living conditions of the Sámi people.

598. The Ministry of Education and Culture provides an annual central government grant to maintain a Sámi library as part of the Rovaniemi City Library. In 2017, the amount of this grant was EUR 75,000. The task of this special library is to purchase material in and on the Sámi language extensively, to store the material in the library system, disseminate information about the material and assist general libraries in the Sámi Homeland in selecting materials, as well as offer information services on its special theme.

599. *Skábmagovat*, an annual film festival of indigenous peoples organised in Inari, offers a forum for the Sámi people in the area and other representatives of indigenous peoples for screening their films. Sámi National Theatre, *Beaivváš*, is based in Kautokeino, Norway, but it also tours the Sámi area in Finland. The Sámi Homeland in Finland does not have its own Sámi theatre.

600. Of the Sámi artists in Finland, 12% are writers. The Sámi Parliament gives grants to support the publication of Sámi-language literature every year.

## ARTICLE 13: ECONOMIC AND SOCIAL LIFE

### *Sámi-language services provided by state-owned companies*

601. The Sámi Barometer did not contain separate questions on the Sámi-language services provided by state-owned companies, and thus the results are indicative at best. It is worth

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[http://www.samediggi.fi/index.php?option=com\\_content&task=blogcategory&id=162&Itemid=305&lang=finnish](http://www.samediggi.fi/index.php?option=com_content&task=blogcategory&id=162&Itemid=305&lang=finnish)



mentioning, however, that Metsähallitus (a state-owned enterprise, responsible for the management of one third of Finland's surface area) was cited by 11 respondents when asked about state authorities and services where Sámi can be used as the language of communication. In proportion, Metsähallitus was mentioned more often specifically by speakers of Inari Sámi. On the other hand, such companies as Posti and Finavia, which have branch offices in the Sámi Homeland, were not mentioned once.

602. Metsähallitus implements the recently completed Natural Resource Plan for Northern Lapland in the Sámi Homeland in cooperation with the reindeer herders' cooperatives and the Sámi Parliament and promotes communications in Sámi. Metsähallitus develops the coordination of activities in the Sámi Homeland following a cooperation agreement concluded with the Sámi Parliament, the Skolt village meeting and the reindeer herders' cooperatives in the area.

603. Metsähallitus offers services in the three Sámi languages.

#### *Youth council activities*

604. A Youth council, which operates in connection with the Sámi Parliament, prepares those statements, initiatives and other positions of the Sámi Parliament that are relevant to young Sámi people or their living conditions. Other main duties of the Youth council include promoting the linguistic and cultural rights of the Sámi youth around Finland and reinforcing the inclusion in the Sámi culture of the Sámi youth. The Sámi Parliament Youth council has organised activities in keeping with the Sámi culture for Sámi youth and made an effort to influence and improve the status and living conditions of young Sámi people in Finland. The Youth council prepared a Sámi Youth Policy Action and Development Plan, which was adopted by the Sámi Parliament, for the electoral period 2016–2019. Among other things, the Youth council develops information and advisory services and digital youth work for the Sámi youth, promotes peer information activities, experiments with mobile youth work in the Sámi Homeland and passes on traditional knowledge to young people. The Youth council activities are funded by an operating grant provided by the Ministry of Education and Culture (EUR 120,000).

## ARTICLE 14: TRANSFRONTIER EXCHANGES

### *Draft Nordic Sámi Convention*

605. Following a negotiation phase, the Nordic Sámi Convention between Finland, Norway and Sweden was initialled, or adopted on a preliminary basis, on 13 January 2017.

606. A preliminary agreement was reached in the five-year negotiations in December 2016. The purpose of the convention is to affirm the rights of the Sámi, ensuring that they can maintain, pursue and develop their culture, languages and civic life with as little interference from state borders as possible.

607. Under the convention, the agreement must be approved by the Sámi Parliament before the relevant state party can sign it.

### *Sámi Parliamentary Council*

608. The Sámi Parliamentary Council (SPC)<sup>117</sup> is the co-operational body for the Sámi parliaments in Finland, Norway and Sweden. The Russian Sámi organisations participate in the cooperation as observers in the SPC. The Sámi Parliament in Murmansk region has applied for

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<sup>117</sup> [http://www.samediggi.fi/index.php?option=com\\_content&task=view&id=11&Itemid=71&lang=finnish](http://www.samediggi.fi/index.php?option=com_content&task=view&id=11&Itemid=71&lang=finnish)

permanent membership. The SPN was founded in 2000. The Sámi Parliaments in Norway, Sweden and Finland each lead the council for a period of 16 months. The secretariat is the Sámi Parliament which is in charge of the council at that time. The activities of the SPC are guided by a cooperation agreement concluded in 1997 and the rules of procedure approved in 2003. The Norwegian Sámi Parliament currently holds the presidency of the council.

*Transfrontier cooperation in specialised medical care*

609. Cooperation with service providers in Norway and Sweden is an important way of securing the diverse availability of social welfare and health care services for Northern Sámi speakers. The Lapland Hospital District has had an agreement on specialised medical care in place with *Helse Finnmark* in Norway since 2007. For example, there is a medical centre with specialist consultants, psychiatric services for young people and families and an intoxicant abuse rehabilitation unit in Karasjoki. These services have been used by a few dozen patients annually. The Muonio-Enontekiö joint municipal health care authority, on the other hand, has a cooperation agreement with Sweden on dental care provided in Karesuvanto.<sup>118</sup> The Lapland Hospital District also has in place a cross-border emergency medical care agreement dating back to 2011.<sup>119</sup>

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<sup>118</sup> Niskala Asta & Räisänen Rea (ed.) 2016: Lapin sairaanhoitopiirin alueen sosiaali- ja terveydenhuollon palveluiden nykytilan kuvaus (Description of the current state of social welfare and health care services in the Lapland Hospital District), Hospital District of Lapland and Centre of Expertise of Northern Finland, pp. 48-49.

<sup>119</sup> Niskala Asta, Räisänen Rea & Martin Maria (ed. 1 July 2016): Lapin sairaanhoitopiirin alueen sosiaali- ja terveydenhuollon tulevaisuuden palveluprosessit (Future social welfare and health care service processes in the Lapland Hospital District). Final report, p. 71.