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**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES**

**COMMENTS OF THE GOVERNMENT OF SWEDEN
ON THE SECOND OPINION OF THE ADVISORY COMMITTEE ON THE
IMPLEMENTATION OF THE FRAMEWORK CONVENTION FOR THE PROTECTION
OF NATIONAL MINORITIES
BY SWEDEN**

(received on 17 April 2008)



REGERINGSKANSLIET

Second opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities

After examining the 2nd Periodical Report on the Framework Convention for the Protection of National Minorities, the Advisory Committee adopted its 2nd opinion on Sweden on the 8th November 2007.

On the 7th of January 2008 the Swedish government offices in Stockholm received the second opinion on Sweden and was invited to submit comments on the opinion the latest by the 20th of April 2008. Sweden was also invited to make the opinion public. The 2nd opinion on Sweden of the Advisory Committee was made public on the Swedish government website for human rights, www.manskligarattigheter.se on the 30th of January 2008, it was also among others distributed to minority media.

General comments

Initially Sweden would like to congratulate Alan Philips on his Chairmanship of the Committee for the Protection of National Minorities and commend the Committee for its excellent work. The efforts made by the Committee of Experts to receive, gather, evaluate and draw conclusions from information on the situation of the national minorities in Sweden is of considerable value in developing the government policy on national minorities in Sweden.

Since the adoption of the 1st Opinion of the Advisory Committee in 2003 Sweden has continued to pay attention to the protection of national minorities, and has in this respect adopted new measures in favour of national minorities, including measures counteracting ethnic discrimination and the promotion of cultural activities.

Sweden welcomes the 2nd opinion of the Advisory Committee and has studied it with great care and interest. It is Sweden's view that the Advisory Committee has made an excellent and thorough analysis, reflecting the extensive contacts of the Committee with a number of relevant institutions and groups in Sweden. The co-ordinating ministry responsible for the Framework Convention – the Ministry of Integration and Gender equality – has had a fruitful cooperation with the Committee and appreciates a continued dialogue and exchange of information and views. The Swedish government would like to express its satisfaction with the process that the Committee has initiated and looking forward to receive the recommendations from the Committee of Ministers assuring the full cooperation with the Advisory Committee.

Specific comments

Sweden takes note of the recommendation by the Advisory Committee to follow-up on the recommendations issued by the Parliamentary Anti-Discrimination Committee and is pleased to inform the Committee that the Swedish Government has presented a governmental bill to the

Swedish parliament in March 2008 with a proposal for a new comprehensive anti discrimination law as well as a new merged Ombudsman against discrimination.¹

Sweden also takes note of, and shares, the concern expressed by the Advisory Committee concerning the statistics – in the report *Hate Crime 2006, Overview of police reports for crime with xenophobic, Islamophobic, anti-Semitic and homophobic motives* by the National Council for Crime Prevention 2007.² However Sweden would like to add that it is important to notice that crime statistics do not provide a simple reflection of the actual level of crime in a country. They are influenced by juridical and statistical factors and by the extent to which crime is reported and registered. The method used in the gathering of information for statistics concerning hate crime in Sweden is fundamentally different from the one used in the gathering of information for the official crime statistics. For all crimes there are specific codes in the reporting system of the police, which make them easy to distinguish from one another. However, for hate crimes no such codes exist. Therefore, manual search for specific words in the text of the reports are used to identify different motives that could be classified as motives of hate crime.

Before 2006 the Secret Police (Säpo) was responsible for statistics on hate crimes in Sweden. As also mentioned in Sweden's 2nd periodical report, this responsibility was transferred to the National Council for Crime Prevention in 2006. The Secret Police and the National Council for Crime Prevention have used different crime coding methods, which partially explain the statistical increase in violent xenophobic crime during 2006.

Furthermore, a new motive of hate crime, islamophobic hate crime, was introduced in 2006. Islamophobic hate crime was earlier, to some extent, included in the more general motive "xenophobic hate crime". The change of categorisation consequently makes a comparison between the statistics for 2006 and the preceding years difficult.

In the report, mentioned above, from the National Council for Crime Prevention a possible increase in *reports* of violent xenophobic hate crimes in Sweden during 2006 is discussed. Even if the authors in the report state that there may have been an increase in reports of violent xenophobic hate crimes in Sweden during 2006, it is important to note that there is no material supporting the conclusion that the *nominal rate of committed offences* in this category actually has increased. The possible increase in reported violent xenophobic hate crimes can suggest that the public awareness of hate crimes and the public willingness to report such crimes is on the increase, which in that case is a development that the Swedish government welcomes.

Within the Swedish Police several educational campaigns concerning hate crimes have been launched during the last couple of years and investigations of suspected hate crimes have become a higher priority. The possible increase in reported violent xenophobic hate crimes can therefore also suggest that police officers have become more attentive to motives of hate crime and hence to a larger extent have discovered these types of crime.

Sweden takes note of the proposal by the Advisory Committee to complement the monitoring of hate crime with more comprehensive tracking of cases that have been reported.³ As noted by the Advisory Committee it is not at present possible to follow hate crimes reported to the

¹ See 2nd opinion on Sweden paragraph 37 and 38

² See 2nd opinion on Sweden paragraph 79

³ See 2nd opinion on Sweden paragraph 80 and 81

police all the way through the judicial process, i.e. to what extent reported hate crimes results in prosecutions and court rulings. This deficit is unfortunately common to all crime types. Sweden has initiated substantial work in order to improve the supply of information, including criminal statistics. One of the issues under investigation at the moment is how the follow up on reported crimes can be enhanced.

Sweden takes note of the Committee's comments on teacher training and is pleased to inform the Committee that the Swedish Government has set up a committee to reform teacher education in Sweden⁴. This includes proposing new objectives, content, structure, size and steering mechanisms for teacher education. In addition, the Government intends to assign the committee new tasks, e.g. analysing in what way teacher education courses in Finnish, Sami and Meänkieli should be designed in order to cover the demand for competent teachers of minority languages in compulsory school and upper secondary school.

At present, language studies in Romani and Yiddish are not provided at Swedish universities and university colleges. However, The Swedish Parliament has in 2007 allocated funds for building up education in these languages at university level.

Sweden also takes note of the Committee's information regarding the concerns among national minorities regarding the consequences of concentrating studies in minority languages to fewer universities and would like to inform the Committee of the following.⁵ One reason for concentrating the languages in fewer universities is the fact that these subjects offer very vulnerable milieus with few students and are sustained by few or even solitary teachers, a situation for which the universities have been criticized by The Swedish National Agency for Higher Education. However, it is important to stress that the concentration of language studies takes place on initiative of the colleges and universities themselves. As regards the minority languages, the Government has commissioned some universities to provide education in these subjects. That does not, however, prevent other colleges or universities to set up programmes or courses in these languages.

Furthermore, it should be emphasized that Swedish higher education has a highly developed system for distance learning, giving many students the opportunity to study at college or university without having to move or travel to attend a course.

Sweden notes the comment from the Committee regarding heavy reliance on private schools as a resource of minority language in Sweden. The Committee commends that authorities ensure the overall education-related infrastructure is developed in a manner that supports private initiatives.⁶

As a point of information for the Advisory Committee, Sweden would like to stress the fact that there is no difference between public and private schools regarding how schools are regulated in terms of providing minority language education in Sweden. Access to minority language education is regulated in the Upper Secondary School ordinance and the Compulsory School ordinance. Both ordinances are applicable to both private and public schools.

⁴ See 2nd opinion on Sweden paragraph 131.

⁵ See 2nd opinion on Sweden paragraph 132

⁶ See 2nd opinion on Sweden paragraph 140

The Swedish Government has taken note of comments from the Advisory Committee regarding the right to mother tongue instruction for the national minorities.⁷ In the Budget Bill for 2008 the Government announced a forthcoming change of the rules regarding the right to mother tongue instruction for the minority languages Finnish and Yiddish. The effect of those changes will be that all national minority languages will be treated equally.

Sweden takes note of the Committees observations concerning the positive developments regarding Sami language education⁸ and would like to add that Sami language education is offered in an upper secondary school and in a Sami adult education center, both situated in Jokkmokk.

⁷ See 2nd opinion on Sweden paragraph 148

⁸ See 2nd opinion on Sweden paragraph 160, last sentence