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

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

(received on 13 April 2011)

**The Framework Convention
for the Protection of National Minorities**

**COMMENTS OF THE GOVERNMENT OF FINLAND
ON THE THIRD OPINION OF THE ADVISORY
COMMITTEE ON THE IMPLEMENTATION OF THE
FRAMEWORK CONVENTION FOR THE PROTECTION OF
NATIONAL MINORITIES IN FINLAND**

APRIL 2011

GENERAL

The Advisory Committee has evaluated the measures taken by the Government of Finland for the implementation of the requirements set out in the Framework Convention for the Protection of National Minorities. In the light of this, the Advisory Committee has made proposals to the Committee of Ministers for the preparation of the recommendations that the latter might wish to address to Finland.

The Third Opinion of the Advisory Committee is based on the situation as it was in February 2010 when the Government of Finland submitted its Third Periodic Report on the Implementation of the Framework Convention as well as on the updated information presented to the Committee during its country visit to Finland in May 2010. In the course of the visit, in order to seek further information on the implementation of the Framework Convention, meetings were organized between the Advisory Committee and members of Parliament and the Constitutional Committee, various Ministries, the Ombudsman for Minorities and the Advisory Board for Minority Issues, the Association of Finnish Local and Regional Authorities, the Åland Island autonomous bodies, the Advisory Board for Roma Affairs, the Advisory Board for Ethnic Relations (ETNO), the Advisory Board for Language Affairs, the Sámi Parliament as well as local and regional authorities in Lapland, various NGOs, minority associations and independent experts.

MAIN FINDINGS

Paragraph 13

The process to support the qualitative and quantitative aspects of local equality planning has been successfully completed by the end of 2010. It has been estimated that approximately 100 new Equality Plans have been drawn up by local authorities, and a good number of “old” Plans have been revised. The Equality Planning Guide, published in 2010, will further promote the good quality of equality planning.

In 2011, the Ministry of the Interior will start a new programme for building capacity within NGOs to raise awareness on the right to equal treatment among national minorities and immigrant communities. Furthermore, information will be shared on the anti-discrimination legislation and on two new policy programmes, namely Roma Policy Programme and National Programme for Disability Policy.

Paragraph 14

The police has paid particular attention to racist and xenophobic writings and other materials spread on the Internet. In this connection, reference is also made to information given under paragraph 89.

Paragraph 16

The Government notes that, contrary to the Advisory Committee’s opinion, during many years the Ministry of Education and Culture has granted state aid for supporting multiculturalism, by breaking the sum down into approximately EUR 250,000 for national minorities and approximately EUR 140,000 for anti-racist work and promotion of tolerance.

The Government refers to information given under paragraphs 40 to 44 below and observes that in the Government resolution on Guidelines for a Policy on Roma one of the measures focusing on the Romani language is to promote Romani teaching at universities. The objective is to increase the number of qualified Romani teachers especially in the long run. The lack of Romani teachers is one of the barriers to better Romani teaching.

The Policy on Roma includes proposals for measures that aim at increasing the visibility of Roma and Romani language and culture in the media. There are, for example, initiatives to discuss the matter with the National Broadcasting Company (YLE).

Paragraph 18

The Government notes that the Ministry of Education and Culture has annually granted state aid to support "Spektr" and "LiteraruS", magazines published in Russian.

Paragraph 20

The Advisory Board on Romani Affairs and the regional advisory boards on Romani affairs have been considered a well-functioning way to promote Roma participation and the Roma population's opportunities for influence. The Advisory Board on Romani Affairs has promoted the status of the Roma population in Finland in many ways. Links to the local level have been reinforced since the 2000s by the establishment of the regional advisory boards on Romani affairs and by the planning officers working in the advisory boards. Especially in recent years there has been a tendency to promote the establishment of local Romani working groups, to increase the interaction of the Roma population as well as to develop the local circumstances of Roma. The establishment of local Romani working groups is a key target in the Policy on Roma, as the starting point is that equality and participation are best realised at the local level and in everyday life.

The Policy on Roma also incorporates proposals to develop the administrative structures regarding Romani affairs. Another goal for 2011 is to initiate the drafting of amendments to the Decree on the Advisory Board on Romani Affairs so as to develop the activities of the Advisory Board.

Moreover, the Policy on Roma includes several proposals for measures that increase the opportunities of Roma to have an impact on issues and promote the functional capacity and skills of Romani organisations. A goal is to promote the hearing of the Roma population both at the national and the local levels. In addition, the Policy on Roma includes a proposal for a review on how to improve the hearing of Roma during bill drafting and in legislative work.

ARTICLE BY ARTICLE FINDINGS

ARTICLE 4

Paragraph 35

The Ministry of the Interior continues to develop and implement the National System for Monitoring on Discrimination. A four-year Action Plan has been adopted by the broad-base Monitoring Group; the emphasis for 2011 is discrimination in working life, and especially recruitment.

Paragraphs 40 to 44

The Advisory Committee highlights several times the proposal for a National Policy on Roma and recommends its prompt launch. However, it also expresses its concern over policy implementation and the financing allocated to it.

The Government underlines that the ministries taking part in the the first national Roma Policy Programme preparations have also committed themselves to implementing the policy. Moreover, there is an actor in charge of each measure presented in the policy. The implementation of the Policy on Roma has proceeded, and the Government issued a Resolution on Guidelines for a Policy on Roma on 9 December 2010. It is stated in the Resolution that the different administrative sectors launch measures they are in charge of and that the Government initiates a set of specific cross-sectoral measures by 31 March 2011.

Government Resolution on Guidelines for a Policy on Roma

A central policy line of the Government is that the ministries shall implement the measures that are assigned to them in the National Policy on Roma within the framework of the appropriations available for the measures. Furthermore, the Government will initiate the following cross-sectoral measures:

1. Strengthen the inclusion of the Roma and cooperation structures at the local level

The Government supports the setting up of local Roma working groups and development of their activities in municipalities. The Ministry of Social Affairs and Health has also committed itself to promoting the equal treatment and inclusion of the Roma in municipalities in order to develop the supportive measures and operational practices targeted at the Roma for supplementing social and health services through the National Programme for Social Welfare and Health Care, *i.e.*, the Kaste programme.

2. Promote measures for revival of the Romani language and strengthen its status

The Government commits itself to promoting the status of the Romani language and maintaining the language by developing for example the prerequisites for its teaching.

3. Promote the Roma children's and adolescents' opportunities for participation and for pursuing hobbies

Preparation of measures to promote the Roma children's and adolescents' opportunities for participation and pursuing hobbies will be started under the direction of the Ministry of Education and Culture and the Advisory Board on Romani Affairs.

4. Carry out a study of the housing situation of the Roma population

The Ministry of the Environment will investigate housing problems of the Roma and consider supportive measures to find suitable solutions to them.

5. Draw up an international strategy for influencing the policies on Roma

A working group appointed by the Ministry for Foreign Affairs was tasked to draw up Finland's international strategy for influencing policies on Roma. On 24 March 2011 the working group's report compiled in the form of a handbook "The Objectives of Finland for Advancing the European Policy on Roma" was released.

6. Start implementation and monitoring of the National Policy on Roma

The Ministry of Social Affairs and Health will set up a monitoring group for the National Policy on Roma to periodically evaluate its implementation during 2011. The Government Resolution is a commitment to the development of local cooperation structures for the promotion of Roma participation. The goal is that by 2012 the national development programme for social welfare and health care includes measures that focus on cultural minorities, including the Roma. One of the purposes is to allocate municipalities funding for the development of measures that promote Roma participation.

A study funded by the Ministry of Employment and the Economy in 2008 showed that a significant barrier to the employment of Roma people is their lack of vocational education. In the case of Roma, as all other people in a weak labour market situation, economic factors may prevent the start of studies at adult age.

During the development of the adult education system, changes have been made to the conditions for paying financial support to adults during their studies. Since the beginning of 2010 it has been possible to pay an unemployed or laid-off person an unemployment benefit during his or her voluntary studies. Employment and Economic Development Offices of municipalities assess the eligibility of each applicant for the support, and the decision to grant support is influenced by such factors as the applicant's need for education and his or her employment prospects. Support may be paid for a maximum of 24 months per each series of studies. Studies arranged as labour market training were supported financially already before the reform. Since the beginning of 2010 this support has consisted of unemployment benefits.

Currently, Roma clients are no longer provided separate labour market training of their own. Because all labour market training is intended to meet the needs of working life, such training is arranged in different vocational sectors. In this training, which is arranged regionally or locally, it is not possible to form separate groups of Roma students because their number does not suffice for a separate group. Only few training courses have been arranged specifically for Roma (training for studies in social welfare and health care, and training for work careers).

Currently, about ten projects of the European Social Fund to promote the employment of Roma or national development projects on Roma are going on. In addition there are six other related projects, which also involve Roma participants. In 2011 a joint meeting will be held for the projects in order to permit them to network with each other and to inform the Roma contact persons in municipal Employment and Economic Development Offices about their activities.

The decision-in-principle taken by the Government on 9 December 2010 concerning the central guidelines for the National Policy on Roma is based on this policy and the promotion thereof. According to the decision, each Ministry must promote the inclusion and equality of Roma by implementing the measures under its responsibility. That decision-in-principle contains 147 measures, and the responsibility for implementing them is divided into a number of sectors of administration. The simultaneity and cross-sectoral nature of the measures improves the opportunities of Roma to participate in training and the labour market, strengthens their capacity, increases their influence and supports the maintenance of the Roma language and identity.

The guidelines are based on the idea that the current legislation and service system permit promoting the equality of Roma with other people and maintaining non-discrimination in society. The priorities of the guidelines are to make Roma children and young people participate in early childhood education and later education, to make adult Roma participate in vocational training and education and to find employment for them, to ensure equal treatment and access to services for Roma people, to develop the Roma language and culture, to promote the equality of Roma with others, to prevent discrimination against them and to develop the policy on Roma.

The National Policy on Roma highlights the best practices developed for strengthening the inclusion of Roma people. These practices include local Roma working groups set up in different municipalities for increasing cooperation between the Roma population and local authorities, support granted to the basic education of Roma children in 31 municipalities, Roma language nests in different parts of Finland, the activities of Roma contact persons in the employment and economy administration, the positive results of projects on adult education and employment of Roma, recruitment of employees with Roma background for projects supporting the employment and education of Roma and for the social welfare and educational sectors in municipalities, family camps for Roma and seminars for Roma parents.

Paragraph 45

The research on the employment situation of the Roma and the obstacles they meet in employment was made by the commission of the Ministry of Employment and the Economy in 2008. In Finland, according to the legislation, people cannot be registered on the basis of their ethnic origin. Thus, there is a lack of accurate statistics concerning the rate of participation of Roma in the labour market or their unemployment rate. In the aforementioned research the employment of the Roma was studied on the basis of the register material in the labour administration's client data system and through interviews and questionnaires, which were directed to the job seeking Roma, to the employers and to the officials in the labour administration.

Paragraph 46

Statistical data comprising the number, age and residence of the Sámi is gathered every fourth year in connection with the Sámi Parliament elections.

ARTICLE 5

Paragraphs 56 and 57

There have been serious negotiations within the Government on a framework for further legislative work concerning the development of the indigenous rights of the Sámi. The aim has been to examine whether the proposals made in the course of the years may be used as a basis for administering state-owned land areas in the Sámi Homeland and for supporting traditional sources of Sámi livelihood, or whether a different approach is necessary. The complexity of the issue has had its influence on this work, and it will not be finished before the parliamentary elections on 17 April 2011.

The unfinished negotiations have not, however, prevented improving, through legislation, the opportunities of the Sámi to influence decision-making in matters related to them as an indigenous people. For example, in late 2009 the Government submitted to Parliament a proposal on a new Mining Act (HE 273/2009 vp) and in early 2010 a proposal on a new Water Act (HE 277/2009 vp). Both proposals include provisions aimed at an improved consideration of the Sámi as an indigenous people in the decision-making regulated by the Acts. In addition, the Government proposes that the Sámi Parliament should be given a right to appeal, if the rights of the Sámi as an indigenous people have not been taken adequately into account when making decisions pursuant to these Acts. Parliament has accepted both proposals.

Paragraph 59

The Government has also granted support for the plans to build a Skolt Sámi Cultural Centre to Sevettijärvi.

Paragraph 65

On 24 September 2010 the Ministry of Education and Culture set up a working group to draft a proposal for a programme to revive the Sámi languages. The task of the working group is to assess the situation of all three Sámi languages spoken in Finland, including Inari Sámi and Skolt Sámi, and the measures taken to improve the situation. On the basis of the assessment, the working group will draft a proposal for a comprehensive, long-term programme to revive Sámi. The work of the group is directed by a steering group, where all three Sámi Languages are represented by the members representing Sámi Parliament in the steering group. The Sámi Parliament is represented in the working group and the secretariat of the group, too.

The revival programme must include proposals concerning the research and planning of the Sámi languages, the teaching in and of Sámi, support to Sámi culture, Sámi day care and language nest activities and other areas of societal life in which the right of the Sámi to maintain and develop their language and culture is supported at national level. The work is expected to be completed by the end of 2011.

ARTICLE 6

Paragraph 68

In autumn 2011 a new Act on the Promotion of Integration of Immigrants will enter into force. It contains a number of reformed provisions intended to improve the integration of immigrants into Finnish society. The Act will ensure that more immigrants than currently will receive support for their integration immediately after entering Finland. Its purpose is to ensure that all immigrants receive basic information about their rights and obligations in Finland and about the structures and services of Finnish society. In addition to the provisions on basic information, an important change is the arrangement of an initial analysis of the situation of also other immigrants than those who are unemployed or receive living allowance.

Thus, for example the groups currently excluded from the integration measures, such as mothers at home, are entitled to an initial analysis of their situation. The analysis serves the purpose of assessing whether the immigrant needs an integration plan, which includes a plan for integration training and other necessary support to promote his or her employment.

In the Act and in the preparation thereof, also the need to promote intercultural dialogue and the opportunities of immigrants to participate in society have been emphasised more than before. The Act obligates municipalities to prepare integration programmes, which may contain for example a plan for promoting good ethnic relations and intercultural dialogue. The integration programme may also define forms of cooperation between the municipality and civil society. If necessary, local immigrant organisations and religious communities may participate in preparing and implementing the integration programme and monitoring the implementation.

Paragraph 69

The Advisory Board for Ethnic Relations (ETNO), working in connection with the Ministry of the Interior, is a broad-based expert body set up by the Government. Its purpose is to improve interaction between different Ministries and to assist them in developing an ethnically equal and diverse society. The tasks of ETNO include promoting extensive dialogue between minorities and authorities. The members of ETNO include employer organisations, authorities and minority organisations, for example the Somali League in Finland and the Finnish Association of the Russian-Speaker's organizations (FARO).

The activities of ETNO are regulated by Government Decree (352/2008), which defines the purpose, duties and composition of ETNO and the structures for organising its work.

In addition, the Decree stipulates the number, duties and composition of the regional Advisory Boards for Ethnic Relations and the provisions on setting them up. The current term of ETNO expires on 21 August 2011, and thereafter it will be set up for a new term. An assessment of the current term of ETNO is going on. The results of the assessment will form the basis for any necessary amendments of the Government Decree on ETNO. One purpose of amending the Decree is to improve the opportunities of immigrants to participate in society. At the same time, the number of the Regional Boards will be reviewed. Currently, the national Advisory Board for Ethnic Relations is supplemented with four regional Boards. The intention is to increase the number of regional Boards and thus further strengthen the opportunities of immigrants to participate in the work of ETNO at both regional and national level.

The cooperation between the different Advisory Boards in Finland has been intensified, for instance by designating a representative of the Advisory Board on Romani Affairs and the Ombudsman for Minorities as expert members of ETNO. The cooperation between the different structures will be further enhanced during the future term of ETNO.

Paragraph 70

In Finland, children with immigrant background, too, are taught their mother tongue. Separate state aid is reserved for the teaching of mother tongue. Also integration plans prepared for all immigrants may include plans for the teaching of their mother tongue.

Paragraph 72

Parliament did not pass a bill that proposed amending the Public Order Act by introducing a prohibition on begging.

Paragraphs 73 and 74

The new Act on the Promotion of Integration of Immigrants contains provisions on the planning, implementation and monitoring of integration and the promotion of good ethnic relations at local level. The Employment and Economic Development Offices of municipalities must monitor the implementation of integration plans. Moreover, local organisations of immigrants, citizens, employees and employers as well as religious communities may, if necessary, contribute to the preparation and implementation of municipal integration plans and to the monitoring of their implementation. According to the Act, the Ministry of the Interior is responsible for assessing and monitoring integration policies and the promotion of good ethnic relations at national level. The Centres for Economic Development, Transport and the Environment (ELY Centres) are responsible for monitoring the implementation at local level. Seven of these Centres have appointed a head of immigration, whose duties include cross-sectoral mainstreaming of immigration issues in their respective Centres.

The Migration Department of the Ministry of the Interior has developed a monitoring system for integration and ethnic relations in order to collect relevant information in a centralised manner. Thus, the pieces of information collected from different sources are comparable with each other and permit more appropriate assessment of integration measures. The monitoring system consists of 29 indicators, which produce information on for example the living conditions of immigrants in different areas of integration, the provision of services, a barometer for immigrants' views and experience of their integration and related services, and the overall situation of integration. The indicators describe e.g. the integration of immigrants, their participation in the labour market and society, their language skills, education and knowhow, and non-discrimination.

Paragraphs 75 and 76

The Police College of Finland conducts annually a study on all hate crime known to the police, including offences with a suspected racist motive. The data system of the police contains information about possible criminal investigation of a case and the stage of the investigation, *i.e.*, whether it is going on or has been suspended or completed. The data system shows information about the process of criminal proceedings until the completion of the criminal investigation and the referral of the case to the prosecutor.

From 1997 to 2007 the study concerned offences with racist features and known to the police. Since 2008 the study has concerned hate crime motivated by hatred of or prejudice against ethnic or national groups, sexual orientation, religion or view of life, or disability. The studies of 2008 and 2009 are comparable with each other, but not directly comparable with the earlier studies, because the sampling criteria have changed.

The police has conducted criminal investigation and referred to prosecution cases where a person has published racist writings or other racist material on the Internet

The Government observes that since applicants to the Police College of Finland are never inquired about their ethnic background, and the national legislation would not even permit such an inquiry, no reliable information exists about the number of police officers with minority background. Therefore, in the Government's view, it is impossible to establish reliably that no progress has been made in the recruitment.

Paragraphs 77, 79 and 80

The police cooperate continuously with both local prosecutors and State Prosecutors in respect of hate crime, especially offences with a racist motive, in order that the police and the prosecutors could take account of the special features of racist offences. Supplementary training on the investigation of hate crime is organised for police personnel annually.

All who receive the basic diploma in police studies have studied basic courses on criminal investigation (foundations of criminal law, criminal procedural law, criminal tactics and criminal technology). The basic diploma also includes studies related to contacts with foreigners and foreign cultures, identification of offences with a racist motive, and vocational ethics of the police, in a number of different subjects.

The supreme police command has paid particular attention to the conduct of the police in investigating racist offences. Training is provided on identifying racist offences and taking account of their special features.

Complaints against the police are examined for example by the National Police Board when supervising legality. The Office of the Prosecutor General has no competence to examine such complaints. However, if a police officer is suspected of an offence, a prosecutor leads the criminal investigation.

Finland is currently in the process of ratifying the Additional Protocol to the Council of Europe Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS 189). In the same process the Finnish legislation is being amended to meet the requirements of the Council Framework decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law. The Government Bill proposing these amendments was given to the Parliament in December 2010. Parliament has accepted the proposal.

It is proposed in the Government Bill for example that a new aggravated provision on ethnic agitation should be added to the Criminal Code. It would be applicable mainly in cases of public agitation to genocide or other serious forms of crimes against humanity. Moreover, it is proposed that the scope of the provision on ethnic agitation should be extended to cover not only agitation against ethnic groups but also agitation against other minorities, such as sexual minorities and people with disabilities. Some other amendments to the provision have also been proposed, in order to tackle the increasing number of racist crimes committed on the Internet.

The police continues to intervene in offences with suspected racist motives committed on the Internet. Furthermore, the police identifies problems hampering or preventing criminal investigation and attempts to eliminate them with other authorities. One problem area is the availability of information needed for criminal investigation from other States for instance when providers or services are located outside Finland.

Paragraph 78

The Government notes that the local police (the Police Department of Helsinki Local District) has reacted to the advertisements of the Jewish Community of Helsinki as well as taken the appropriate measures.

Paragraphs 81 to 84

The police has cooperated and continues to cooperate both cross-sectorally with authorities and with non-governmental organisations at national, regional and local level, in order to combat racism and discrimination. The supreme police command participates in a cooperation forum between the police and ethnic communities, the purpose of which is to increase the dialogue between the police and ethnic communities and to discuss topical issues connected with racism etc.

The police training is developed continuously in order to ensure, among other functions, identification of racist offences and more efficient intervention in them. Representatives of different minorities train police personnel during both basic and supplementary training. In addition, different seminars address the prevention of racism and intolerance every year.

The National Police Board has adopted a recruitment strategy for training for the basic diploma in police studies in 2010–2014, and it has set up a working group to implement the strategy. The working group's mandate expires on 31 October 2011.

The applicants to the basic diploma training need not to fulfil any language skill requirements but the entrance examination includes a test that measures the applicant's knowledge of the written language of the study programme (*i.e.*, the language of instruction). The language of instruction and the study programme are Finnish and Swedish.

When applying for entrance to the study programme, a student belonging to a national minority may be granted an exemption from the requirements of basic education, and during the studies he or she may be exempted from the instruction and tests of the second national language (*i.e.*, Swedish or Finnish).

In the entrance examination, additional points given for the knowledge of languages of national minorities could improve the success of applicants belonging to these minorities. However, for an equal treatment of the applicants, a reliable evidence of such knowledge of languages should be available before the decision on selection. In practice this would not involve any problems if the applicant has e.g. received his or her school education in the language in question. Taking account of such knowledge of languages in the entrance examination requires a change of the selection criteria adopted by the National Police Board.

Only a very small percentage of all persons eligible as applicants for the basic diploma in police studies (persons with Finnish citizenship, good state of health and physical condition, unblemished reputation and other qualities suitable for police work) are interested in police training and police work. Because the same is true for the national minorities, recruiting applicants from these groups is very challenging.

Appointing a person to the office of a police officer without a certificate of the two official languages of Finland requires a dispensation. In practice it is impossible to perform the official duties of a police officer without a good knowledge of Finnish or Swedish.

Section 9 c of the Police Act (493/1995) provides that police officers must not, either in their official duties or private life, conduct themselves in such a manner that their behaviour puts at risk the confidence that police duties are being carried out in an appropriate manner. When the conduct of a police officer is assessed, consideration is also given to his or her position and duties in the police administration.

In appointments to fixed-term or permanent offices, the provisions on the conduct of a police officer laid down in Section 9 c of the Police Act cannot be ignored on the ground that the person to be appointed belongs to a minority or that it is appropriate to increase the number of representatives of the minority among the police personnel.

Any complaints against the police are examined appropriately, and the necessary measures are taken if it is found that a police officer has violated his or her official duties or if the measures are otherwise considered necessary.

Paragraph 89

The National Bureau of Investigation maintains an Internet service for tip-offs on for example racist material or other hate crime but also on violent offences, narcotics offences, frauds or other security threats. During the first three months of the service the National Bureau of Investigation received in all approximately 1500 tip-offs, of which 374 tip-offs concerned racism.

ARTICLE 8

Paragraph 95

In 2009 the Advisory Board for Ethnic Relations set up a working group on religious and cultural dialogue in order to increase mutual understanding between people from different population groups and with different convictions. The working group provides a forum for discussion and exchange of information between religious communities and authorities, and for solving possible problems between different religions and/or cultures.

ARTICLE 9

Paragraph 107

Questions concerning media are an essential part of the mission to draft a proposal for a programme to revive the Sámi language, which is being performed by the working group described in detail under paragraph 65. The current situation and needs of all three Sámi languages spoken in Finland are taken into account in this work. An important aspect is the continuity of Sámi media services.

ARTICLE 10

Paragraphs 110 and 115

In 2009 the Police College of Finland prepared a recruitment strategy for Swedish-speaking and bilingual applicants. The students studying in Finnish receive about 80 lessons of Swedish. In addition, they take a language test (excl. students belonging to national minorities or those who have taken the language test elsewhere). Annually, one course for the basic diploma in police studies is given in Swedish. Other training in Swedish is arranged according to need.

Because of the new regional organisation the Ministry of Employment and the Economy decided in 2010 to develop the questions concerning Swedish service at the regional level. Thus appointment of four regional advisory boards for service in Swedish was prepared during 2010. The boards are working in direct connection with the bilingual ELY Centres in *Uusimaa*, *Varsinais-Suomi*, South Ostrobothnia and Ostrobothnia.

These advisory boards follow up the situation concerning Swedish service and to make proposals to the Ministry and other relevant parties in matters concerning accessibility and quality of the services.

Swedish working group with members from the earlier Employment and Economic Centres and from the Ministry has been functioning since 1998. Work in this group shall continue on a broader basis. Among other it shall deal with proposals from the advisory boards.

The Ministry also has an intern group for Swedish service in the Employment and Entrepreneurship Department in the Ministry and a contact network consisting of Swedish speaking officials in Employment and Economic Development Offices. Once a year the Ministry arranges in service training days for the officials in ELY Centres and Employment and Economic Development Offices to inform and discuss actual matters going on in the administration.

The Ministry of Justice takes has, inter alia, recently given the central administration a recommendation in which the Ministry, together with the Advisory Board of Language Affairs, emphasizes the importance of taking into account Swedish language skills when recruiting new staff.

Paragraphs 119 to 121

Efforts have been made to reduce the need for interpretation and translation, for example by introducing provisions on language-skill requirements and language training in the Sámi Language Act. The working group set up by the Ministry of Education and Culture to draft a programme to revive the Sámi languages is another example of these efforts.

Most Sámi people reside in the territory of the Employment and Economic Development Office in Northern Lapland, mainly in the Utsjoki and Inari municipalities. One of the offices of the Employment and Economic Development Office in Northern Lapland is located in Utsjoki. The customers may use the Sámi language when contacting the service points of this Employment and Economic Development Office, and part of the forms exist in Sámi. All newspaper advertisements for clients are published in all three Sámi languages spoken in Finland. In the territory of the Employment and Economic Development Office in Mountain Lapland, Sámi people reside only in Enontekiö, and their percentage of the clients of the Office is very low.

Sámi interpretation services are acquired from the Sámi Language Office of the Sámi Parliament, which also helps for example with translating advertisements. The Employment and Economic Development Office in Northern Lapland and the Language Protection Secretary of the Sámi Parliament meet for cooperation a couple of times a year.

The Sámi Language Act (1086/2003) also applies to the activities of the Upper Lapland Regional Office and the Jaeger Brigade of the Finnish Defence Forces, which operate in the northernmost municipalities of Finland. These authorities can provide services also in the Sámi languages, if necessary by means of interpretation. The call-up notices are published in Inari Sámi, Skolt Sámi and North Sámi both in municipalities and at the website of the Regional Office. They are translated by the Sámi Language Office of the Sámi Parliament. Call-up notices in Sámi are also sent with the other call-up documents to those persons liable for military service who speak Sámi as their home language according to the data recorded in the Population Information System. In the actual call-ups, the Call-up Board has a Sámi-speaking member.

ARTICLE 11

Paragraphs 122 and 123

According to the Passport Act 671/2006, the personal data given by a passport applicant must correspond to his or her personal data recorded in the Population Information System, maintained by the Population Register Centre. The personal data of the applicant is verified and the data to be entered in the passport is taken directly from the Population Information System. The personal data recorded in the system has the public reliability referred to in section 18 of the Act on the Population Information System and Certificate Services (661/2009). Any personal data entered in a travel document that can also be used as an identity document must be identical to the data recorded in the Population Information System.

Thus, passports cannot contain characters which the Population Information System does not contain. This stipulation concerns Sámi characters, too. If the use of Sámi characters in the Population Information System is permitted in the future, the police will make the necessary adjustments in its own data system for passports and identity cards (HekoPassi) in order to accept and/or handle the new characters. If the legislation currently in force concerning for example passports and population information and the data systems related to the issuance of passports require special keyboards and/or software, the police will acquire the necessary equipment.

ARTICLE 15

Paragraph 156

At the initiative of the Finnish Association of the Russian-Speaker's organizations, the Ministry of Justice is organizing a seminar which will be held in April 2011. The aim of the seminar is to discuss and present different ways and alternatives of participation in decision-making in Finland.

In recent years, the Ministry of Justice has had several projects concerning the promotion of immigrant participation in society. The most recent action is a production of a "road map for making a difference". The idea of the map is to present different opportunities to participate in society. The "road map" is available also in Russian. At the moment a project is also going on concerning the inclusion of immigrants by *eParticipation*.

The Ministry of Justice produces information and material about the upcoming parliamentary election in 20 different languages, including Russian.

Paragraph 158

The Ministry of the Environment and the regional environmental administration have arranged annually unofficial negotiations for discussing possible issues of conflict among the Ministry, the state-owned forest administration enterprise (Metsähallitus), the Centre for Economic Development, Transport and the Environment in Lapland and the Sámi Parliament. In 2010 the negotiations concerned for example fishing in Teno River and the reform of the Sámi Programme for Sustainable Development.

On 18 June 2009 a working group was set up by the Ministry of the Environment to study the implementation in Finland of the recommendation concerning indigenous peoples prepared within the framework of the Convention on Biological Diversity. This recommendation, based on Article 8j of the Convention, concerns the position of indigenous peoples in the preparation of projects and decisions. The working group is expected to complete its work by the end of April 2011. Its recommendations will probably have practical significance for example to the processes of environmental impact assessment and to the instructions for land-use planning in the Sámi Homeland. The working group has had representatives from the Ministry of the Environment, the Ministry of Justice, the Ministry for Foreign Affairs, the Ministry of Agriculture and Forestry and the Sámi Parliament.

Paragraph 161

The Government notes that due to the wide range of issues falling within the ambit of the Act on the Sámi Parliament (and the obligation to negotiate under section 9 of the Act), it has not been considered useful to establish one focal point for all matters. In the Government's view, the Sámi Parliament should be able to negotiate directly with the relevant authorities responsible for each separate issue. The Ministry of Justice has nationally coordinated and initiated negotiations when needed.

Paragraph 162

The Government observes that the English translation of section 9 of the Act on the Sámi Parliament is slightly misleading. The translation refers to "the opportunity to discuss matters" whereas the original Finnish text refers to *consultation* or *negotiation*. Thus, the meaning of the Act and its wording in Finnish include the idea that negotiations go beyond mere consultation. The Sámi Parliament has a real possibility to influence the outcome of decision-making. This is also evident from the preparatory works of the Act (Government Bill HE 248/1994 vp), where reference is made to ILO Convention No. 169, Article 6, paragraph 2, according to which "(t)he consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures."

ARTICLE 18

Paragraph 178

There is a consensus between Norway, Sweden and Finland to initiate negotiations on the Nordic Sámi Convention in 2011. In their annual joint meeting on 22 November 2010, the ministers responsible for the coordination of Sámi issues in Finland, Norway and Sweden and the Sámi Presidents in the three countries agreed on the principles concerning the delegations, the chairing of the meetings and the time frame for the negotiations.