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OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

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**FOURTH PERIODIC REPORT BY THE GOVERNMENT OF FINLAND  
ON THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION  
FOR THE PROTECTION OF NATIONAL MINORITIES**

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## INTRODUCTION

The Committee of Ministers of the Council of Europe adopted the Framework Convention for the Protection of National Minorities in November 1994. Finland has been a party to the Framework Convention since 1998, when the Convention entered into force internationally. The Framework Convention is included in the Treaty Series of the Statutes of Finland, under numbers 1–2/1998.

The Framework Convention is the first legally binding multilateral instrument ever devoted to the protection of national minorities. It is also the first international convention that brings the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities into force at the regional level. The Framework Convention contains programme-type definitions of the principles obligating the parties to protect their national minorities. The provisions of the Framework Convention on the legal position of persons belonging to minorities have to be implemented through national legislation, appropriate governmental policies or by concluding bilateral or multilateral treaties.

The monitoring of this Framework Convention's implementation by the Parties is carried out by the Committee of Ministers of the Council of Europe, assisted by an Advisory Committee. On a periodical basis, the State Party shall transmit to the Council of Europe comprehensive information on the legislative, judicial and administrative measures taken to give effect to the principles and rights of the Convention. The information shall include a response to the recommendations adopted by the Committee of Ministers on the implementation of the Framework Convention. The Advisory Committee examines the report and gathers additional information to support its conclusions by visiting the State Party. After the examination, the Advisory Committee gives its conclusions and draft recommendations to the Committee of Ministers. The Committee of Ministers then makes the final decisions concerning the adequacy of the implementation of the Convention by the State Party and recommends possible additional measures.

This is the fourth periodic report of the Government of Finland on the implementation of the Framework Convention. The report covers the period between February 2010 and December 2014.

### Further information

For further information on human rights conventions and on 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**  
**Tel: +358-295-351926**  
**E-mail: OIK-40@formin.fi**

## PART I – INCREASING AWARENESS OF THE RESULTS OF THE THIRD MONITORING CYCLE

### A. PUBLICATION OF RESULTS OF THE THIRD MONITORING CYCLE

1. The Framework Convention, together with its Finnish and Swedish translations, has been published in the Treaty Series of the Statutes of Finland. The Statutes of Finland are available in the largest public libraries. In addition, the text of the Framework Convention is available in the FINLEX<sup>1</sup> database of legislation and on the Internet site<sup>2</sup> of the Ministry for Foreign Affairs where the text of the Framework Convention is also available in North Sámi. The Internet may be used free of charge at public libraries.

2. The Government's periodic reports on the implementation of the Framework Convention have been published on the Internet site of the Ministry for Foreign Affairs where the Framework Convention has its own page<sup>3</sup>. The site also includes the Advisory Committee reports on Finland, the Government's comments on these reports and the recommendations of the Committee of Ministers in four languages (English, Finnish, Swedish and North Sámi).

3. On 20 January 2012, the Ministry for Foreign Affairs distributed press release No. 19/2012 concerning the recommendations on the implementation of the Framework Convention submitted to the Committee of Ministers for approval.

4. The recommendations were translated immediately after their adoption into both national languages of Finland, i.e. Finnish and Swedish, and into North Sámi. On 20 March 2012, the Finnish, Swedish, English and North Sámi texts of the recommendations were communicated to a large number of stakeholders for informational purposes. These stakeholders included the Office of the President of the Republic, the Prime Minister's Office, all the Ministries, the Parliament, the Parliamentary Ombudsman, the Office of the Chancellor of Justice, the Office of the Prosecutor General, the Supreme Court and the Supreme Administrative Court, specialised Ombudsmen, Advisory Boards, churches and religious communities, the Swedish Assembly of Finland, the Sámi Parliament, the Finnish Local Government, research institutes specialised in human rights and a number of non-governmental organisations representing minorities. The recommendations of the Committee of Ministers were accompanied with a note encouraging the recipients to disseminate them as widely as possible.

5. 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 Framework Convention, the legislation implementing it and the monitoring of its implementation, and respond to enquiries concerning the rights and obligations deriving from the Framework Convention. The contact information of the unit is given in the introduction to the present report.

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<sup>1</sup> <<http://www.finlex.fi>>.

<sup>2</sup> <<http://formin.finland.fi>>.

<sup>3</sup> <http://formin.finland.fi/Public/default.aspx?contentid=67435>



## **B. FOLLOW-UP OF RESULTS OF THE THIRD MONITORING CYCLE OF THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION**

6. The final conclusions and recommendations of the Committee of Ministers concerning the implementation of the Framework Convention have been communicated to a large number of authorities, and the responsibility for taking any measures lies within each sector of administration.

## **C. THE CONTRIBUTION OF CIVIC SOCIETY TO THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION AND MEASURES TO DEVELOP THIS CONTRIBUTION**

7. Matters within the scope of the Framework Convention are dealt with by bodies such as the Advisory Board for Minority Issues (till the end of 2014), the Advisory Board for Roma Issues and the Advisory Board for Ethnic Relations with the participation of the authorities and minority representatives.

8. The fourth periodic report was drafted by the Ministry for Foreign Affairs using the recent statements received by the Ministry on matters related to minority rights. On 10 June 2014, the draft report was sent for comment, and a discussion meeting on the report was organised at the Ministry for Foreign Affairs on 18 June 2014. The Ministry of Education and Culture, the Office of the Ombudsman for Minorities and the Swedish Assembly of Finland attended the meeting. In addition, 31 parties submitted written observations and proposals for amendments to the draft report.

9. The Ministry for Foreign Affairs, which is responsible for the periodic reporting, has expressed a desire that authorities regularly inform the Ministry about the implementation of the Framework Convention as well as other human rights conventions in Finland. The information related to the drafting of the periodic reports and to the recommendations has been discussed in Paragraph A.

## **D. OTHER MEASURES FOR INCREASING AWARENESS ON THE CONVENTION**

### ***Network of contact persons for fundamental and human rights***

10. Finland's first national plan of action for fundamental and human rights was completed in 2012. Projects used by the government to promote the realisation of fundamental and human rights between 2012 and 2013 were included in the programme.<sup>4</sup> It contained a total of 67 separate projects divided between the fields of administration of all ministries. The projects introduced in the Plan of Action were divided into twelve different walks of life which in turn largely followed the chapter on fundamental rights in the Constitution of Finland.

11. The Plan of Action was prepared under the leadership of the Ministry of Justice, and a separate working group was established with representatives of all ministries, including experts from the Parliamentary Ombudsman's office and the Office of the Chancellor of Justice. A human rights actors' panel consisting of non-governmental organisations was established to support the working group. During the preparation, an extensive seminar and

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<sup>4</sup><http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/182012kansallinenperus-jaihmisoikeustoimintaohjelma201282112013.html>

consultation event was organised, as well as an open citizen discussion at the otakantaa.fi online service.

12. The Ministry of Justice commissioned an external evaluation of the Plan of Action, which was completed in March 2014.<sup>5</sup>

13. During the preparation of the Plan of Action, a need arose to improve the dissemination of information on fundamental and human rights issues within the Finnish Government. According to the Plan of Action, a network of ministry representatives was established to clarify how fundamental and human rights issues should be dealt with, to speed up the dissemination of information and to increase awareness of fundamental and human rights on various deal administration.

14. In June 2012, the Minister of Justice appointed a Finnish Government network of fundamental and human rights contact persons until the end of March 2015. The Ministry of Justice is in charge of coordinating the network. However, the Ministry for Foreign Affairs coordinates the work of the network in terms of international human rights issues, which follows the Finnish Government division of labour in fundamental and human rights issues. All ministries appointed their representatives for the network, and in addition, representatives of the Parliamentary Ombudsman's Office and the Office of the Chancellor of Justice were invited to act as network experts.

15. The network was assigned various tasks: 1) to monitor the implementation of the National Plan of Action for fundamental and human rights, 2) to prepare the Finnish Government's report on human rights policy, 3) to examine the status of fundamental and human rights in Finland, 4) to examine the implementation of fundamental and human rights obligations and commitments and the related periodic reports, 5) to follow the development, the approval and the national entry into force of new international human rights conventions and their protocols, and 6) to examine the need for a Finnish fundamental and human rights portal and the prerequisites for implementing it.

16. The Ministry of Justice established a panel consisting of actors working in the field of fundamental and human rights to support the activities of the network. At the end of the period for the Plan of Action, the panel issued a statement proposing that in the future, the Human Rights Delegation, which belongs to the National Human Rights Institution, and particularly its follow-up division for the realisation of fundamental and human rights could be in charge of the follow-up and the dialogue with the network.

17. The network has improved the dissemination of information on fundamental and human rights issues within the Finnish Government. The network also follows the implementation of the Framework Convention. Positive experiences on the network favour the establishment of a permanent network structure.

### ***Events related to the Framework Convention in Finland***

18. The Council of Europe, in collaboration with the Sami Parliament in Finland and the Ministry for Foreign Affairs of Finland, organised a seminar on the indigenous Sámi people, their culture and languages in Inari, Finland, on 27-29 November 2014.<sup>6</sup>

19. The seminar aimed at raising awareness about Sami in Finland, Norway and Sweden, enhancing diversity and non-discrimination as a way towards an inclusive society, sharing

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<sup>5</sup> <http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1396253612431.html>

<sup>6</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?)

good practices and experiences in Sami people's access to human rights, including social rights, and raising awareness about the relevant Council of Europe Conventions and their monitoring mechanisms.

20. Members of the Framework Convention's Advisory Committee and its Secretariat participated in the seminar.

***Events related to the Framework Convention in Strasbourg***

21. On 15 October 2012, the Ministry for Foreign Affairs participated in the Advisory Committee's publication of a thematic commentary on linguistic rights, and on 25 November 2013, it attended the 15th anniversary seminar of the Framework Convention in Strasbourg. National reports were made on both events.

## PART II – ISSUES REQUIRING IMMEDIATE MEASURES

### A. THE RECOMMENDATIONS OF THE COMMITTEE OF MINISTERS REQUIRING IMMEDIATE MEASURES

22. This section describes the measures taken for the implementation of the Committee of Ministers' recommendations requiring immediate measures.

#### RECOMMENDATION 1 – THE SÁMI HOMELAND LAND RIGHTS QUESTIONS

*Having considered the government's intention to ratify ILO Convention No.169, rapid measures should be taken to relaunch the paused negotiations for the Sámi Homeland land rights and to re-initiate a constructive dialogue with the Sámi Parliament in order to resolve the legal uncertainty surrounding the issue.*

#### ***Sámi issues in the Government programme***

23. The Government has committed to a constitutional cultural autonomy that enables the Sámi to uphold and develop their language and culture. Prime Minister *Alexander Stubb's* Government Programme<sup>7</sup> (as of 24 June 2014) is based on Prime Minister *Jyrki Katainen's* Government Programme<sup>8</sup> as well as the Structural Policy Programme and policies relating to its implementation and to fiscal adjustment. Prime Minister *Katainen's* Government Programme for the 2011–2015 parliamentary term and its objectives remain valid.

24. According to *Katainen's* Government Programme, the facilities of the Sámi Parliament and the cultural autonomy of the Sámi people will be developed. The rights of the Sámi as an indigenous people will be developed for instance by clarifying the legislation related to land use and by actively participating in the international for reinforcing the legal and actual protection of indigenous peoples.

25. According to *Stubb's* Government Programme the Convention No. 169 of the International Labour Organisation will be ratified, provided that the Government reaches a common understanding on a definition relating to the Sámi people.

26. In April 2013, the Government established a Ministerial Group for Sámi Affairs to decide on Sámi affairs requiring a definition of policy and particularly on questions arising in connection with negotiations on the Nordic Sámi Convention. A working group consisting of five ministers shall assemble once a month or more frequently if required.

#### ***Indigenous peoples' rights to land and rights to exercise traditional livelihoods***

27. Finland has long attempted to reinforce the Sámi people's right to areas traditionally used by the Sámi people in a way satisfying all parties. The objective has been to find a balanced solution observing Finland's international obligations and commitments while ensuring that both the Sámi and other local population can influence how land is used in the areas they inhabit.

28. The ability of the Sámi and the other local population to participate in the use of their territory has already been secured quite well in terms of the state land and water bodies.

<sup>7</sup> <http://valtioneuvosto.fi/hallitus/hallitusohjelma/pdf-stubb/en.pdf>

<sup>8</sup> <http://valtioneuvosto.fi/tietoarkisto/aiemmat-hallitukset/katainen/hallitusohjelma/pdf/en.pdf>

More than 90 percent of the land area and water bodies in the Sámi Homeland area is state-owned and controlled by the Finnish Forest and Park Service. The use of land and water bodies controlled by the Finnish Forest and Park Service is planned using natural resource plans. The planning process is inclusive, and local stakeholders may participate in it. Definitions of policy concerning land use is made during the planning process, and decisions on features such as the focus of conservation and recreational uses and the extent of forest measures are made on a regional level.

29. A Government Bill (HE 264/2014 vp) for approving of the ILO Convention No. 169 was submitted to Parliament on 27 November 2014.

30. During centuries, societal and geographical reasons have led the Sámi and the majority population to settle and inhabit partly the same areas and to pursue partly the same livelihoods in what is now the Sámi Homeland. The Sámi have traditional knowledge of their livelihoods, and cultural habits and traditions of their own.

31. The national solution is based on the following premise: the Government of Finland will not interfere with the rights to own, possess or use the lands and waters in the Sámi Homeland owned. The Government of Finland will instead ensure the Sámi the right to participate in and influence the planning of the use of any state-owned land and water areas in the Sámi Homeland and the related decision-making, in order to safeguard and promote the rights of the Sámi as an indigenous people. Furthermore, the Sámi will be ensured the right to use these areas for practising, maintaining and promoting Sámi culture.

32. The national solution is entered in a declaration which is included in the Government Bill. The Government proposes that the national Parliament would approve the aforementioned declaration which forms an understanding between the Government and the Sámi Parliament on the application and implementation of Article 14 concerning land rights in Finland.

33. Amendments are proposed to the Act on the Finnish Forest and Park Service, too. The Act would be supplemented with provisions on planning the management and use of the State owned lands and waters located in the Sámi Homeland, and on a prohibition to undermine Sámi culture.

34. As part of the anti-discriminatory YES project, the Government attempted to increase awareness and encourage dialogue on ILO Convention No. 169 in the Sámi region by organising a *Boahttevuohhta - Moving forward together* equality conference on 14 and 15 August 2013 in conjunction with the ILO and the Sámi Parliament.

35. The Ombudsman for Minorities (as of 1 January 2015 the Non-Discrimination Ombudsman) is hastening the rectification of the Convention and has requested a fact-based discussion on the Convention. In February 2014, the office of the Ombudsman for Minorities issued a publication called "99 questions and answers on the ILO 169 Convention."<sup>9</sup> By means of this publication, the Ombudsman for Minorities wishes to provide additional information for this discussion on the implications of the ratification to Finland and to support the process itself.

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**Central Lapland logging ban agreement**

36. In terms of logging and other activities carried out by private individuals, it can be stated that in 2009, the Finnish Forest and Park Service, Greenpeace and local reindeer owners made an agreement to settle disputes on the protection of Lappish forests. According to the agreement, logging shall be banned in Central Lapland in a vast areas with a total surface of 35,000 hectares. With the agreement, the ban area will only be extended by slightly more than 20,000 hectares, since the Finnish Forest and Park Service previously banned logging in certain areas within the scope of the agreement. Reindeer owners played a central role in the agreement negotiations.

**Mining and Water Act**

37. So-called prohibitions of regression have been included in the Mining Act (621/2011) and the Water Act (587/2011), which entered into force in 2011. The prohibition of regression shall prevent the realisation of projects which would considerably impair the potential of the Sámi people to exercise their indigenous peoples' rights to uphold and develop their culture and to practice their traditional livelihoods.

38. In addition to the provisions in the decree on the Sámi Parliament, provisions on the consultation of the Sámi Parliament as well as on the right of the Sámi Parliament to appeal decisions made under these Acts have also been included in the Acts mentioned above. In terms of the Mining Act, the Commerce Committee stated in its memorandum (TaVM 49/2010 vp) that the provisions of the draft Act concerning these issues should be interpreted and applied in a manner that is favourable to fundamental rights and having considered the jurisprudence of the UN Human Rights Committee on Article 27 of the International Covenant on Civil and Political Rights.

39. At the same time, provisions reinforcing the ability of the Sámi Parliament to become involved and influencing the procedure of granting mining and water project permits have been included in the Acts. Provisions on how the Sámi Parliament should be consulted in connection with the permit procedures and on the right of the Sámi Parliament to become involved in activities such as inspections made in connection with the review of a permit application have been included in these Acts. In addition, the Sámi Parliament has been granted an independent right to appeal the permits granted based on these Acts.

40. The Sámi Parliament has raised the concern that mechanical gold-digging and interest in ore mining and possibly in establishing mines in the Sámi Homeland is increasing. The prohibition of regression included in legislation is important, but the application of the legislation will determine whether it will provide the necessary additional protection for the Sámi culture. According to the Sámi Parliament, prohibitions of regression have not provided any additional protection for the Sámi culture under the current practices of the authorities.

**RECOMMENDATION 2 – REVIVAL OF THE SÁMI LANGUAGES**

*In consultation with the Sámi Parliament, focused measures should be continued in an attempt to prevent the Sámi languages from further disappearing from public life by means of sufficient funding and the efficient implementation of the Sámi language revival programme, and investments should be made in appropriate educational activities ensuring that public services will be increasingly available to the Sámi people in the Sámi language.*

### ***Sámi linguistic rights***

41. As an indigenous people, the Sámi have a constitutional right to uphold and develop their own language and culture. The Sámi Language Act sets out the Sámi people's right to use their own language before courts of law and other authorities, as well as public authorities' obligation to implement and promote the linguistic rights of the Sámi. The Sámi linguistic rights are mainly focused in the Sámi Homeland located in the northern part of the Province of Lapland, including the municipalities of Enontekiö, Utsjoki and Inari as well as a part of the Sodankylä municipality.

42. However, the number of Sámi people residing outside of the Sámi Homeland, for instance in Rovaniemi, Oulu and in the metropolitan area, has been progressively rising. More than half of the Sámi people and over 70 percent of children under the age of 10 live outside the Homeland area. Recently, the loss of the Sámi languages outside the Sámi Homeland has been a particular cause for concern.

43. The Sámi right to receive education in their own language is promoted. According to the Basic Education Act, the education provided in the Sámi region should mainly be given in the Sámi language. The State will pay in full the costs incurred from Sámi language education and the teaching of the Sámi language in the municipalities of the Sámi Homeland. The Finnish National Board of Education grants state subsidies for the teaching of the Sámi language in basic and general upper secondary education outside the Sámi region. A group of two individuals is sufficient for receiving teaching subsidies.

44. Each year, the Ministry of Education and Culture subsidises the production of Sámi-language learning material. In 2014, there was a significant increase in this subsidy, from EUR 290,000 to EUR 400,000.

45. In 2014, the Sámi Parliament received state subsidies from the Finnish National Board of Education for organising further teaching staff training on the development of the Sámi-language immersion courses.

46. Basic professional education in the Sámi language is provided at one educational institution maintained by the State, at the Sámi Education Institute at Inari. The teaching languages of the institute include Finnish and Sámi. The training organisers may independently decide which type of training they provide in each teaching language used at the institutions. The education is funded in the same way as other types of professional education in Finland, according to the Funding Act.

47. In addition, the Sámi Education Institute organises professional labour market training commissioned by the Centre for Economic Development, Transport and the Environment (ELY Centre) for Lapland. This training is aimed at the development and improvement of the skills of individuals working in the field of Sámi handicraft and culture and its use in the framework of tourism-related livelihoods. The educational capacity for Sámi handicraft and culture allows studies for two degrees or the professional Sámi handicraft journeyman and the professional tourism programme service degree as well as the partial completion of these degrees. The education is provided at Enontekiö, Utsjoki, Inari and Sodankylä. Labour market training is commissioned according to the Act on Public Employment and Business Service.

48. Outside of the Homeland area, Sámi language services are provided by volunteers. Active Sámi associations uphold the Sámi language and culture and organise activities in the Sámi language. For instance, *City-Sámit ry* has received a grant from the Finnish Cultural Foundation for a linguistic and cultural revival project for Sámi children and adolescents. In

August 2012, the *Ovi Saamen maailmaan (Door to the Sámi World)* project was launched. It focuses mainly on children and adolescents in the metropolitan area. Interest in the Sámi heritage and language has increased in the metropolitan area, but long distances prove challenging. With the support of the Ministry of Education and Culture, City-Sámit ry also initiated language nest activities in Helsinki in November 2013. The language nest serves as a private group family day care, caring for six children.

### ***Sámi language revival programme***

49. Several measures have been taken in recent years for the revival of the Sámi language but that the measures taken do not in themselves guarantee the survival of the Sámi languages. All the Sámi languages spoken in Finland are still endangered. Among these languages, Skolt Sámi and Inari Sámi are seriously endangered. The main challenges of reviving the language include safeguarding sufficient teaching of the Sámi language and Sámi language education and daycare; 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.

50. The Ministry of Education and Culture has prepared an action plan for the revival of the Sámi language on a national level. Both the working group appointed for preparing the programme proposal and its secretariat included representatives from the Sámi Parliament.

51. The action plan includes the vision for the revival of the Sámi languages by 2025 as well as measures for improving the situation.

52. During its plenary session on 3 July 2014, the Government adopted a decision-in-principle regarding the revival of the Sámi language. The Sámi language revival programme<sup>10</sup> covers all three Sámi languages spoken in Finland: North, Inari and Skolt Sámi. In addition to its general sections, the decision-in-principle includes 21 specific measures to revive the Sámi language.

53. In the decision-in-principle, the Government regarded the status of all the languages mentioned above as under threat. The measures included in the decision-in-principle are intended by the Government to play a part in protecting the language and culture of Finland's indigenous people, as well as to promote their status as required by national legislation and by international treaties protecting minorities.

54. According to paragraph 5 of the decision-in-principle, the Ministry of Education and Culture will be responsible for monitoring the implementation of the programme. The Ministry will report to the Government on the implementation of measures under the revival programme.

55. The decision-in-principle recognises that the revival of a language is a long-term project, the results of which will only be seen after years or even decades. However, the measures included in the action programme have been planned so that it will be possible to start implementing them during the term of office of the current Government. This report examines the implementation of the resolution as of December 2014, at which time the

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<sup>10</sup> Action plan for reviving the Sámi language. The Ministry of Education and Culture working group memorandums and reports 2012:7, <<http://www.minedu.fi/export/sites/default/OPM/Julkaisut/2012/liitteet/tr07.pdf?lang=fi>>.



resolution had been in effect for about six months and this is therefore a review of the initial stages of the implementation of the action programme.

56. Implementation of some of the measures included in the revival programme has started well. On the other hand there are measures have not yet been started. In some cases action has been delayed by the fact that the increases in funding required for measures are decided on within the framework of government spending and the annual State Budget. The Sámi Parliament considers that implementation of the revival programme has not progressed as hoped for. The necessary increases in funding will be made in the State Budget.

57. Expansion and funding of the “language nest” activities in the Sámi Homeland operates at the moment through a separate state appropriation for a total of seven “language nests”: two Skolt Sámi language nests (one in Ivalo and one in Sevetijärvi), three Inari Sámi language nests (two in the municipality of Inari and one in Ivalo) and two North Sámi language nests (one in Karigasniemi/Utsjoki and one in Vuotso). During 2014, the Ministry of Education and Culture supported these language nests with funding of EUR 550 000 via the Sámi Parliament.

58. In addition to the language nests mentioned above, the Ministry of Education and Culture has supported the Sámi Parliament to start up language nests outside the Sámi Homeland. EUR 200 000 of funding was provided for this purpose in 2014. Funding has also been used for other activities that support language nests. At the moment, the only fully operational language nest outside the Homeland is in Helsinki which is operated by the Sámi people’s association; City-Sámit ry. Preparations have been made to start language nests in Rovaniemi and Oulu.

59. City-Sámit ry has drawn up an initial plan to expand the language nest they run to become a language, youth and cultural centre for Sámi people living in the Helsinki region. The Association has negotiated with the Ministry of Education and Culture under the auspices of the language revival programme. In December 2014, the Ministry of Education and Culture made a special grant of EUR 97 000 to the Association to cover the costs of further planning for the project.

### ***Continuing education for personnel engaged in teaching and early-years education***

60. The Ministry of Education and Culture decides annually on the strategic priorities and guidelines for funding training for personnel employed in state-funded teaching and early-years education. One of the priorities for 2014 – 2015 is the implementation of the Sámi language revival programme.

61. In 2014, the National Board of Education awarded EUR 44 000 of this funding to the Sámi Parliament for continuing education in Sámi language immersion teaching and teaching Sámi culture.

62. Applications are currently being made for training to implement the priorities for 2015-2016. In addition to the measures being taken as part of the Sámi language revival programme, measures in respect of the culture in education priority are being promoted through the linguistic knowledge of education and teaching personnel, as well as by increasing their knowledge and skills to work jointly with multi-cultural families.

**RECOMMENDATION 3 – CONSULTATION OF NATIONAL MINORITIES**

*Appropriate measures should be taken to ensure that the various systems and procedures for the consultation of individuals belonging to national minorities be complemented and rearranged to provide clear communication channels, and the potential of minority representative, including the smallest minority groups, to influence the decision-making process de facto.*

***Non-discrimination planning and the assessment of the non-discrimination impact***

63. The Ministry of the Interior provides other authorities with instructions for non-discrimination planning and the assessment of the non-discrimination impact. Both measures are intended to involve non-governmental organisations representing minorities in the decision-making and the measures of the authorities. The Ministry of the Interior has given general recommendations for non-discrimination planning and created planning guides for the authorities, for educational institutions and non-governmental organizations in conjunction with organisations representing minorities. The Ministry of the Interior has also published a guide and trained provision planners for the assessment of the non-discrimination impact in preparation for legal provisions.

64. According to the Ombudsman for Minorities (as of 1 January 2015, the Non-discrimination Ombudsman), the current integration of the non-discrimination plans into the budget proposal of organisations or their business strategy has not proven very generalised or effective. Several plans remain merely theoretical and they may not be applied in practice. Measures supporting non-discrimination planning should be developed in order to integrate it into decision-making processes on a local and organisational level, for instance, on a municipal level. Non-discrimination planning will be intensified by the entry into force of the Non-Discrimination Act. The obligation to carry out non-discrimination planning would consider not only the authorities but also education providers, educational institutions and private employers permanently employing more than 30 individuals. The consequences of an organisation failing to prepare a non-discrimination plan and the ways to monitor this still remain challenging. Positive and functional examples should be given more visibility in society.

***Language impact assessment***

65. When amendments are made to the legislation or reforms carried out within the public administration, it is important to assess whether they will affect or infringe any of the existing linguistic rights. The Ministry of Justice has compiled a set of guidelines which are to be used both before and after any restructuring of the public administration or drafting of new legislation.<sup>11</sup>

66. There are two sets of guidelines. The first is a compilation of all the language legislation that the officials need to take into account when planning any legislative amendments or reforms. The second is a guide on how to assess whether there have been any significant consequences for the actual services provided to the public.

67. *Svenska Finlands folkting* has emphasized in particular the strengthening of language impact assessment when amending legislation.

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***Citizens' initiative***

68. At least 50,000 Finnish citizens entitled to vote have a constitutional right to make a citizens' initiative for the enactment of an Act to Parliament<sup>12</sup>. A citizens' initiative may include a proposal for legislation or a proposal for initiating preparations for an act. The initiative may also concern the amendment or revocation of an Act currently in force.

69. Signatures supporting a citizen initiative or statements of support must be collected within six months. They shall be collected electronically in an information network or manually on paper. Statements collected on paper must be entered on a form template approved by the Ministry of Justice.

70. In December 2012, a citizens' initiative network service was opened for creating citizens' initiatives and for collecting statements of support for the initiatives. It provides citizens with the possibility to submit their initiatives to Parliament. The new network service is free of charge, accessible and safe to use. The service can be used both in Finnish and Swedish. Statement of support may also be collected for initiatives for which statements of support are already collected in other network services or on paper forms. In the future, the service will include the possibility to create a municipal initiative.

71. However, non-governmental organisations representing minorities have noted that part of the population does not use the Internet due to their age, lack of education, lack of linguistic skills, disability, memory disorder or for other similar reasons. The service should also be available in person or by telephone in order for the initiative to be created in various languages and even by illiterate individuals. In addition, it would be more relevant to citizens to be able to create municipal initiatives, since they would directly focus on a local impact. For the citizens, this is often a more direct and relevant way of making a difference.

***The Local Government Act and its amendment***

72. The Local Government Act is a general act on municipal administration, decision-making and economy. The global amendment of the Local Government Act is part of the Government's municipal reform. A Government Bill for a new Local Government Act (HE 268/2014 vp) was submitted to Parliament on 27 November 2014.

73. One of the main objectives of the global amendment of the Local Government Act is to reinforce citizens' possibilities to be involved in the decision-making process and to influence the decisions made. Provisions enabling various means for citizen interaction and inclusion and provisions for user democracy are proposed to be included in the Local Government Act. A municipal strategy specific to each municipality would determine the structures, methods and means for inclusion and making a difference.

74. Provisions on so-called decision-making bodies are proposed to be included in the Local Government Act. Regulation on interaction and decision-making bodies would be compiled in the Act. Currently, municipalities are able to establish decision-making bodies for the consultation of minorities and as a channel for making a difference, but in the new Local Government Act, the provisions on the rights of inclusion of the inhabitants will be further emphasised. According to the draft, the regulation on the mandatory Senior Citizens' Council and the voluntary Disabled Citizens' Council would be included in the Local Government Act, and that a new obligation to appoint a mandatory youth council or an equivalent group of young decision-makers should be included in the Act. It is also possible

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<sup>12</sup> <https://www.kansalaisaloite.fi/fi/ohjeet/briefly-in-english>

to establish ways for the minorities to make a difference. For instance, advisory boards for immigration, multiculturalism and integration issues operate in municipalities.

75. The Local Government Act also provides for the right to create initiatives. Residents of municipalities have the right to create municipal initiatives in matters related to municipal activities. In the new Local Government Act, it is specified that as per the current practice, this right is extended to the users of municipal services and to communities and foundations operating in the municipality.

### **Advisory boards**

76. To increase special groups' inclusion and their possibilities of influencing the decision-making process, the Finnish Government has established various advisory boards, such as the Advisory Board for International Human Rights Affairs, the Advisory Board on Roma Affairs, the Advisory Board for Minority Issues (till the end of 2014), the Advisory Board for Language Affairs as well as the Advisory Board for Ethnic Relations.

### **Human Rights Delegation**

77. Finland's national human rights institution, the Human Rights Centre operating in connection with the Parliamentary Ombudsman's Office, has a Human Rights Delegation with twenty to forty members, including a large number of Finnish actors in the human rights field. The Delegation serves as a cooperation body of the field, helping to intensify the dissemination of information between different actors. It also deals with far-reaching human rights questions that are important in principle.

78. The Parliamentary Ombudsman appoints the Delegation for four years at a time. The composition of the Delegation aims at versatile expertise and representation as well as an open selection process. The permanent members include the Parliamentary Ombudsman as well as the Chancellor of Justice of the Government (for his/her representative), the Ombudsman for Minorities (as of 1 January 2015, the Non-discrimination Ombudsman), the Ombudsman for Equality, the Ombudsman for Children, the Data Protection Ombudsman and a representative of the Sámi Parliament. The other members include experts in various human rights areas.

79. The mandate of the first Delegation is from 2012 to 2016, and forty members were appointed to the Delegation. The cross-sectional theme of the mandate is access to rights. The Delegation is chaired by the director of the Human Rights Centre. The vice-chair is selected from among the members of the Delegation. The Delegation shall assemble between two to four times a year.

### **Recommendation – consolidation of Sámi affairs**

*A special administrative system should be established to consult with the Sámi Parliament in all affairs concerning the Sámi and to consolidate the development of clear government attitudes in matters relevant to the Sámi people.*

### **Amendment to the Act on the Sámi Parliament**

80. The Act on the Sámi Parliament (974/1995), which plays a central role in the regulation of the Sámi cultural autonomy, dates back to 1995. The act has since been

amended several times to better correspond to practical needs. In 2012, the Ministry of Justice appointed a working group to prepare a proposal for a review of the Act on the Sámi Parliament.

81. The working group memorandum (MJ 55/2013) states that the general objective of the Bill is to improve the facilities of the cultural autonomy of the Sámi people and the Sámi Parliament. The goal is to reinforce the dynamic nature of the mission of the Sámi Parliament and its obligation to actively promote the rights of the Sámi as an indigenous people.

82. It is suggested that the provisions on the negotiation procedure be modified to emphasise the cooperation between the authorities and the Sámi Parliament more than in the past. The purpose of the regulation is to reinforce the right of the Sámi Parliament to become involved in the decision-making particularly concerning the Sámi people and to contribute to this decision-making process according to the recommendations of international human rights bodies. In addition, its purpose is to emphasise that the negotiation procedure is a form of involvement in the decision-making process that goes further than the usual statement and consultation procedure. A sufficient amount of time should also be reserved for the negotiations and for preparing for them.

83. The Government Bill would extend the number of issues within the scope of the negotiation obligation. According to the proposal, negotiations should be conducted on all significant measures particularly affecting the Sámi language or culture or the position of the Sámi people or their rights as an indigenous people, regardless of whether the immediate impact of the measure reach the Sámi Homeland. Such measures may include measures related to the Sámi language. According to the proposal, the authorities should prepare minutes on the negotiations.

84. The Government Bill on the amendment of the Act on the Sámi Parliament (HE 167/2014 vp) was submitted to Parliament on 25 September 2014.

### ***Amendment to the Act on the Finnish Forest and Park Service***

85. Rights of inclusion are also included in the project of preparing an Act on the reorganisation of the Finnish Forest and Park Service. Further information is provided under Recommendation 1.

### ***Akwé: Kon guidelines***

86. In planning land use in wilderness areas, the Finnish Forest and Park Service emphasises the involvement of local inhabitants, stakeholders, municipalities and the authorities. As a new feature in updating the Hammastunturi wilderness area, the possibility of the Sámi to influence the planning process more than before from the very beginning is also taken into consideration. The new practice derives from the United Nations Convention on Biodiversity and its Article 8(j) determining matters concerning indigenous people in relation to biodiversity. This method of impact assessment is called the Akwé:Kon guidelines.

87. In Finland, the Akwé: Kon guidelines are applied to the Sámi Homeland, and they should be taken into consideration in national legislation. The guidelines particularly concern the application of the Land Use and Building Decree (132/1999) and the Act on Environmental Impact Assessment (EIA) Procedures (468/1994) as well as the land use planning for state-controlled areas within the Sámi Homeland. The Akwé: Kon client lines

provide a procedure to secure the involvement of the Sámi in the preparation of projects and plans, in the assessment of the impact and in the decision-making process.

88. Finland has applied the Akwé: Kon guidelines as the first party to the Convention on Biodiversity. The Finnish Forest and Park Service implemented Article 8j of the Convention on Biodiversity by creating an observation model for applying the Akwé: Kon guidelines to the land use planning of the Sámi Homeland based on a pilot plan for the care and use of the Hammastunturi area. The objective was to discover new ways for the authority in charge of the wilderness areas, the Finnish Forest and Park Service, to increasingly safeguard the possibility of the only European indigenous people to influence the prerequisites for practising their culture in the area. As a result of the experiment, the right to extract raw materials for handicraft products manufactured according to the Sámi tradition was included in the Hammastunturi plan. Based on the successful experiment, the Finnish Forest and Park Service created an operation model for the use of the Akwé: Kon guidelines<sup>13</sup> that will be used in the future at least for preparing plans for natural resources and for the care and use of other resources in the Sámi Homeland.

### ***Youth Council of the Sámi Parliament***

89. In early 2011, a Youth Council<sup>14</sup> was established in connection with the Sámi Parliament with the support of the Ministry of Education and Culture. The Youth Council is one of the committees of the Sámi Parliament. It consists of five permanent members, their personal deputy members as well as five expert members. The permanent members and deputy members are age 18 to 25 and the expert members are age 15 to 17.

90. All matters concerning the Sámi youth and their living conditions fall within the scope of the Youth Council. The Youth Council may create initiatives and make statements on the matters concerning Sámi youth and their living conditions. The Youth Council may also organise events and participate in various events.

91. This year, the Youth Council is launching the *Ofelaš* activities where young ambassadors of the Sámi culture participate in events introducing the Sámi culture. The Regional State Administrative Agency for Lapland has granted EUR 15,000 for launching the activities.

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<sup>13</sup> Application of the Akwé: Kon guidelines in the plan for the care and use of the Hammastunturi wilderness area. The Finnish Forest and Park service 2013, <http://julkaisut.metsa.fi/assets/pdf/lp/Muut/AkweKonraportti2013.pdf>.

<sup>14</sup> <http://www.samediggi.fi/nuorat/>

## PART II – OTHER MEASURES FOR THE DEVELOPMENT OF THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION

### B. THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION BY ARTICLE

#### ARTICLE 1

*The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.*

#### ***International treaty obligations***

92. The Optional Protocol to the UN's International Covenant on Economic, Social and Cultural Rights came into force in Finland in April 2014. The UN's Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment came into force in Finland in November 2014.

93. A Government bill for the ratification of the ILO's Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries (HE 264/2014 vp) was submitted to Parliament on 27 November 2014. A Government bill for the ratification of the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol (HE 284/2014 vp) was submitted to Parliament on 4 December 2014. Furthermore, a Government bill for the ratification of the Optional Protocol on the complaint procedure to the UN Convention on the Rights of the Child (HE 285/2014 vp) was submitted to Parliament on 4 December 2014.

#### ***Human rights strategy of the Foreign Service***

94. The first human rights strategy of the Ministry for Foreign Affairs was published in June 2013<sup>15</sup>. It complements the human rights report submitted to Parliament by the Government once in each electoral period. The elimination of discrimination as well as the increase of openness and inclusion were defined as its cross-sectional objectives. The related plan of action for the period between 2013 and 2015 introduces concrete objectives, such as the promotion of the rights of girls and women as one of the priorities. As for the rights of marginalized persons and persons in vulnerable position, special attention is paid to multiple discrimination.

#### ***European Policy on Roma***

95. In March 2011, the Finnish objectives for the promotion of the European Policy on Roma were approved. Finland's Handbook on the European Policy on Roma is part of the implementation of the programme for a Roma policy. The manual includes EU's ten fundamental principles for the promotion of Roma inclusion. In the manual, principles have been adapted to a Finnish environment. The Handbook guides Finland's international activities for ensuring Roma rights.

<sup>15</sup>

<http://formin.finland.fi/public/download.aspx?ID=119774&GUID={B6F74015-B971-4CCB-93ED-8E6B53D85ED1}>

96. In international activities, the diplomatic services human rights strategy supports Roma inclusion in decisions and processes concerning them, and the strategy also supports the creation of a comprehensive European Roma policy on a European level.

97. Finland is involved in international cooperation for developing the implementation of the Roma economic, social and cultural rights both on a European level (EU, EN, OSCE) and on a larger international scale.

98. Roma affairs have been one of Finland's priorities in the Council of Europe. Finland is involved in the work of the Council of Europe's Committee of Experts on Roma Issues (CAHROM). The committee is in charge of preparing decisions and recommendations on Roma issues for the Committee of Ministers of the Council of Europe. The Committee of Experts on Roma Issues follows the development of Roma issues in Europe and provides expert information for the Committee of Ministers. The Finnish Government is represented by an expert with Roma background. The Finnish representative has been appointed rapporteur on equality in the Committee.

99. *The European Roma and Travellers Forum* (ERTF) was launched on a Finnish initiative in 2001. In previous years, Finland has provided general support for ERTF which operates in connection with the Council of Europe. Finland has supported the mutual communication between Roma organisations in the ERTF rule amendment process as well as the discussion between ERTF and the Council of Europe for the development of cooperation.

100. Between 2010 and 2013, Finland subsidised programmes supporting Roma rights and position by means of voluntary funding granted to the Council of Europe. The objective was to increase the Roma of awareness of their rights and their recours to legal proceedings and to support the Dosta campaign for the eradication of negative attitudes and intolerance. Finland has also funded projects to support the rights and position of Roma women and children.

101. In OSCE, Finland has actively supported decisions aimed at reinforcing Roma rights as well as the Office for Democratic Institutions and Human Rights / Contact Point for Roma and Sinti (ODIHR / CPRS) activities. Finland has funded the OSCE-ODIHR Best Practices for Roma Integration (BPRI) project for Roma youth, intended to increase the ability of trained Roma youth to work in public administration.

102. In 2013, Finland funded the creation of the post of a national expert on Roma issues for the anti-discrimination unit of EU commission's Directorate-General for Justice.

### ***Finland's support to the UN work for Indigenous Peoples***

103. Finland provides voluntary funding for the UN Voluntary Fund for Indigenous Populations which supports the participation of representatives of indigenous peoples in UN meetings. The Sámi may also apply for support from the fund. Voluntary funding is also provided for the voluntary fund supporting the United Nations Permanent Forum on Indigenous Issues which supports the implementation of the permanent forum decisions.

104. Since 2011, Finland has supported the United Nations Indigenous Peoples' Partnership (UNIPP) which was established to reinforce the cooperation framework and the partnership between the Office of the United Nations High Commissioner for Human Rights (OHCHR) and several United Nations organisations for promoting the rights of Indigenous Peoples and for mainstreaming them in the United Nations system. The objective of UNIPP is to increase



skills on a national level and to move from a political level to the concrete implementation of the rights of indigenous people.

105. Since 2014, Finland has funded the post of a young Finnish expert (Junior Professional/Associate Expert) in the Indigenous Peoples and Minorities Unit of the Office of the United Nations High Commissioner for Human Rights.

## ARTICLE 2

*The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.*

106. According to the Government Programme, Finland carries out active and enterprising foreign policy and cooperation work with other nations and peoples. Finland actively promotes the intensification of cooperation between the Nordic countries and their close neighbouring countries, for the development of European Union activities and as part of the global community.

107. For Finland, the European Union is the most important institution for influencing international cooperation. Finland aims at a European Union that is a project of peace, growth, employment and social justice. EU membership and the social development of the European Union is beneficial for Finland. Independence translates as involvement in international decision-making in institutions where decisions affecting Finns are made.

108. Traditionally, the Nordic countries have been a key reference group for Finland. The Government is actively working for the intensification of Nordic cooperation and pays particular attention to safeguarding and promoting the strengths of the Nordic model.

109. Finland has a close relationship with the Baltic countries. The Baltic countries are important partners for Finland both in the EU and bilaterally. Cooperation with the Baltic countries is developed bilaterally and in the EU as well as by reinforcing the NB8 cooperation established in the cooperation structures between the Baltic Sea countries and the Nordic countries.

110. Finland emphasises the cooperation in the northern dimension the development of northern dimension partnerships. The Baltic Sea strategy of the European Union plays an important role in the consistent use of the area's cooperation mechanisms. The northern dimension provides a functional forum for Baltic Sea cooperation with non-EU countries, particularly with Russia.

111. There is significant economic and political interest in the Arctic areas. Due to the climate change and the increased use of natural resources, the environmental risks are also increasing in the arctic region. On the other hand, the arctic region provides considerable potential for Finland. The Government promotes the exploitation of Finnish skills in the Arctic region. The implementation of Finland's Arctic strategy is intensified. Cooperation between the countries in the area is increased to better use the livelihood potential in the area and to ward off environmental threats to the area. When carrying out mining activities and using the natural resources of the area, ecological sustainability and the rights of indigenous peoples must be observed.

112. Finland reinforces close, large scale and multilevel bilateral relations with Russia. The Government is actively involved in the development of the EU policy on Russia. Finland

supports Russia's move closer to Europe and its integration with the international treaty system.

113. The Government promotes mutual mobility between Finland and Russia which is based on reciprocity. Finland also supports cooperation between Finland and Russia on the level of civil society. Regional transboundary cooperation with Russia is continued and reformed.

### ARTICLE 3

*1. Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.*

*2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.*

### Population

114. At the end of the year 2013, Finland's population numbered 5,451,270 persons. In 2013, the population increased by 24,596. The number of people who spoke a foreign language as their mother tongue increased by 22,119 individuals, which was 90 percent of the population growth. The number of people who spoke Finnish as their mother tongue increased by 2,514 individuals, the number of people speaking Swedish as their mother tongue decreased by 67 individuals, and the number of people speaking Sámi increased by 30.<sup>16</sup>

115. At the end of 2013, the number of people speaking a foreign language as their mother tongue totalled 289,068 individuals, which was 5.3 percent of the population. There were 4,869,362 people speaking Finnish as their mother tongue (89.3 percent of the population), 290,910 Swedish-speaking people, (5.3 percent) and 1,930 people speaking Sámi (0.04 percent).

116. The largest group of people speaking a foreign language as their mother tongue consisted of Russian-speaking people, a total of 66,379 people. The next larger foreign-language groups included Estonian-speakers (42,936), Somali-speakers (15,789), English-speakers (15,570) and Arabic-speakers (13,170).

117. According to the Personal Data Act (523/1999), the collection and publication of data concerning ethnicity is allowed in Finland for statistical purposes. According to Section 11, the processing of delicate personal information is prohibited. However, it is not possible to create statistics on ethnicity, since population statistics are currently based on register material.

118. Statistics Finland<sup>17</sup> compiles statistics on Finnish residents according to nationality, language and country of birth. Statistics can also be compiled on people based on the country of origin, which, as in the other Nordic countries, means the country in which the

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<sup>16</sup> Population statistics by Statistics Finland. [http://www.tilastokeskus.fi/til/vaerak/2013/vaerak\\_2013\\_2014-03-21\\_tie\\_001\\_fi.html](http://www.tilastokeskus.fi/til/vaerak/2013/vaerak_2013_2014-03-21_tie_001_fi.html)

<sup>17</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)

individual's parents were born. Since the census is carried out based on registers, Finland cannot create official statistics on ethnic groups.

### **Swedish-speakers**

119. At the end of 2013, there were 290,910 people speaking Swedish as their mother tongue in Finland. The percentage of the Swedish-speakers of the whole population in Finland was 5.3 percent.

120. The provisions on fundamental rights in the Constitution of Finland state that Finland is a bilingual country and that the Finnish and Swedish have an equal status as national languages and guarantee the rights of individuals and groups related to this. Instead of the term 'mother tongue', the provision refers to one's 'own language'.

121. According to the Constitution, the objective of the organisation of administration shall be suitable territorial divisions in view of the Finnish-speaking and Swedish-speaking population's opportunity to receive services in their own language on equal terms. Fundamental linguistic rights have been specified in the Language Act (423/2003).

122. Considering that Swedish is one of the two national languages of Finland, the Swedish-speaking Finns are not considered a national minority as such but rather a language group, i.e. a *de facto* language minority.

123. The rights of Finland's Swedish-speaking population are promoted by *the Swedish Assembly of Finland (Svenska Finlands folkting)* which acts in order to develop the cultural and social rights of the Swedish-speaking population and to promote the position of the Swedish language in Finland. Its tasks involve the support and reinforcement of the Swedish-language culture in Finland. The tasks of the Swedish Assembly of Finland have been provided for in a separate Act (1331/2003).

### **Sámi**

124. At the end of 2013, there were 1,930 people speaking Sámi as their mother tongue in Finland. The percentage of the Sámi-speakers of the whole population in Finland was 0.04 percent. According to the statistics created by the Sámi Parliament in connection with the 2011 Sámi Parliament elections, there are 9,919 Sámi people, of whom 9,266 live in Finland. Over half of them (58.5 percent) reside outside the Sámi Homeland area. In 2011, no statistics were compiled on the number of Sámi speakers in connection with the Sámi Parliament elections. This means that the latest statistics on Sámi speakers were made in 2007.

125. Finland's Sámi People in 2007 by region and language group according to the Sámi Parliament data:

FIRST LANGUAGE	NORTH SÁMI	INARI SÁMI	SKOLT SÁMI	FINNISH	OTHER	TOTAL
ENONTEKIÖ	204	0	0	186	0	390
INARI	324	207	228	1449	0	2208

SODANKYLÄ ENTIRE MUNICIPALITY	73	1	7	380	0	461
UTSJOKI	563	5	2	238	1	809
TOTAL IN THE SÁMI HOMELAND MUNICIPALITIES	1164	213	237	2253	1	3868
REST OF FINLAND	396	62	101	4279	0	4838
FOREIGN COUNTRIES	206	21	26	380	11	644
OUTSIDE THE SÁMI HOMELAND	602	83	127	4659	11	5482
<b>TOTAL</b>	<b>1766</b>	<b>296</b>	<b>364</b>	<b>6912</b>	<b>12</b>	<b>9350</b>

126. The Sámi Parliament is a Sámi autonomous body established by an Act (974/1995). The Sámi Parliament operates within the sector of administration of the Ministry of Justice, but it is independent of state authorities. The activities of the Sámi Parliament are funded from the state budget. In addition, funding is granted via the Sámi Parliament for the Sámi culture and associations, for early childhood education, social and healthcare services in the Sámi language as well as for the production of Sámi-language learning materials.

127. The most important task of the Sámi Parliament is to carry out its constitutional activities or to realize the Sámi cultural autonomy and to safeguard the survival and development of the indigenous Sámi culture. The Sámi cultural autonomy concerns the Sámi Homeland which is provided for by the Act on the Sámi Parliament. The Homeland area covers the municipalities of Enontekiö, Inari and Utsjoki as well as the Lapin paliskunta cooperative area of the Sodankylä municipality.

128. The Sámi prominent emphasises that the Sámi tradition has been transferred and is still transferred from one generation to another mainly in connection with the practice of traditional livelihoods and as an oral narrative tradition. The transfer of the tradition may be discontinued due to outward migration and as the numbers of entrepreneurs practicing traditional livelihoods decrease as the prerequisites for practicing the livelihoods are impaired. Having regard to the definition of tradition, the number of the Sámi and the demographic development of Sámi-speakers, their tradition is in danger of a significant decline and largely even in danger of extinction within a few generations if the demographic development in the number of Sámi-speakers as well as the outward migration accelerates.

### **Roma**

129. The amount of the Roma population has only been estimated after the 1970 census. The estimated number of Finnish Roma is approx. 10,000 people. In addition to this, it is estimated that 3,000 Roma live in Sweden.

130. Approx. thirty to forty percent of Finnish Roma speak the northern Kaalo Romani dialect. The Roma language is mainly used within the Roma community. The Finnish Roma language is an endangered language. Data on the Roma cannot be done by linguistic means,

since nearly all Roma have been registered as Finnish- or Swedish-speakers in the Population Register.

131. The Advisory Board on Romani Affairs was set up in conjunction with the Ministry of Social Affairs and Health. The Advisory Board enhances the opportunities of the Roma to participate in society and monitors the development of their living conditions. The Advisory Board has influenced the development of Finnish legislation and administration in issues related to the Roma. There are additionally regional Advisory Boards on Romani Affairs, set up as intersectional cooperation bodies between the Roma and authorities.

### ***Russian-speakers***

132. At the end of 2013, there were 66,379 people speaking Russian as their mother tongue in Finland. During the last decade, a large number of new immigrants have joined the Russian minority that has traditionally resided in Finland. Currently, Russian-speakers are Finland's largest immigrant group. Geographically, Finland's Russian-speaking residents have settled down in larger municipalities. In small municipalities, the largest numbers of Russian-speakers live near the eastern border.

133. The Union of Finland's Russian-Speaking Societies (FARO) act as the representation, supervision and negotiation body of Finland Russian-language organisations. The Union has 35 member organisations, which cover nearly the whole of Finland. The task of the Union is to act as a free and open cooperation body of Finland's Russian-speakers' non-governmental organisations, to promote the linguistic, cultural, legal, religious and social interests of the Russian-speaking population, to supervise the interests of this population group and to deal with other special issues related to this population group, to make initiatives and proposals and to make statements to the authorities and social organisations in matters related to Finland's Russian-speaking population. The representatives of the Union operate in national bodies as well as in the advisory boards and working groups of various ministries and organisations.

### ***Tatars***

134. There are approx. 800 Turkic Tatars in Finland. More than half of them still speak Tatar as their mother tongue. Most of the Tatars live in the metropolitan area. There are no separately published statistics on the Tatars.

135. The members of the Tatar community have created their identity in a balanced way, in harmony with the values of the Finnish mainstream society. The need for a means of support and acquiring an education required an adaptation and adjusted the Tatars naturally to the Finnish Society, which has allowed them to preserve the characteristics of their culture even among fifth-generation immigrants.

### ***Jews***

136. In early 2014, the Jewish congregation of Helsinki and Turku had approx. 1,300 members. There are approx. 100 people with knowledge of Yiddish in the Jewish communities of Helsinki and Turku. Today, no more than 20 people speak Yiddish as their mother tongue.

137. There are approx. 150 people speaking Hebrew as their mother tongue. In addition to this, there are at least 200 people speaking Hebrew as their second native language. There

are no official statistics on the subject. Almost forty Finnish Jews speak Russian as their mother tongue. In addition to this, almost forty people have knowledge of Russian or speak Russian as their second native language.

138. As the population with an Israeli background increases in Finland, the Hebrew culture representing a multicultural Jewish lifestyle has been added to the Yiddish language and the Yiddish mentality (*jiddishkeit*). However, Finnish is the main language for the Finnish Jews, and most of them also speak it as their mother tongue. In addition, the Russian language has been reinstated in Finland's Jewish community after the East European turmoil of the 1990s, though it is used as a home language by a small minority only. Finnish Jews are increasingly multicultural, and Finland's Jewish community reflects a more extensive multicultural turning point in the Finnish society.

139. Finnish Jews are well integrated into Finnish society, but on the other hand, this has led to the increasing number of mixed marriages. Though this type of development accelerates the assimilation of Finnish Jews, this assimilation is currently slow because in mixed marriages, several spouses who were originally non-Jewish have converted to Judaism, and on the other hand, most of the mixed-marriage families are in favour of raising their children Jewish, placing them into Jewish schools and day care facilities. It is also descriptive that the members of the community have become secularised in their private lives, preserving, however, a connection with the traditional social congregation activities.

140. Traditionally, Finland's Jewish community has consisted of a relatively homogenous group, and migration has been relatively rare. However, during the last few decades, the situation has significantly changed, particularly for the Jewish congregation of Helsinki. Means required for integration have been considered on a scale that can be adapted to a small community. Integrating new members with increasingly multicultural backgrounds into the congregation is a process requiring not only mutual skills and information but also financial investments.

141. The number of members of the congregation has constantly increased as a result of migration from the former Soviet Union and Israel.

142. The Jewish congregation of Helsinki as well as Finland's entire Jewish community has strong connections with the surrounding society, and they are also represented in international networks. The national representation body for Finland Jews is *Suomen Juutalaisten Seurakuntien Keskusneuvosto ry.* (*the Central Council of Finland's Jewish Congregations*), with a board consisting of nine members. The Central Council represents Finland both on a national and an international level. It is a member of various bodies such as the *USKOT-foorumi ry* forum as well as *the World Jewish Congress* and *the European Jewish Congress*. In addition, Finland's Jews actively participate in the dialogue between religions and the promotion of minority rights. The community is represented in bodies such as Religious Leaders Forums, the Advisory Board for Ethnic Relations (ETNO), the Advisory Board for Minority Issues and the Finnish Bureau for Lesser Used Languages (FIBUL). The partners of the Jewish congregation of Helsinki include the Finnish Holocaust Remembrance Association and the Finnish Ecumenical Council's Women's Committee.

### ***Karelian-speakers***

143. There are approx. 5,100 speakers of the Karelian language who speak Karelian as their mother tongue and use the language daily. In addition, approx. 25,000 people have a Karelian-language identity, and they understand and speak the language to some extent, but

they use the language more rarely, for instance with relatives only. There are approx. 2,800 Finnish Karelian-speakers and at least 2,300 people immigrated from the Russian Karelian area.

144. The Karelian language is the closest cognate language to Finnish. The Karelian language is divided into three main dialects: Karelian proper, Livvi-Karelian or Olonetsian, and Ludic. Finnish Karelian-speakers mainly speak Livvi-Karelian and the southern dialect of Karelian proper. The cornerstones of the Karelian-language identity include the language, the Orthodox religion and the Karelian culture based on Karelian folk poetry.

145. In November 2009, the Karelian language was included within the scope of the European Charter for Regional or Minority Languages as a non-regional language.

146. The Society for the Karelian language enhances the use of the Karelian language. The objective of the Society for the Karelian language is to launch a revival programme for the Karelian language and culture in 2016. The Karelian Homeland project, launched in summer 2012, will serve as a strong foundation for the revival activities.

147. The Karelian language is being promoted by various measures also at the local level. For example, the working group established by the Parish Society of Suojärvi has launched a programme for the revitalization of the Karelian language (*varsinaiskarjala*).

### ***Special status of the Åland Islands***

148. Åland, consisting of more than 6,500 islands, is a province of Finland where the only official language is Swedish. The status of the Swedish language, the extensive autonomy and the competence of the Åland legislative assembly are provided for in a specific Act on the Autonomy of Åland (1144/1991). There are 28 700 persons living on the Islands.

149. The special status of the Åland Islands is based on a decision given by the League of Nations in 1921. Between 1917 and 1921, the residents of the Islands aimed at having the Islands ceded back to their former mother country, Sweden. However, as Finland was not willing to lose the Islands, they were offered an autonomous status instead of re-annexation. The residents did nevertheless not approve the offer, and the dispute over the Islands was finally submitted to the League of Nations. The latter decided that the Åland Islands were part of Finland but found that they should be made an autonomous area.

150. Finland is under an obligation to ensure the residents of Åland Islands a right to maintain the Swedish language, as well as their own culture and local traditions. At the same time, an international treaty was concluded on the demilitarised and neutral status of Åland, under which it is prohibited to place military headquarters or forces on the islands.

151. A protocol on the Åland Islands (Protocol No 2) was attached to the Act of Accession of Finland into the EU. The special status that the Åland Islands enjoy under international law is taken into account in the Protocol, as well as the right of domicile on Åland.

152. According to the Act on the Autonomy of Åland, Swedish is the only official language on Åland. Finland's Language Act does not apply on Åland (section 7 of the Language Act). However, according to the Act on the Autonomy of Åland, in a matter concerning himself/herself a citizen of Finland shall have the right to use Finnish before a court and with other State officials in Åland.

153. In Finnish Parliament, there is one seat reserved for a representative from Åland.

154. Åland is a pluralistic society in which approximately 90 nationalities and circa 50 languages are represented.

#### *Swedish language*

155. The language provisions of the Act on Autonomy (ÅFS 1991:71) for Åland constitute a derogation from the Constitution and the national Language Act (pursuant to §7 Language Act, FFS 423/2003).

156. Ministry of Justice has published guidance on the Åland's position in the drafting of legislation and in the EU affairs, which should be followed in the drafting of legislation within the Government and in the national preparation of EU affairs, as well as in the negotiations on and putting into force of international treaties (Ministry of Justice investigations and guidance 8/2012).

157. Provincial Government officials of the Åland feel that several national officials of the Ministry of Justice follow the guidance and try to facilitate the province's participation in the national preparation of EU-related issues. However, it is noted by the Provincial Government that not all officials at the national authority seem to know the guidance of the Ministry of Justice. At the request of translation into Swedish usually the request is met, but the time for the translation of the document often exceeds the short time that is available to submit comments. In cases where it is possible, the Provincial Government is given extended time for answers. The Provincial Government believes that the national authorities must speed up translation work by adding more resources to allow for the Province's participation in the preparation of EU affairs.

158. Regarding other documents than the EU-legislation - for example documents related to the Framework Convention for the protection of national minorities - the Provincial Government notes that it would be desirable that the Advisory Committee's Opinion was translated into Swedish. At present, the Opinion is only available in English. The Parliamentary Ombudsman did not think that the purpose of the Province to be heard becomes fully complied with, if the Provincial Government is not given the opportunity to study in Swedish all of the documentation which has been attached to the request for its views. The Provincial Government notes that the same principle should apply in this case and that the Advisory Committee's Opinion should be translated into Swedish.

#### *Finnish-speaking population in Åland*

159. The Advisory Committee has previously considered that the Finnish speaking population in Åland could be considered a "minority within a minority". The Provincial Government notes that the Province's authorities have interpreted the Framework Convention so that it assumes that the minorities concerned shall constitute a minority based on a national perspective. Finnish is not defined as a regional or minority language under the European Charter for Regional or Minority Languages (Treaty Series 23/1998).

160. The Provincial Government notes that the Finnish speaking population in Åland according to the Province's authorities have not been considered to be a minority in the sense of the Framework Convention - thus the Finnish language is not legally considered to have rights under the Convention and must therefore not be subject to scrutiny by the Committee. However, the Provincial Government believes that Finnish-speakers' rights should be respected in the context of the Autonomy Act's provisions. In 2013, there were



1,387 people in Åland with Finnish as their mother tongue, out of a total of 28,666 inhabitants (ÅSUB, Befolkning efter språk 31.12.2013). The Åland society is open to special solutions such as supporting education in students' mother tongue. As far as other features are concerned that are maintained by the Province it can be concluded that problems do not exist e.g. in medical attendance in terms of the ability to cope in the Finnish language. Also, there is access to radio and television broadcasts in Finnish.

### *Discrimination*

161. On 1 September 2014, the new Provincial Act (ÅFS 2014: 33) comes into force regarding Åland's ombudsman authority; Åland's ombudsman authority shall be an independent agency/authority administratively subordinated to the Provincial Government.

162. The ombudsman authority will work to promote and safeguard:

- 1) the individual's right to equal treatment in accordance with the provincial law (ÅFS 2005: 66 ) on the prevention of discrimination in the province of Åland,
- 2) the individual's right to equal treatment in accordance with the provincial law (ÅFS 1989: 27) on the application in the province of Åland of the Act on Equality between women and men,
- 3) childrens' status and rights in accordance with the provincial law on Åland's ombudsman authority,
- 4) the clients' status and rights in social welfare in accordance with the provincial law (ÅFS 1995: 101) on the application in the province of Åland of national regulations on social welfare, and
- 5) the patients' status and rights in healthcare in accordance with the provincial law (ÅFS 1993: 61) on the application in the province of Åland of the law on patients' status and rights.

163. Within the Province's jurisdiction the ombudsman authority shall counteract and prevent discrimination based on ethnicity, religion or other belief, disability, age or sexual orientation. Within the Province's jurisdiction the ombudsman authority shall also counteract and prevent discrimination based on sex.

164. The target audience includes all Ålanders; specific actions directed solely to the Finnish national minorities have not been taken. From the statistics of cases registered with the ombudsman against discrimination in the past five years (over ten registered cases/year) it is clear that no case has been registered concerning discrimination of any one of the national minorities.

165. Both the anti-discrimination and the promotion of the principle of equal treatment concerns, as well as the area of gender-equality, both the province's and the nation's competence areas. Neither equality nor gender equality between sexes is mentioned as independent legal areas in the competence lists in §18, §27 or §29 of the Act on Autonomy. Assessment of the legislative competence whose validity is questioned in legal areas in question is regulated by the province or the country depending on what the current law is regulating. Pursuant to §18 points 1, 2 and 4 of the Act on Autonomy the legislative competence falls within the jurisdiction of the province in the question of provincial government and subordinate authorities and institutions, local government, the Province's officials and local officeholders as well as collective agreement for the employees of the

province and local government. Employees by private law in Åland and those who have private employment in the province or municipalities are governed by national legislation.

166. The Statistics and Research Institute of Åland (ÅSUB) made in 2010 on behalf of the Åland discrimination ombudsman a study of perceived discrimination in the Åland society. The study's main purpose was to identify whether there is discrimination in Åland, and to investigate whether there have been any changes regarding these issues since the first Åland discrimination survey was conducted in 2007.

167. 28 percent of the respondents in 2010 said they had experienced discrimination, compared to 30 percent according to the 2007 survey. The most common reason for discrimination in 2010 was gender, which an average of 28 percent stated was the reason of the discrimination they had experienced. Of the women who experienced discrimination, nearly half responded that they have experienced being discriminated because of their gender, compared with only six percent of men. The second most common cause of discrimination is discrimination against national or ethnic origin, which 26 percent stated as the reason for they had experienced discrimination. Significantly more men than women have experienced being discriminated because of national or ethnic origin.

#### *Cultural rights*

168. Åland, which is monolingual Swedish, has a problem that copyright treaties are often limited on country-by-country basis, which leads to the fact that Åland cannot partake of all programs from Sweden via TV and Internet. Linguistic minorities have a need to be able to take part in cultural and current affairs in their own language from another state, which the current territorial restrictions in international copyright prevents.

169. Another problem that Åland experiences relating to availability of Swedish media is that Swedish purchase and free applications for mobile phones and tablets are not available for the individual Åland user; this is due to the so-called geoblocking. Similarly, Åland teachers do not have access to a variety of educational tools and other educational Swedish language material on the web. It is a substantial disadvantage for Åland, both educational and cultural, that the province does not have access to such material from Sweden.

#### *Law enforcement officials in Åland*

170. The police force is an independent authority which is under the Provincial Government of Åland. The Åland police carry out the tasks on the Åland Islands that are the responsibility of the local police in the country. The Police Academy of Finland in Tampere is responsible, also for Åland, for the recruitment to the police academy and admissions for undergraduate education and leadership training, for the training at the educational institution as well as for research and development in the police field.

171. The Board of the Åland police department in the spring of 2014 appointed a language working group to prepare the question of the possibility to work in Swedish within the Åland police department. The working group has developed and carried out a survey on the language situation within Åland police force; based on the survey responses a report was compiled in June 2014. The report was forwarded to the Police Board. It is clear from the report that the basic police training is relatively good in Swedish. In cases where the teaching or lecture is in Finnish as a rule an interpreter is arranged for. Sometimes classmates interpret for the Swedish speaking, which the language working group does not think is a satisfactory solution.

172. Åland's police department has stated that Åland as before can make an offer to lecturers to facilitate the possibility of holding lectures in Swedish. If basic training functions relatively well, on the other hand work training functions relatively poorly with an extremely small number of courses in Swedish.

173. A part of the instructions that apply to Finnish legislation to be applied on Åland are only in Finnish or will appear in Swedish much delayed. Most forms are updated so that they are both in Finnish and Swedish. However, the Swedish version often comes much later.

174. In the case of computerized systems the national IT center HALTIK has announced that all new programs should be both in Finnish and Swedish. Today, the bulk of the systems are also in Swedish, but error messages are sent in Finnish. In the working groups around the various computer systems and programs work is only done in Finnish. The work is important for the sake of Åland because it is in these groups information should be presented on the Åland laws that must be considered when new programs are developed - as when Swedish speaking police cannot participate and work in the groups it is a fundamental problem. To solve the problem in the case of a Swedish version lacking they have created their own Åland programs. This works partially but is problematic because their own programs due to safety reasons cannot connect with the police's protected backbone network.

#### *Health care in Åland*

175. The Provincial Government notes that in the area of health and health care it is problematic that Good medical practice and Pharmaca Fennica - two frequently used standard books for professionals in the health sector in Finland - are only available in Finnish. Good medical practice is generally regarded as the reference for how the diagnosis and treatment of a variety of diseases should be carried out in Finland. Pharmaca Fennica contains essential information on drug dosages, interactions and side effects. In addition the Register for Infectious Diseases is available only in Finnish, despite many years of requests made by the Provincial Government and the radical revision of the register of the National Institute for Health and Welfare.

#### **ARTICLE 4**

*1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, all discrimination based on a national minority origin is prohibited.*

*2. The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.*

*3. The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.*

#### ***Recommendation – consultation of minorities in the Non-Discrimination Act project***

*Minority representatives should be actively consulted on the ongoing reform project related to non-discrimination in order to ensure that the views of minorities are appropriately taken into consideration; appropriate attention should be paid to the implementation and monitoring of existing non-discrimination guarantees;*

**Recommendation – prevention of racism and xenophobia**

*The attempts to prevent ongoing racism and xenophobia, which occurs particularly on the Internet, should be intensified, and it should be ensured that members of minorities are included in the creation and implementation of integration plans and strategies.*

**Anti-discrimination work**

176. In Finland, anti-discrimination work is carried out by various parties, such as non-governmental organisations, the authorities, the Ombudsman for Minorities, working life parties, equal opportunities bodies and advisory boards that have also been established for dealing with issues related to various minority and age groups. Part of the anti-discrimination activities simultaneously focus on various different grounds for discrimination, and they are carried out by various cooperating parties. These activities include the implementation of a national discrimination monitoring system, the realisation of a national anti-discrimination programme as well as data collection on hate crimes.

177. The discrimination monitoring system contains three levels, consisting of 1) the collection of up-to-date information and research on discrimination and its publication on a designated website, 2) an annual discrimination study and 3) a discrimination report published once per electoral period (4 years). Information on discrimination towards national minorities can be obtained through both the discrimination monitoring system and the annual hate crime study. In addition, information on discrimination towards national minorities can also be obtained from separate studies by other stakeholders such as the EU-MIDIS studies by the European Union Agency for Fundamental Rights (FRA).

178. Since 2007, organisations have carried out a national anti-discrimination programme in conjunction with the authorities, and it receives funding from various ministries and from the EU Progress programme. The programme measures for preventing discrimination, for promoting non-discrimination and for increasing awareness focus on various groups in danger of discrimination.

179. Minority representatives are included in the creation of integration plans and strategies e.g. in the work of immigration councils operating on a local level and in the regional Advisory Boards for Ethnic Relations. They have a central advisory role supporting the creation of regional strategies.

180. Between 2009 and 2011, the Ombudsman for Minorities carried out regional anti-discrimination counselling (Syne) by training various local or regional actors to identify discrimination and to advise customers to receive help. Even after the project, the Ombudsman for Minorities have continued to train employees Syne points, which currently consist of the Victim support Finland counselling points. Strong contributions should be made to anti-discrimination counselling on a local and regional level, since the new Non-Discrimination Act provides that all grounds for discrimination are covered with the same protection. Contributions should therefore be made to the counselling skills of both regional and local actors and to their skills of identifying discrimination. On the other hand, contributions should also be made to the individuals' knowledge of legislation.<sup>18</sup>

<sup>18</sup> [http://www.ofm.fi/download/31719\\_Alueellinen\\_neuvonta\\_nettili.pdf?7e4b87bade5cd188](http://www.ofm.fi/download/31719_Alueellinen_neuvonta_nettili.pdf?7e4b87bade5cd188) (Finnish) and [http://www.ofm.fi/download/31720\\_Alueellinen\\_neuvonta\\_englanti.pdf?d8ae90bade5cd188](http://www.ofm.fi/download/31720_Alueellinen_neuvonta_englanti.pdf?d8ae90bade5cd188) (English)

***New legislation on non-discrimination***

181. The provisions on non-discrimination have been reformed by the new Non-Discrimination Act (1325/2014), which enters into force on the 1 January 2015. The new Act expands the scope of protection against discrimination. The Act will be applied to all public and private activities, excluding private life, family life and practice of religion.

182. The protection against discrimination is equal regardless of whether the discrimination is based on ethnic origin, age, nationality, language, religion, belief, opinion, health, disability, sexual orientation or other personal characteristics.

183. The obligation to promote equality is expanded to concern not only public authorities, but also education providers, educational institutes and employers. These are required to draw up a plan to promote equality. The obligation to draw up an equality plan concerns employers who regularly have a personnel of at least 30 employees.

184. Public authorities, education providers and employers must, where necessary, make reasonable accommodations to ensure that employees with disabilities have equal access to services, work or education and training. Persons with disabilities must also have equal access to goods and services. The disability of a person must be taken into account in provision of services, for example, by arranging accessible passage for those who need it whenever possible. Employers were already under the former legislation obliged to make reasonable accommodations, but for providers of goods and services, such as hotels, restaurants and retailers, this is a new obligation.

185. Up to now, the possibilities for a discriminated person to get advice or legal aid have been different depending on the discrimination ground. There have also been differences in the supervision of compliance with non-discrimination legislation depending on the ground of discrimination. The former Ombudsman for Minorities only supervised compliance with the prohibition of discrimination on basis of ethnic origin, but the new Non-Discrimination Ombudsman supervises compliance with the Non-Discrimination Act with regard to all grounds of discrimination.

186. Compliance with the provisions on equality in working life in individual cases will continue to be supervised by the occupational safety authorities. However, also the Non-Discrimination Ombudsman has duties and powers relating to equality in working life. The Ombudsman for Equality continues to supervise compliance with the Equality Act.

187. The National Discrimination Tribunal and the Equality Board are merged to create a new body. The mandate of the new Tribunal covers all discrimination grounds. The Tribunal may issue prohibition or obligation decisions and, by virtue of the Non-Discrimination Act, confirm a conciliation settlement between parties. To reinforce its prohibition or obligation decision, the Tribunal may also impose a conditional fine. The board does not supervise compliance with the Non-Discrimination Act in issues relating to working life.

188. The provisions on gender equality and prohibition of discrimination based on gender are laid down in the Equality Act. In the reform, the Equality Act has been amended so that new provisions on prohibition of discrimination based on gender identity or the expression of gender identity have been included in the Act. In addition, the provisions on drawing up a gender equality plan have been reformed, and the obligation of educational institutions to prepare a gender equality plan has been expanded to concern also institutions providing basic education.

189. As a result of the reform, the Ombudsman for Equality, the Ombudsman for Children and the Non-Discrimination Ombudsman as well as their offices have been brought under the administrative branch of the Ministry of Justice. Also the new Non-Discrimination Tribunal operates under the administrative branch of the Ministry of Justice. The Ombudsmen and the new Tribunal are independent and impartial bodies. Up to now, the Ombudsman for Equality, the Ombudsman for Children and the former Equality Board have been operating under the Ministry of Social Affairs and Health. The Ombudsman for Minorities and the National Discrimination Tribunal supervising the compliance with the Non-Discrimination Act operated under the Ministry of the Interior.

190. The responsibility for developing non-discrimination policies and legislation as well as the Advisory Board for Ethnic Relations have been transferred from the Ministry of the Interior to the Ministry of Justice.

191. The Ministry of Social Affairs and Health is still responsible for the duties relating to the Equality Act.

### ***Good Relations project***

192. The objective of the project is to prevent racism, xenophobia, prejudice against the Roma and other similar types of intolerance by promoting good relations between population groups. In addition, the purpose of the project is to find a definition for good relations, to create indicators for good relations, to test them and to disseminate information and results related to them on a national level and in the EU countries.<sup>19</sup>

193. The work related to the indicators of good relations is based on the indicators of good relations published in the Great Britain in 2010. The work related to the indicators is based on four points of view:

- attitudes
- personal safety
- interaction with others
- participation and making a difference

194. Indicators will be determined for these sectors for measuring good relations and for monitoring them in the long term.

195. An English-language publication will be made on the framework of good relations, and a practical guide will also be produced for local-level actors, such as the authorities, the municipal employees, teachers and the police. The guide will be published in Finnish, Swedish and English, and it will introduce various practical methods for promoting good relations. At the final stage of the project, a conference will be arranged, and all EU countries will be invited.

196. The Ministry of the Interior coordinates the project, and the project partners include the Advisory Board for Ethnic Relations (ETNO) as well as the ELY Centres for Lapland, Uusimaa, Pirkanmaa and Varsinais-Suomi. In addition, the project is carried out in conjunction with the Ministry for Employment and the Economy. The national working group for the project also includes the regional ETNO boards for Southern, Central and Western Finland as well as Pirkanmaa, the Finnish Local Government, the Sámi organisation City-Sámit ry and Southern Finland's regional Advisory Board for Roma Affairs. The

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<sup>19</sup> [http://www.intermin.fi/fi/kehittamishankkeet/good\\_relations](http://www.intermin.fi/fi/kehittamishankkeet/good_relations)

international partners include the Swedish Ministry for Employment as well as the Northern Ireland Council for Ethnic Minorities (NICEM).

197. The project is funded by the European Union Fundamental Rights and Citizenship programme. The project period was between 1 November 2012 and 31 October 2014.

### ***Discrimination-free zone***

198. The discrimination-free zone campaign is an information campaign against all types of discrimination, bullying and abuse that organisations and work communities use to voice their commitment to the principle of non-discrimination. An area is declared a discrimination-free zone on the campaign website<sup>20</sup>, and a Discrimination-free zone traffic sign is sent to the organisations involved.

### ***Bullying of minority children***

199. Both the Committee of Ministers and the Advisory Committee have expressed their concern about the bullying of children belonging to minorities. Research data on the discrimination against children and adolescents was acquired during the reporting period.

200. The national study commissioned by the Ministry of the Interior, *Kuka ei kuulu joukkoon? Lasten ja nuorten kokema syrjintä Suomessa*<sup>21</sup> (*Who does not fit in? discrimination experienced by children and adolescents in Finland*; Publication of the Ministry of the Interior 36/2010) indicate that experiences of discrimination are relatively common in the daily life of children and adolescents. The experiences of Roma children have been collected in the publication of the Ombudsman for Children *Enemmän samanlaisia kuin erilaisia*<sup>22</sup> (*Similar rather than different*).

201. According to the study, discrimination is most common at school. The respondents with an immigrant background were distinguished in this study five the prevalence of the prejudice experienced: almost one-third of these adolescent say they have often faced prejudiced attitudes. According to the study, 65 percent of children and adolescents with an immigrant background have been called names at school. The study also states that the majority of bullying experienced by children and adolescents belonging to minority groups probably falls under the abuse described in the Non-Discrimination Act. Project-type measures focusing on schools are not sufficient to eradicate school bullying. Instead, human rights should be included in all types of education and training to support the creation of an operating environment where human rights are respected.

202. Organisations promoting the rights of the child consider that human rights education and training is a significant factor for realising human rights and therefore also for increasing comfort at school and decreasing school bullying. This year, the Human Rights Delegation

<sup>20</sup> [http://www.yhdenvertaisuus.fi/kampanjat/syrjinnasta\\_vapaa\\_alue/syrjinnasta\\_vapaita\\_alueita/](http://www.yhdenvertaisuus.fi/kampanjat/syrjinnasta_vapaa_alue/syrjinnasta_vapaita_alueita/)

<sup>21</sup> *Kuka ei kuulu joukkoon? Lasten ja nuorten kokema syrjintä Suomessa*. Publication of the Ministry of the Interior 36/2010. <http://www.intermin.fi/julkaisu/362010?docID=24923>

<sup>22</sup> *Enemmän samanlaisia kuin erilaisia*. Romanilasten ja -nuorten hyvinvointi ja heidän oikeuksiensa toteutuminen Suomessa. [Similar rather than different. The welfare of Roma children and adolescents and the realisation of their rights in Finland.] Reports of the Office of the Ombudsman for Children 2009:2. [http://www.lapsiasia.fi/c/document\\_library/get\\_file?folderId=101063&name=DLFE-9934.pdf](http://www.lapsiasia.fi/c/document_library/get_file?folderId=101063&name=DLFE-9934.pdf)

gave extensive recommendations for the promotion of human rights education and training in Finland. The recommendations also apply to teachers' training<sup>23</sup>.

203. The Council of Europe's *Compassito* manual on human rights education for children, which is based on adolescents' experiences on human rights education, has been translated into Finnish, and it provides basic information on children's human rights and the objectives of human rights education. Educators working with children are trained to use *Compassito*.

### ***Attitudes towards national minorities***

204. There are no significant indications of political radicalism in Finland. The central domestic challenges include marginalisation and social segregation. Violent extremism has not gained significant ground in Finland, but there are signs of the activation of extremist groups. The Internal Security Programme, approved in 2012, consists of the prevention and solution of daily security issues.

205. As for Swedish, Finland's second national language, politics and social media in particular have expressed different opinions that may at times be strong ones. For instance, Swedish has been suggested as an optional subject at all levels of the curriculum. A citizen initiative on the subject was submitted to the Parliament in April 2014. The position of Swedish as the second national language has been questioned. Threats against Swedish-speakers and/or people working with the Swedish language, received by several journalists, officials and bodies such as the Swedish Assembly of Finland, have been a serious phenomenon.

206. The Swedish Assembly of Finland emphasises that all students, both Finnish and Swedish-speaking students, should be able to study the two national languages of Finland at least on a basic level. Contributions should be made to the teaching of Swedish, and it should be mentored more effectively and attractively according to that strategy for national languages.

207. In connection with the reform of the Act on the Sámi Parliament, the sometimes heated discussion on the definition of the Sámi was conducted. According to the proposal it would be essential for the person to have adopted the Sámi way of life or culture in the Sámi community. Generally, it is a question of being brought up Sámi in the family community or an extended family community. Compared to the current Act, being a descendant of a person entered in a land, taxation or population register as a mountain, forest or fishing Lapp would no longer be considered sufficient grounds to be referred to as Sámi. The importance of the group identification of the Sámi has also been emphasized.

208. According to the Sámi Parliament racist and xenophobic writings against the Sámi have considerably increased on the Internet. In connection with the activities of the authorities, negative attitudes towards the Sámi language, the Sámi people and the Sámi culture have also been detected. Xenophobic writings against the Sámi on the Internet and in various media have a detrimental effect on the development of the identity of Sámi children and adolescents.

209. In recent years, the attitude towards Russian speakers has slightly improved in Finland. However, negative attitudes towards Russian-speakers still make it difficult to integrate into

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<sup>23</sup> Ihmisoikeuskasvatus ja -koulutus Suomessa. [Human rights education and training in Finland.] <http://www.ihmisoikeuskeskus.fi/julkaisut/ihmisoikeuskeskuksen-julkaisut/ihmisoikeuskeskuksen-selvityksia/ihmisoikeuskasvatus-ja-koulutus/>



Finnish society, which leads to phenomena such as marginalisation. 'Hatred of Russians' is still a visible phenomenon that can vary between an openly hostile attitude and quiet endurance. According to the *Syrjintä suomalaisilla työmarkkinoilla*<sup>24</sup> (*Discrimination on the Finnish labour market*), a report summarising the results of a research project carried out by the Ministry for Employment and the Economy, Russian speakers are widely discriminated against in Finland, since in an empirical study, Russian-speaking test subjects have to send twice as many applications as Finnish speakers in order to be asked for a job interview. Regional differences can be detected in the attitude towards Russian-speakers. In eastern Finland, the level of Russian-language services is relatively good, and Russian is also more actively studied.

### **Report on discrimination against the Roma**

210. The report published by the Ombudsman for Minorities in April 2014, *Erilaisena arjessa - selvitys romanien syrjintäkokemuksista*<sup>25</sup> (*Different in the daily life - a report on Roma experiences of discrimination*), reveals that the Finnish Roma people experience plenty of discrimination in all areas of life. A total of 68.7 percent of the respondents interviewed for the report (n=249) confirmed that they had experienced discrimination in some area of life during the last year. The figure is exceptionally high. The Roma had more experiences of discrimination than Russian-speaking Finnish residents and Finnish residents with a Somali background.

211. In the report by the Ombudsman for Minorities, most of the respondents say that there are customs in the Roma community that they find detrimental to individuals. The report also indicates that if given the chance, a large number (77.6 percent) of the Roma are willing to change some features of the Roma culture. The results indicate that the Roma community is prepared to discuss on difficult issues as well. Cultural customs should also be assessed from the point of view of fundamental and human rights. In this sense, dealing with customary practices of the Roma community that limit individual rights is not only an internal affair of the Roma community. Such practices are a form of discrimination.

212. The Finnish Roma Association suggests that this report is remade as a slightly more extensive and profound follow-up report, for instance in five years' time, in order to monitor the effect of the measures. Though some cultural customs should change, the change should involve the consultation of the Roma community, and the members of the Roma community and the Roma culture should be respected. Otherwise, there is a danger that the practices was simply continue behind closed doors. The Roma community should be able to participate in making the changes at all stages.

### **Roma and housing**

213. The Roma also experience discrimination in the housing system. According to the report of the Ombudsman for Minorities, 48.5 percent of Roma respondents have experienced discrimination based on ethnic origin during the last year when applying for a rental apartment funded with state subsidies, or typically a municipal rental apartment or a city rental apartment. A total of 54.7 percent of Roma respondents had experienced

<sup>24</sup> <http://www.tem.fi/index.phtml?C=98158&l=en&s=2086&xmid=4798>

<sup>25</sup> [http://www.ofm.fi/fi/ajankohtaista/1/0/tiedote\\_syrjinta\\_arkea\\_suomen\\_romaneille\\_-\\_lahes\\_70\\_kokenut\\_syrjintaa\\_viimeisen\\_vuoden\\_aikana\\_52876](http://www.ofm.fi/fi/ajankohtaista/1/0/tiedote_syrjinta_arkea_suomen_romaneille_-_lahes_70_kokenut_syrjintaa_viimeisen_vuoden_aikana_52876)

discrimination based on ethnic origin when trying to rent or purchase an apartment on the private rental market.

214. The Ministry of the Environment carried out the *Romanien asuminen ja yhdenvertaisuus* study (*Roma housing and non-discrimination*)<sup>26</sup> in 2012. The Advisory Boards for Roma Affairs were represented in the steering group of the study. The reports mapped problems related to the housing of the Roma population and various solutions to these problems. The realisation of the non-discrimination aspect was examined in particular, both in relation to the mainstream population and within the Roma community. The subject was examined by means of complaint material concerning the housing situation of the Roma population, a questionnaire sent to housing operators, as well as the interviews of Roma people and other key operators. The report revealed the diversity of Roma housing questions.

215. In Finland, the Roma live in the same residential areas as other Finnish citizens, and Roma segregation and ghettos are unknown in Finland. The Roma have expressed the wish that plenty of Roma should not live in the same area to avoid social stigmatisation. According to the study, in Finland, Roma housing problems are not related to the standard of housing but rather to finding housing.

216. In addition, the Ministry of the Environment, the YES 5 project and the regional Advisory Boards for Roma Affairs organised four regional seminars where they Roma and the housing operators dealt with Roma housing problems together. These problems may vary regionally. For instance, in southern Finland, the general shortage of housing makes it more difficult to find an apartment.

217. According to the study, general vulnerability factors such as small incomes make it difficult to find housing, but cultural factors cause problems as well. However, in the view of the Advisory Board for Roma Affairs, the greatest problem is the cumulation of social problems (small incomes, poorly operating housing market, the high prices of private rental apartments and the discrimination experienced). In consultation events for the Roma population, the Roma themselves emphasise the cumulation of problems: payment difficulties, discrimination, divorce situations and other similar factors turn housing into a complicated tangle which the current housing system and support measures is unable to deal with it. For instance, social house management has been successfully used for preventing evictions caused by payment difficulties.

218. The YES 5 project created a practical measure focused on Roma clients, the *Haetko vuokra-asuntoa?* (*Looking for a rental apartment?*) brochure to provide highly practical guidance and advice specifically in response to problems finding housing for the Roma.

219. Generally, it should be stated that the Roma housing standard is good and that homelessness is exceptional. However, the cumulation of social problems and the related housing problems seem to be on the increase, particularly in families with children. Similarly to the rest of the population, the Roma population is also divided into the well-to-do Roma constructing their future and into the Roma who are in danger of marginalisation and who are already seriously marginalised. The majority of the Roma are between these two extremes, and the measures of the Roma policy programme are particularly important to this middle group.

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<sup>26</sup> Reports of the Ministry of the Environment 8/2012 <http://yhdenvertaisuus-fi-bin.directo.fi/@Bin/1f7f15b49e7f35967a46065f985f55a7/1401738615/application/pdf/245325/Romanien%20asuminen%20ja%20yhdenvertaisuus%20YMP%C3%84RIST%C3%96MINISTERI%C3%96.pdf>

220. *Hyvä asuminen (Good housing)* consultation events focused on the Roma population were organised in the framework of the YES 5 project. Their purpose was to increase the Roma population's awareness of non-discrimination and housing and to discuss among the Roma population such culture-specific practices that may prevent individuals from choosing a dwelling place. The so-called avoidance behaviour and the building permission practice are so-called detrimental cultural features that have been widely discussed in Finland in recent years.

221. As a result of the community meetings, it can be said that the Roma are aware of the problem and are prepared to discuss the phenomenon openly. Part of the population is willing to give up these practices, and they believe that younger generations will take a more rational view of some traditional customs with the improvement in education and the increase of employment. It was noteworthy that according to the Roma population, general discrimination and the so-called internal discrimination go hand in hand. If the discrimination generally experienced by the Roma decreases, it will be easier to give up cultural traditions that have served for instance to maintain harmony with neighbours belonging to the mainstream population.

### ***Intimate partner and domestic violence experienced by Roma women***

222. A study on the intimate partner and domestic violence experienced by Roma women<sup>27</sup> was carried out on the initiative of Roma women. The purpose was to examine the intimate partner and domestic violence experienced by Roma women, the special community features of the experiences as well as the help sought and received by Roma women. The purpose was to produce information for the prevention and identification of violence, for the protection of victims and for surviving violence. The study is based on interview and survey material and research literature. One of the central points of view of the study is the child's point of view.

223. According to the results, Roma women experienced same types of serious intimate partner and domestic violence as women belonging to the mainstream population. The violence is physical and psychological abuse and subjugation. Many interviewees had experienced persecution related to the violence. This refers to a situation where the spouse terrorises a former partner and attempts to control her in various ways even after the divorce. The study also revealed features related to the Roma culture that influence the help sought and received by Roma women. They are created by the control of individuals by the community and by their reactions in conflict situations. Having experienced violence, Roma women must take the reactions of the community into consideration. For instance, speaking of the couple's problems to one's own parents is often considered shameful. Speaking of the violence and seeking the help of the authorities may also lead to the escalation of the violence into a conflict between the extended families. This means that the violence experienced by Roma women is even more easily concealed than the violence experienced by women belonging to the mainstream population. In the hierarchy, the Roma women are below Roma men, which allows the men to abuse their own position as the head of the family. According to the traditions of the Roma culture, children are also left to the husband and his family, if the woman wishes to divorce him and to enter into a new relationship. This prevents women from leaving violent relationships.

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<sup>27</sup> Reports and memorandums of the Ministry of Social Affairs and Health 2013:33.[http://www.stm.fi/julkaisut/nayta/-/\\_julkaisu/1865576](http://www.stm.fi/julkaisut/nayta/-/_julkaisu/1865576)

224. The study revealed the strained position of Roma women between their husbands, the Roma community as well as the surrounding society and the requirements of the society's service systems. The help received from outside their community is extremely important to Roma women, since the possibilities of the Roma women to act and to find support from their family members are limited in violent situations. Women's refuges and other support services are very important to Roma women. They should be made more easily accessible, and their personnel's knowledge of the Roma culture should be significantly improved. According to the study, women's refuges are familiar with parts of the Roma culture only, but they are not sufficiently familiar with the reactions of the community to violent situations. The proposals for developing this study are largely related to the increase of information. The service system needs realistic information on the culture and on the situation of women where violence is concerned. Within the culture, features supporting and concealing violence should also be identified, and violence should be more clearly condemned on a collective level.

225. Roma women and Roma men need information on the society's legislation that has priority over the community rules. The mainstream population and the Roma should carry the change-oriented work together, since the culture cannot be influenced from the outside only. On the other hand, it can be difficult to see and question the familiar structures within the community. A persistent process of change requires an improvement in the general educational level of the Roma and the adaptation of the cultural customs to the surrounding society. Society should also deal more actively with the inequality within closed communities and with the concealed violence related to it.

### ***Community as a resource -project***

226. In 2012, the *Yhteisö voimavaraksi* (*Community as a resource*) project was launched in the Finnish League for Human Rights. The objective of the project is to make the Roma increasingly aware of their fundamental and human rights, to help them identify discrimination from outside of their community as well as the discrimination internal to their community and to help them act when experiencing discrimination. The project provides human rights education to the Roma and counselling to the discriminated Roma.

227. The Roma people's lack of knowledge of human rights and discrimination has been brought up in connection with the human rights education and in the calls received by the helpline. According to the data of the Finnish League for Human Rights, many Roma people are so used to lifelong discrimination that discrimination is not identified but it is rather considered a normal practice or behaviour. The Roma may not even report clear cases of discrimination, since they do not believe it will be of any use.

228. Part of the Roma community considers some community-internal customs harmful. The affairs internal to the Roma community have been brought up one way or another in all Roma human rights education events provided by the Finnish League for Human Rights. The Roma community has indicated that they are prepared to also discuss sensitive subjects, and some of them are willing to change certain features or customs within their culture. The customs of the Roma community should also be assessed from the point of view of fundamental and human rights, and individuals willing to make changes must be given support.

**ARTICLE 5**

1. *The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.*

2. *Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.*

**Recommendation – implementation of the Roma policy programme**

*Sufficient funding should be provided for the implementation of Finland's Roma policy programme, and it should be ensured that the Roma representatives are de facto included in all stages of the implementation and monitoring activities;*

**Monitoring the Roma policy programme**

229. Finland's Roma policy programme was approved in 2009. The Roma policy programme contains six priority areas and ten policies. The programme contains 147 measures, and various sectors of administration are in charge of implementing them. In 2012, the Ministry of Social Affairs and Health appointed a working group to coordinate and monitor the implementation of the Roma policy programme. The working group included 24 members, half of whom had a Roma background. The deadline for the working group activities was at the end of 2013.

230. A follow-up report was made on the Roma policy programme<sup>28</sup>, with information based on data collected in 2013 from ministries and other responsible parties, from municipalities in connection with municipal consultations and from Roma for instance through the consultation of organisations. The report examines how the objectives of the Roma policy programme have been met in the fields of employment, education, social and health services, anti-discrimination activities and housing. In addition, the report explains how the programme was implemented on the regional and local level.

231. The Roma policy programme has increased the awareness and coordination of Roma affairs on a national level. Measures entrusted to various ministries have been carried out most successfully, and significant progress has been made in some of the measures. Considerable progress has been made particularly in the teaching sector. Implementation on the local level has proved a challenge. Particular challenges can be identified in the fields of Roma employment and adult education.

232. Municipal consultations and the consultation of 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 programme indicates that there is mutual trust between the actors. The confidential relations are also promoted by the Finnish practice of including the Roma population in the decision-making process concerning the Roma.

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<sup>28</sup> Romanipoliittisen ohjelman toimeenpanon ohjaus ja seuranta – työryhmän raportti. [Guidance and monitoring of the implementation of the Roma policy programme – working group report.] Reports and memorandums of 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)

233. Among other things, the working group suggests that the situation of Roma women and Roma men should be more closely monitored in the future. It is suggested that measures entrusted to municipalities should be carried out with the aid of the European Social Fund. Monitoring should be continued, and sufficient monitoring resources should be guaranteed.

### ***Social commitment to sustainable development***

234. The social commitment to sustainable development, *Suomi, jonka haluamme 2050 (Finland as we would like it in 2050)*, approved by the broad sustainable development committee in December 2013, aims at supporting the right of the Sámi to practice their culture. The first of the commitment's eight objectives, concerning equal welfare possibilities, states as follows: "We support the possibility of the indigenous Sámi people to practice their own culture according to the principles of sustainable development and to pass their culture on from one generation to the next".

### ***Recommendation – inclusion in the decision-making process for cultural projects***

*The possibilities of the representatives of national minorities to participate in making decisions on granting subsidies for cultural projects and activities should be improved;*

### ***Accessibility of art and culture***

235. The Government's starting point is that culture has a central position in the construction of society. Art and culture are the essentials of humanity, and their creative effect will radiate to all areas of life. The Government is developing a cultural policy that identifies cultural diversity, where culture is accessible to all citizens and where special measures are carried out to improve the accessibility of culture to currently excluded groups.<sup>29</sup>

236. A working group appointed by the Ministry of Education and Culture examined the promotion of the accessibility of art and culture. The four-year mandate of the working group ended on 28 January 2013.

237. The final report of the working group deals with the promotion of the accessibility of art and culture as part of the promotion of the realisation of cultural rights. The possibility of upholding and developing one's own language and culture are seen as the foundation of cultural rights. This is realised in different ways for different population groups. The report focuses on promoting the implementation and accessibility of cultural rights, particularly for special and minority groups, but also for population groups for whom the situation is challenging due to economical reasons or long distances.

238. There has been progress in the accessibility of art and cultural services, and it has been felt that the measures carried out were steps in the right direction, but obstacles to accessibility still exist in all areas of accessibility. The working group has brought up the concept of pluralism alongside accessibility. The art and cultural services do not routinely take the accessibility or cultural pluralism of their supply into consideration. The working group considers that the representation of special and minority groups should be promoted in the decision-making processes concerning them as well as in the decision-making bodies

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<sup>29</sup> Prime Minister Jyrki Katainen's government programme.

of the arts and cultural sector. Decision-making processes should be open and just particularly in cases where CRTs should be chosen due to the lack of resources.

239. In its final report<sup>30</sup>, the working group suggests various measures for the promotion of upholding and developing one's own language and culture as well as the accessibility and pluralism of art and culture. Pluralism should result in a rich cultural life where various subcultures can thrive as well. At the same time, contributions should also be made to the promotion of social solidarity. According to the working group, the education and employment criteria of the sector should also support all citizens' possibilities of inclusion. Grant systems should be developed in order to better support artists belonging to special and minority groups. The working group suggests that the implementation of accessibility and pluralism should be monitored with separate reports.

### ***Discretionary Government transfers for the support of multiculturalism***

240. Each year, the Ministry of Education and Culture grants discretionary Government transfers for the support of multiculturalism and anti-racism work, for the promotion of the integration of immigrants by means of arts and culture and sports-related non-discrimination work. Transfers for the support of multiculturalism are used to support the cultural activities of national minorities. The purpose of the transfers is to support the nurture of the identity of cultural minorities and to promote connections between cultural minorities and the main culture.

241. Transfers may be granted to associations and working groups of the national minorities. The Sámi Parliament is allocated a separate appropriation for supporting the Sámi-language culture and the activities of Sámi organisations. The appropriation will be described below.

242. Transfers for anti-racism work are granted for activities and projects carried out by communities against racism and xenophobia as well as activities and projects promoting the dialogue between cultures. The forms of the activities and projects may vary: transfers may be granted for communications, school events and club activities aimed at eradicating prejudice against other ethnic groups and warning of the dangers of racism and xenophobia.

243. In 2014, a total of EUR 612,000 was granted. Among the organisations that represent national minorities were representatives of the Roma culture, *Drom ry*, *the Romani Literature Society* and *the Romani Association of Finland*, along with Russian culture representatives such as *Spektr Kustannus Oy* (publication of Russian-language event and information pages in the *Spektr magazine*), *Union of Finland's Russian-Speaking Societies* (Faro) and *the Russian Cultural-Democratic Union*.

244. The Ministry of Education and Culture supports sports-related non-discrimination projects. The support is related to a development project implemented by the Ministry for integrating immigrants through sports activities. The multiannual entity of measures will be implemented between 2011 and 2015. The ministry has also granted transfers for supporting Roma sports activities.

245. The comprehensive monitoring and assessment of the project for integrating immigrants through sports activities will be completed in 2014. A study focusing on the

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<sup>30</sup> Taiteen ja kulttuurin saavutettavuus; Loppuraportti. [Accessibility of art and culture; Final report.] The Ministry of Education and Culture working group memorandums and reports 2014:15. [http://www.minedu.fi/OPM/Julkaisut/2014/Taiteen\\_ja\\_kulttuurin\\_saavutettavuus.html?lang=fi](http://www.minedu.fi/OPM/Julkaisut/2014/Taiteen_ja_kulttuurin_saavutettavuus.html?lang=fi)

immigrants' own sports activities was completed in 2013. In 2012, a report on adolescent experiences of discrimination and on the obstacles to participating in citizens' sports activities was published with the support of the ministry as part of the YES 4 project.

246. The promotion of non-discrimination is included in the support for developing sports society activities, the support for developing health promoting exercise for children and adolescents and to the support of sports organisations according to the Sports Act

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

247. In 2012, the Finnish League for Human Rights published a report financed by the Ministry of Education and Culture on the inclusion and participation of the Roma in cultural activities in Finland<sup>31</sup>. For the report, an extensive study was made to map the use of cultural services by the Finnish Roma aged over 15 years. The report examined all sectors of arts and culture. At the same time, an attempt was made to acquire information on the wishes and needs of the Roma for developing cultural services and for thus promoting the right of the Roma to their own culture.

248. The report provides information on how the Roma themselves determine the quality and contents of cultural services. The study also indicates that the Roma culture is at a turning point. For most respondents, the changes are frightening, and it is felt that the generations have increasingly grown apart, that the community is disappearing and that the traditions have changed so that it has become more difficult to observe them. Whereas the respondents were happy with the increasing education and employment of the Roma, they were wondering whether the Roma culture would disappear due to the changes. The replies particularly emphasised the importance of the language to the culture. It was felt that the language played 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 introduced to the cultural institutions of the mainstream population and that cultural centres upholding the Roma culture would be established.

249. Few respondents felt that a traditional Roma outfit or appearance was 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 is fascinating, since according to various studies and reports, racism in particular may be a clear obstacle to the use of cultural services. However, according to this report, the culture-specific outfits of the Roma and the related fear of discrimination are not significant reasons for not attending cultural events.

250. The study clearly indicated that the use of cultural services is by no means a part of Roma life. Various open replies stated that the Roma are not accustomed to using cultural services. Instead, they are more accustomed to visiting friends and family members, and many cultural experiences, music and narration, are related to these visits. The majority of the respondents clearly hoped for cultural services that somehow included the Roma culture.

251. Based on the study, it can be stated that the Roma are very active users of the media. Both television and radio programmes should be improved by increasing the Roma inclusion

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<sup>31</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)>.



in the production of programmes and in performing in programmes. The importance of Roma-language programmes was also greatly emphasised.

252. Based on the study, there is cause for concern about the situation of Roma artists. The art made and produced by the Roma is often not recognised as art. Various technical and financial support structures should be rapidly created for upholding and developing the work of Roma artists.

### ***International Romani Day***

253. The Almanac Office at the University of Helsinki has approved that the International Romani Day should be entered into the calendar on 8 April. The day was first entered into the calendar in 2014.

### ***Report on the participation of Russian-Speakers in cultural activities***

254. The report of the Finnish Institute for Russian and East European Studies on Finland's Russian-speakers as users and producers of cultural services<sup>32</sup> was published in 2012.

255. According to the report, for Russian speakers residing in Finland, the obstacles to participating in art and cultural services are due both to the attitudes of the Russian speakers as those of the service providers. Russian speakers tend to isolate themselves within their own cultural group and to only use art and cultural services 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. As for Finnish arts and cultural services, they are not always willing to design services that target Russian speakers. According to the Union of Finland's Russian-Speaking Societies, Russian speakers would like to be more closely involved in the cultural activities with friends, though the language is an obstacle to some groups. The *Harasoo! Venäläisen kulttuurin viikko Kanneltalossa ja Malmitalossa* (*Harasoo! The Week of Russian Culture at Kanneltalo and Malmitalo*) activities launched by the City of Helsinki Cultural Office in Autumn 2013 serve as an example of efforts to improve the situation. The activities will be continued each year. The Week of Russian Culture includes Russian and Finnish associations and other actors promoting cultural dialogue and relations between the population groups.

256. As for literature, there is a relatively good supply of Russian language literature. In theatres, there is demand for Russian language plays, particularly children's theatre. The children's theatre association *Pelikan ry* and *Superkids ry* meet the demand to some extent. The majority of Russian language arts and culture is destined for the older generation, which is why the supply may not reach or interest children and adolescents.

257. According to the statutes of the *Cultura Foundation* launched in 2013 with the funding received from the Ministry of Education and Culture, the purpose of the foundation is to develop and reinforce the linguistic identity of the Russian-speaking population and to promote the development of Russian-language culture in Finland as well as to develop

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<sup>32</sup> Lammi, Anelma & Protassova, Ekaterina. 2012. Suomen venäjänkieliset kulttuuripalveluiden käyttäjinä ja tuottajina. [Finland's Russian-speakers as users and producers of cultural services.] Helsinki: The 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)

bidirectional and multidisciplinary integration. The purpose of the foundation is also to promote interaction between the cultures on a national and international level.

258. As part of the implementation of the arts and culture Russia programme, subsidies are granted to organisations and communities cooperating with Russia in the field of arts and culture.<sup>33</sup>

### ***Arts Promotion Centre Finland***

259. In early 2013, the Arts Promotion Centre Finland<sup>34</sup> was launched to grant annual subsidies for multiculturalist projects and international activities. Subsidies aimed at projects promoting and supporting multiculturalism are intended to reinforce the possibilities of artists with an immigrant background and artists belonging to national minorities to carry out artistic activities and to be equally involved in the Finnish arts scene.

260. Linguistic and multicultural aspects are taken into consideration in all activities of the Arts Promotion Centre Finland and other expert bodies and in granting subsidies. The Central Arts Council has taken into consideration features such as expertise on the Swedish-language culture and Sámi language culture.

261. The National Council for Literature operates in connection with the Arts Promotion Centre Finland to grant various subsidies July chairs and translators. The Ministry of Education and Culture consults the Council when establishing national organisations for writers and translators representing both language groups (Swedish and Finnish) and asks the Sámi Parliament to suggest candidate members for the National Council for Literature.

### ***Support for literature translation***

262. 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.

### ***Support to the Swedish-language culture***

263. The Swedish language culture is supported by granting government transfers for promoting arts and culture. The subsidies granted to artists by the state art promotion system (state art committees, regional art committees, separate committees) and government transfers are available to Swedish-language artists.

### ***Support for the Roma culture***

264. The Ministry of Education and Culture has continued to subsidise the activities of Roma organisations and the citizen activity projects related to the Roma from the arts and culture and youth work appropriations with the objective of reinforcing the active citizenship and the equal opportunities of the Roma. The Ministry of Education and Culture and the Finnish National Board of Education support the survival and the development of the Roma

<sup>33</sup> [http://www.minedu.fi/OPM/Kulttuuri/kulttuuripolitiikka/avustukset/Avustus\\_taitteen\\_ja\\_kulttuurin\\_Venajaohjelma\\_toimeenpanoon?lang=fi](http://www.minedu.fi/OPM/Kulttuuri/kulttuuripolitiikka/avustukset/Avustus_taitteen_ja_kulttuurin_Venajaohjelma_toimeenpanoon?lang=fi)

<sup>34</sup> <http://www.taike.fi/en/frontpage>

language by granting appropriations for Roma language nest and for the teaching of the Roma language as a native language at the basic and upper secondary levels.

### ***Support for the Sámi culture***

265. The Ministry of Education and Culture has prepared the state cultural policy development strategy until 2020.<sup>35</sup> Its purpose is to guide the activities of the Ministry of Education and Culture in the field of cultural policy. According to the strategy, the objective is to reinforce the position of the indigenous Sámi culture by supporting the Sámi cultural centre and the new creative production arising from Sámi tradition.

266. Sámi culture is supported in various ways in Finland. The general art and cultural services and subsidy forms are available to the Sámi under the same conditions as to the other population groups. In addition, the state budget allocates a special annual appropriation for the promotion of Sámi arts and culture. In 2014 the appropriation sum was EUR 369,000.

267. EUR 176,000 of the appropriation has been allocated to the Sámi Parliament to promote Sámi-language culture and for the activities of Sámi organisations. 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 for subsidies with the Sámi Parliament at the beginning of their career. In addition, the committee may grant a particular cultural award without an application.

268. The Ministry of Education and Culture has also allocated EUR 193,000 of the appropriation for arts and cultural activities carried out in the Sámi cultural centre *Sajos*, such as cultural activities for children as well as film and musical activities.

269. 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. Each year, the Arts Promotion Centre Finland, the state arts committees, the National Council for Literature and the National Council for the Visual Arts receive approx. 14 to 20 applications from Sámi artists. Approx. two to four applications are received each year from Sámi communities. 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. Visual arts and filmmaking applications have been approved. Composition has also been subsidised in Lapland.

270. In 2012, the Ministry of Education and Culture allocated EUR 100,000 to the Finnish Film Foundation in connection with film production appropriations to create manuscripts for Sámi films and help them develop their production.

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<sup>35</sup> Cultural policy strategy 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>>.

***Sajos - the Sámi cultural centre***

271. In 2012, the Sámi cultural centre Sajos was opened. During its first year of operation, several congresses, cultural events and concerts were organised at the centre. In addition, the Sámi Parliament, the Sámi Education Institute, the Sámi library and archive as well as the Regional State Administrative Agency for Lapland operate in the building. During its first year of operation, Sajos received almost 20,000 registered visitors.

272. Sámi organisations have emphasised that attention should still be paid to the availability of Sámi-language cultural services. Sámi is a living language that adolescents use as well.

***Establishment of Skolt Sámi language and cultural centre***

273. In November 2014, the Skolt Sámi Cultural Foundation, the Ministry of Agriculture and Forestry and the Ministry of Education and Culture discussed the various alternatives for establishing a Skolt Sámi language and cultural centre in Sevettijärvi. The basis for the discussion was the statement requested by the Skolt Sámi Cultural Foundation on the possibilities of implementing the project. The Skolt Sámi Cultural Foundation applied to the Ministry of Education and Culture for a government grant to cover the costs of continuing the preparations and the Ministry awarded the grant in December.

The Ministry of Agriculture and Forestry is currently examining the possibilities of obtaining support for the construction project from various funds.

***Support for the Russian language culture***

274. In January 2013, a Russian library serving Russian-speaking customers and those interested in the Russian language opened at the Espoo City Library Sello. The objective of the library is to support Finland's Russian-speaking population's language and culture and to transmit information on the Russian culture and society to all interested visitors. 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 the special task assigned to the Espoo City Library by the Ministry of Education and Culture.

275. With the Russian library, the selection of the Russian language material will considerably improve. In addition to literature and non-fiction for adults and children, there are films and talking books as well as a collection of forty different magazines. In the general library network search for the metropolitan area, it is now possible to 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 collections by visiting Sello or by ordering the material to their own local library.

276. In early 2013, the *Cultura Foundation* was launched to support the linguistic and cultural identity of Finland's Russian-speaking population; to promote the development of the culture of the Russian speaking populations' culture; and to otherwise develop bidirectional and multidisciplinary integration. The purpose of the Foundation is also to promote interaction between the cultures on a national and international level. By means of arts and culture, cooperation is developed to promote interaction among immigrants and the main population as well as the inclusion of immigrants.

277. The Foundation operates as a channel of cooperation and as a welcoming meeting place, resulting in multidisciplinary events supporting integration as well as information and coaching services. The foundation provides a meeting place for Russian-speakers as well as the main population, launched in April 2013. 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.

### ***Promotion of the Tatar culture***

278. The Tatar culture and language is promoted by the Finnish Islamic Congregation established in 1925. The congregation organises Tatar language courses in summer and in winter. In 2013, the congregation included 523 members.

279. The cultural society *Finlyandiya Türkleri Birliği* ry<sup>36</sup> was established in 1935, and it is focused on upholding and preserving the language and culture of the Finnish Tatars. The Tatar community has published Tatar-language textbooks, songs and poetry well as folk music.

### ***Promotion of Karelian-language culture***

280. The Society for the Karelian language has established a cultural centre for children and adolescents which has initially focused on producing books and records and on organising club activities. At the next stage, club materials, miniature plays, short films, role playing games, board games and computer games will be produced, and camps and cultural events will be organised with Karelians from Russia. These activities require additional financial support.

## **ARTICLE 6**

*1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.*

*2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.*

### ***Criminal Code amendment***

281. In early summer 2011, an amendment (511/2011) to the Criminal Code entered into force. Its intention was to more clearly define the potential for intervention in racist and other types of hate speech and related crimes. The penal provision on instigation against a population group was amended so that it could be more clearly applied to hate speech disseminated through information technology. In addition, the general grounds for increasing the punishment for all crimes were specified so that in addition to racist motives, motives such as hatred against the disabled or against sexual minorities could also be taken

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<sup>36</sup> <http://www.ftb.fi/alku/>

into consideration during sentencing. The liability of legal entities for racist crimes was also increased.

### ***Racist, discriminatory and xenophobic material on the Internet***

282. Finland has made contributions to the development of network control, for instance by increasing control resources and cooperation with various network service producers. Network control has also been centralised in order to integrate it into the national crime prevention and intelligence structures. An essential part of intensifying network control also consists of encouraging citizens to actively report on crimes detected in information networks through a tip system that is currently being developed. In March 2010, the police opened a tip data service, the so-called Net Tip service (*Blue button*) where one can leave tips on websites linked with racism and misanthropy detected on the Internet. The Net Tip website is available in Finnish, Swedish and English<sup>37</sup>.

283. The police is also active in social media such as the IRC gallery, Facebook and YouTube. For instance, the virtual local police operate on the Internet using their own names, enabling an easy encounter with the police.

284. Between 2009 and 2013, the Ministry of Education and Culture supported Save the Children Finland's multiannual NoRa project (*No Racism Programme*). NoRa is a web-based project for anti-racist work among youth. It aims at increasing information on racism, identifying racism and intervening in racist behaviour. The goal of the project is to increase equal opportunities and to eradicate prejudice. The project operates on a national level by providing training, by participating in online chats and by organising various event for children and as adolescents to promote anti-racism and non-discrimination. The project also develops and carries out various models of support and counselling for adolescents who have experienced racism.

285. The Finnish *No Hate Speech Movement* is part of the pan-European No Hate Speech Movement<sup>38</sup>. In Finland, the Plan Finland organisation acts as the national coordinator of the campaign launched by the Council of Europe. The campaign is funded by the Ministry of Education and Culture. The Finnish campaign was launched in March 2013 and it will continue until spring 2015. The goal of this youth movement is to promote the freedom of speech and non-discrimination online as well as off-line.

286. Finland has ratified the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of racist and xenophobic acts committed through computer systems (ETS No. 189). The Additional Protocol came into force in Finland on 1 September 2011.

### ***Police actions in the prevention and investigation of hate crimes***

287. The police are trained, and through the instructions given by the police, attention is paid to features such as the recording of hate motives and their consideration in the preliminary investigation. In addition to racist motives, hate motives refer to using sexual orientation, disability, religion or conviction as a motivation to act. The "*Epäillyn viharikoksen tai sellaisia piirteitä sisältävän rikoksen luokittelemisen poliisiasian tietojärjestelmään*" (*Classifying a suspected hate crime or a crime containing features of a*

<sup>37</sup> <https://www.poliisi.fi/poliisi/home.nsf/feedbacktip?openform&l=3>

<sup>38</sup> <http://eivihapuheelle.fi/tausta/>

*hate crime in the data system of police matters*) guidelines issued by the Supreme Police Command entered into force on 1 January 2012. The purpose of the guidelines is to extract from the data system acts that some parties or the police consider possible hate crimes for a more detailed investigation. Through the reports, information is received on features such as the targets, perpetrators, crimes, and scenes for potential hate crimes. The classification also concerns features such as suspected discrimination cases, which means that information is also received on the target groups for such crimes.

288. In the basic, continuing and supplementary vocational training of the police force, attention has been paid to increasing tolerance within the police. Fundamental and human rights are dealt with in the basic police studies (Diploma in Police Studies) and more advanced police studies (Police Officer's Degree and Commanding Police Officer's Degree). In addition to dedicated teaching, the training has been organised by means of the so-called flow-through procedure where the promotion of non-discrimination, tolerance, cultural sensitivity and the ethical *modus operandi* are brought forward in all training situations in the suitable way. The general competences of the police officer's degrees include features such as ethical and international skills which are aimed at supporting the ability of the police to consider the points of view of the individual and society as well as the differences between different cultures.

289. The Diploma in Police Studies still includes studies related to encountering foreigners and foreign cultures, identifying racist crimes and professional police ethics in various subjects. Trainers representing minorities are used to the extent possible, in order to foster tolerance and increase multicultural knowledge in the training. Upon completing their basic training, all students who have taken the Diploma in Police Studies and who serve in the police force take a Safety First oath of ethics. Among other things, the safety first oath promises to respect everyone's human dignity and human rights.

290. Each year, the continuing and supplementary training of the police force, several different training events are organised to deal with questions related to fundamental and human rights and ethical police work and to increase awareness of multiculturalism and various religions to increase tolerance. The themes of the annual two-day Police and Human Rights seminar have included the prevention of racism and fundamental and human rights, ethical police work as well as hate crimes and discrimination. In addition to the national training, training aimed at increasing police tolerance is organised on a local level as well. For instance, a four-day training event to increase the multicultural knowledge of the police was organised at the Helsinki Police Department.

291. The annual study on hate crimes and the notification on the results of this study support the awareness of provisions against racism and racial discrimination among various actors in society. Since 1997, the police have made reports on suspected racially motivated crimes reported to the police. Since 2008, the report has also covered hate crimes motivated by sexual orientation, disability, religion or belief. The police monitor the development of hate crimes. The police have a low threshold to intervene in hate crimes and where possible, investigate them without delay. Cooperation with various authorities and organisations has continued. Local police activities also increase the cooperation with minority groups and make the police more easily approachable. In addition, the police monitor the activities of members of extreme movements.

292. Though the police have made contributions to the prevention of racism and increased training on minority issues and human rights, non-governmental organisations have brought forward the racism, attitudes and prejudice among the police as a problem which minorities

still encounter. Language as the motive of hate crimes and hate speech has also been mentioned.

### ***Cooperation for the prevention of racism and discrimination***

293. The police have made efforts to combat racism, prevent discrimination and foster tolerance by various means. The police have extensively cooperated with the authorities across the administrative sectors and with non-governmental organisations on a national, regional and local level. Among other things, the police have been involved in the regional Advisory Boards for Ethnic Relations and the regional Advisory Boards for Romani Affairs. The police also have representation in the national steering group for monitoring racism and discrimination. On a local level, cooperation with various groups has been emphasised in activities such as municipal security planning, for instance, for taking the special needs of minorities into consideration.

### ***Regional anti-discrimination counselling (SYNE)***

294. In conjunction with Victim support Finland (RIKU), *Kynnys ry* and the City of Kotka, three regional anti-discrimination counselling points have been established in Turku, Tampere and Kotka. The counselling points cooperate locally with various actors, such as the police. It is often felt that the threshold of reporting discrimination cases to the authorities is high. The purpose of the pilot project is to facilitate this by making the reports through the organisation. The Office of the Ombudsman for Minorities has been in charge of coordinating the points and the training needed. During the project, the activities of the counselling points have become established and more extensive. The goal is to provide a comprehensive national counselling service.<sup>39</sup>

### ***Study on the judicial protection of victims of discrimination***

295. According to a study on the judicial protection of victims of discrimination<sup>40</sup>, many victims of discrimination consider that the activities of the authorities are obstacles or challenges for them when seeking justice. The police in particular were often criticised. The victims of discrimination interviewed for this study related cases where the police minimised the discrimination or were unwilling to accept a report of the offence without the intervention of another authority (such as the Ombudsman for Minorities). The authors of this study recommend that the knowledge of the police be increased in discrimination cases and that a more serious view of discrimination be taken, particularly when making a report of the offence.

296. According to the Police University College *Poliisin tietoon tullut viharikollisuus 2013 (Hate crimes reported to the police 2013)* report<sup>41</sup>, only 17 percent of the reported offences with a racist motive were entered using a hate crime code in 2013. The use of the code decreased by 7 percent compared to the previous year.

<sup>39</sup> Ministry of the Interior statement ECRI; Implementation of the Third Report on Finland SAAP-12014\_2011

<sup>40</sup> Aaltonen M., Heino P., Villa S.: "Riitelemien on pienelle ihmiselle raskasta" [Disputes are hard for the average person] – A report on the access of victims of discrimination to legal proceedings and their impact. Ministry of the Interior publications 13/2013.

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**ARTICLE 7**

*The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion.*

***The right to freedom of conscience and religion***

297. Finland is a society of citizens, where citizens have the right to freedom of conscience and religion. According to Section 11 of the Constitution of Finland, everyone has the freedom of religion and conscience. Freedom of religion and conscience entails the right to profess and practice a religion, the right to express one's convictions and the right to be a member of or decline to be a member of a religious community. No one is under the obligation, against his or her conscience, to participate in the practice of a religion.

298. Section 12 of the Constitution of Finland determines that everyone the freedom of speech, including the freedom of expression, dissemination and reception of information, opinions and other communications without prior prevention from anyone, and Section 13 determines the freedom of assembly and freedom of association, according to which everyone must have the right to arrange meetings and demonstrations without a permit and to participate in them.

**ARTICLE 8**

*The Parties undertake to recognize that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.*

***Safeguarding the freedom of religion by means of legislation***

299. The Religious Freedom Act (453/2003) safeguards the exercise of the freedom of religion. The Religious Freedom Act contains provisions on features such as registered religious communities, community memberships, procedures for joining and withdrawing from them and on the practice for swearing oaths and making declarations. Religious communities refer to the Evangelic Lutheran Church (which includes approx. 75 percent of the population), the Orthodox Church (approx. 1 percent of the population) and registered religious communities (1.5 percent of the population).

300. One can also practice religion without belonging to a religious community. In 2010, the number of individuals outside of religious communities exceeded the limit of 1 million people, and by the end of 2013, there were 1.2 million such individuals. One in five Finnish citizens therefore belongs to no religious community registered in Finland.<sup>42</sup>

301. The Evangelic Lutheran Church and the Orthodox Church are provided for in the special laws concerning them. The Religious Freedom Act contains provisions for establishing a religious community and on its purpose. According to their views, anyone may join a religious community willing to accept them as members. The religious communities decide whether their members may belong to other communities as well. Anyone may also

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<sup>42</sup> [http://www.tilastokeskus.fi/til/vaerak/2013/vaerak\\_2013\\_2014-03-21\\_tie\\_001\\_fi.html](http://www.tilastokeskus.fi/til/vaerak/2013/vaerak_2013_2014-03-21_tie_001_fi.html)

withdraw from a religious community by notifying the community or any local register office (governmental agency) in writing. The local register office will send a confirmation of their withdrawal.

### ***Protection of the freedom of religion under the Criminal Code***

302. The Criminal Code contains several provisions protecting the realisation of the freedom of conscience and religion as well as religious communities in general. Firstly, Chapter 11 Section 10 of the Criminal Code contains provisions on the instigation against a population group. The provision is as follows:

303. A person who makes available to the public or otherwise spreads among the public or keeps available for public information an expression of opinion or another message where a certain group is threatened, defamed or insulted on the basis of its race, skin colour, birth status, national or ethnic origin, religion or belief, sexual orientation or disability or a comparable basis, shall be sentenced to a fine or to imprisonment for ethnic agitation for at most two years.

304. Section 10 a of the Criminal Code provides a sanction for aggravated ethnic agitation.

305. Chapter 11 Section 1 of the Criminal Code provides a sanction for genocide, which refers to the entire or partial destruction of a national, ethnic, racial or religious group or another comparable group by means listed in the provision. Section 3 of the same Chapter provides a sanction for crimes against humanity, which refers among other things to persecution on the basis of religion and as part of a broad or systematic assault on a civilian population.

306. Chapter 17 Section 10 of the Criminal Code provides a sanction for the breach of the sanctity of religion and in Section 11, for the prevention of worship.

307. Chapter 11 Section 11 of the Criminal Code provides a sanction for discrimination, for instance owing to religion. Chapter 47 Section 3 of the Criminal Code contains provisions on the sanction for work discrimination.

308. Chapter 6, Section 5 of the Criminal Code contains provisions on the grounds for increasing punishment. According to the provision, committing an offence for a motive based on race, skin colour, birth status, national or ethnic origin, religion or belief, sexual orientation or disability or other corresponding grounds is grounds for increasing the punishment.

### ***Finland's state churches***

309. Finland has two state churches, the Evangelic Lutheran Church and the Orthodox Church, whose position, rights (such as the right to collect taxes) and obligations are provided for in the Church Act (1993/1054) and in the Orthodox Church Act (985/2006).

310. To ensure services to its Swedish-speaking members, Finland's Evangelic Lutheran Church has a Swedish language diocese. The Church Council also contains a separate unit for Swedish language activities. In addition, all members of the congregation have the right to be served in Finnish or in Swedish in all congregations within the country. However, there may be shortcomings in this respect in various parts of the country.

***Registering religious communities in Finland***

311. There are currently approx. 90 registered religious communities. The spectrum of religious communities is relatively large in Finland.

312. The process of registering religious communities has been arranged so that the Finnish Patent and Registration Office acts as the registration authority. A committee of experts operating in connection with the Ministry of Education and Culture, whose tasks are provided for in Section 23 of the Religious Freedom Act, issue a statement to the Finnish Patent and Registration Office on the purpose and the mode of operation of the new communities seeking registration, based on the statutes of the community (the statutes correspond to the statutes of an association). The committee of experts has three members. One of the members should represent expertise on religions, the second should represent social expertise and the third, legal expertise. An official appointed by the Ministry of Education and Culture shall act as the committee secretary and rapporteur. The committee may consult external experts and request the reports necessary for examining the matter from the community in question.

***Criteria of the Religious Freedom Act for the registration of a religious community***

313. The expert committee under Section 23 of the Religious Freedom Act shall issue a statement on whether the purpose and the modes of operation of the community correspond to Section 7 of the Religious Freedom Act.

314. According to Section 7 of the Religious Freedom Act, the purpose of a registered religious community is to organise and support individual, collective and public activities for recognising and practising religion, based on a creed, Scriptures that are considered holy or on other itemised established grounds that are considered holy and are used as the basis for activities. In addition, the community should fulfil its purpose in respect of fundamental and human rights. Profit-making or organising other mainly economic activities may not be the purpose of the community. The community cannot organise activities for which an association under the Associations Act (503/1989) cannot be established or for which an association requires authorisation to be established.

315. Community statutes are included in a register maintained by the Finnish Patent and Registration Office. They are public and accessible to anyone. This on its part improves the members' legal protection, as does the clear possibility of withdrawal provided for in the Act.

***Rights of religious communities***

316. Registered religious communities have the right to apply for government funding to support their activities. Subsidies for their activities are granted based on the number of members in the religious community. In addition, registered religious communities can apply for subsidies for their construction projects.

317. According to the Act on the Right of Officiation (571/2008), the right of officiation may be granted to a member of a religious community registered under the Religious Freedom Act.

318. According to Section 21 of the Income Tax Act, the Evangelic Lutheran Church, the Orthodox Church and other religious communities pay municipal taxes at a reduced tax rate.

***Language strategy of the Evangelic Lutheran Church***

319. In 2013, the Church Council of the Evangelic Lutheran Church drafted the church language strategy, *Puhetta Jumalalle ja Jumalasta omalla kielellä*<sup>43</sup> (*Talk to God and of God in one's own language*). The foundation of the church language strategy lies in the Strategy for the National Languages, Finnish and Swedish, published by the Prime Minister's Office. The objective of the Strategy for the National Languages is to ensure that Finland has two vital national languages in the future. The Strategy for the National Languages does not aim at amending the Finnish language legislation. Instead, the objective is to better exercise in practice the linguistic rights guaranteed in the legislation.

320. The equal position of the national languages and the exercise of individuals' linguistic rights are important to the church as well. Languages used in the church administration and activities are provided for in the Church Act and in the church order as well as the language legislation.

321. The church's language strategy does not suggest amendments to these provisions; the purpose is to improve the exercise of linguistic rights within the church through practical measures. The suggested measures have been planned so that they can be implemented by using the currently available or even decreasing resources.

322. In addition to Finnish and Swedish, the church language strategy examines the Sámi languages. The languages discussed include North Sámi and Inari Sámi. Skolt Sámi has been excluded from the examination, since most speakers of Skolt Sámi are members of the Orthodox Church. The language strategy also takes into consideration sign languages, the Roma language, the increasing multiculturalism in Finland along with the languages used by immigrants.

323. The effect of multiculturalism on church activities is more widely discussed in the *Tulevaisuusselonteko 2014 (Future report 2014)* working group appointed by the Church Council.

324. The working group has not made separate strategies or suggestions for proposals for different language groups. Instead, the objective has been to produce a strategy common to the entire church that can be applied to various language groups, taking into consideration their statutory linguistic rights and special needs. The purpose of the strategy is to consider different operating environments, and it will be used as a foundation for making plans of action and economic plans for congregations, dioceses and the entire church. Based on the strategy, separate programmes for measures may be produced for individual language groups where needed.

325. The objective of the language strategy is to support everyone's right to practice religion in their native language.

***Complaints on the freedom of religion solved by the Chancellor of Justice***

326. In the framework of his duties, the Chancellor of Justice monitors how fundamental and human rights are exercised in Finland in accordance with the Constitution. This also includes monitoring how the authorities follow the international treaties ratified by Finland as well as the European Union law that applies to Finland. The questions related to the

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[http://sakasti.evl.fi/sakasti.nsf/0/D369F10AF9D44A9FC22577A500368BD5/\\$FILE/Puhetta%20Jumalalle%20ja%20Jumalasta%20omalla%20kielell%E4.pdf](http://sakasti.evl.fi/sakasti.nsf/0/D369F10AF9D44A9FC22577A500368BD5/$FILE/Puhetta%20Jumalalle%20ja%20Jumalasta%20omalla%20kielell%E4.pdf)

protection of minorities come up in the work of the Chancellor of Justice, as part of the Constitution, in the monitoring of fundamental and human rights within the competence of the Chancellor of Justice, in the form of decisions given to complaints and in the form of statements given mainly on draft bills under the supervision of the Finnish Government. The questions brought forward in the complaints often concern the realisation of linguistic rights and non-discrimination. Complaints related to the freedom of religion have also been dealt with and solved during the reporting period as follows:

327. Decision No. OKV/692/1/2011 concerned the fact that non-discrimination may also be realised through positive special treatment. According to the city website, there was a mosque in the so-called Koto office for the integration of immigrants. The complainant considered that the establishment of a mosque went against the Administrative Procedure Act. According to the city, in 2009, a general place of prayer was available at the Koto office for a few weeks. The information published on the website was therefore erroneous and dated. The Vice-Chancellor of Justice considered that the city had not acted against the Administrative Procedure Act in establishing a place of prayer. The activities of the Koto office complied with the Act on the Integration of Immigrants and Reception of Asylum Seekers. It also promoted non-discrimination by providing an opportunity to practice one's religion outside of one's home to a group otherwise lacking such an opportunity. It was a case of permissible positive special treatment. Instead, the city had not met its obligation of communication under the Local Government Act, as it had published erroneous information.

328. Decision No. OKV/1481/1/2010 concerned the equal burial practice for both members and non-members of congregations. The Parish Minister had followed the practice of the congregation where non-members of congregations are only buried on weekdays. The State Provincial Office and the cathedral chapter, which are under special laws obliged to carry out monitoring activities, both took appropriate measures after learning about the practice. They both stated that the practice was against provisions on non-discrimination, requesting the congregation to renounce it. The Vice-Chancellor of Justice considered the measures by the State Provincial Office and the cathedral chapter sufficient.

329. In decision No. OKV/675/1/2010, the Vice-Chancellor of Justice considered that the freedom of religion of a mother had been violated when religious activities were prohibited in supervised meetings between the mother and her child. The Vice-Chancellor of Justice considered that the prohibition had interfered with the mother's freedom of religion. The municipal Social Security Department should have assessed the prohibition of practising religion based on the Constitutional principles and provisions on the freedom of religion and the right of access. Since the supervised meetings had been carried out as a purchased service, the Vice-Chancellor of Justice paid attention to the municipality's obligation to ensure legal procedures and their protection of the clients' fundamental rights even in connection with purchased services.

330. In decision No. OKV/1361/1/2009, the Vice-Chancellor of Justice considered that the so-called district devotional services organised by the District Court were incompatible with the freedom of religion. The Vice-Chancellor of Justice stated that official ceremonies should be organised so that they cannot lead to the violation of the freedom of religion or the freedom of conscience. He emphasised that the negative freedom of religion also includes the individuals' right not to express their convictions. The Vice-Chancellor of Justice emphasised that from a legal point of view, the realisation of fundamental and human rights should be used as a starting point instead of traditional reasons.

331. In decision No. OKV/230/1/2013, the Vice-Chancellor of Justice conceded that from the point of view of both the positive and negative freedom of religion and considering the legal practice of the European Court of Human Rights, it would be justified for schools to not organise any events with contents complying with a certain type of belief, regardless of whether they were conducted by teachers or the other school staff or congregation employees, instead of making arrangements to ensure the neutrality of the public authority and the freedom of religion at schools. According to the Vice-Chancellor of Justice, the current form of religious events organised in schools is problematic from the point of view of the neutrality of the public authority and the obligation to promote non-discrimination. However, the Vice-Chancellor of Justice did not consider that events such as shared moments of silence where teachers do not separately bring out any religion or conviction could be problematic. The Vice-Chancellor of Justice considered that the Finnish National Board of Education should consider a review of its notice on organising traditional and religious celebrations at school, published in 2006, from the point of view of safeguarding the freedom of religion based on fundamental and human rights, so that the aspects presented in the decision are taken into consideration.

### ***Religious dialogue and ecumenicalism***

332. In Finland, different religions have coexisted harmoniously. However, the dialogue between religions (religious dialogue usually refers to a systematic dialogue with representatives of other denominations) is only just being launched in Finland, particularly with the increase of the Islamic population. In early 2012, there were approx. 10,000 Muslims in Finland, or approx. 0.2 percent of the population. However, this figure only includes the number of members of registered Islamic communities, not the actual figure, which is considerably larger, amounting to tens of thousands. There are more than 30 registered Islamic communities in Finland, and new communities are registered each year.

333. In Finland, the religious dialogue took a step forward in 2011, as the Muslim, Christian and Jewish religious leaders made a joint statement, *Usko vapaasti (Believe freely)*, on the freedom of religion. The statement emphasises everyone's right to practice their religion freely. In addition to this, Finland's Jewish, Muslim and Christian communities established an association named *USKOT-foorumi* to promote the maintenance of societal and religious peace in the country.

334. The Finnish Ecumenical Council promotes the connection between the communities based on Christianity. The Finnish Ecumenical Council has allowed the Lutheran, Orthodox, Catholic and many free churches to discuss matters together. These parties have also made a joint ecumenical Declaration of Christmas Peace each year since 1994.

### ***Freedom of religion in early childhood education***

335. In early childhood education (children's day care), the National Curriculum Guidelines on Early Childhood Education and Care in Finland (recommendation) and the local municipal plans based on them are designed to promote the freedom of speech, religion and thought. Nearly 63 percent of children between the ages of one and six participate in early childhood education, and preschool education reaches almost 100 percent of the age group.

336. According to Section 2 a of the Act on Children's Day Care, the objective of day care is to support the homes of the children benefiting from daycare in bringing these children up,

and to promote the balanced development of the children's personality in conjunction with their homes.

337. According to the child's age and individual needs, the daycare facility should promote physical, social and emotional development of the child, considering the general cultural tradition, and support the child's aesthetic, intellectual, ethical and religious upbringing. In supporting religious upbringing, the conviction of the child's parents or guardian should be respected.

338. The National Curriculum Guidelines on Early Childhood Education and Care in Finland (STAKES 2005), which are national consultative recommendations for early childhood education, provide partial guidelines for religious education. In the National Curriculum Guidelines on Early Childhood Education and Care in Finland, religious orientation and the orientation of views are mentioned as part of the consensual orientation. In early childhood education, the tradition, the customs and practices of the child's own religion or worldview are examined. The child is given the opportunity to quietly wonder about things, to ask questions and to contemplate. The customs of different religions and worldviews that are close to the child are examined.

339. Based on the National Curriculum Guidelines, the municipalities produce local plans for meeting the objectives of early childhood education.

### ***Religion and ethics in basic education***

340. The provision in Section 13 of the Basic Education Act (628/1998) on the teaching of religion addresses the principle of freedom of religion protected in the Constitution and emphasises that the teaching of religion is primarily the pupil and the student's right and not intended to protect the interests of religious communities.

341. Section 13 of the Basic Education Act gives pupils relatively extensive rights to receive teaching on their own religion and ethics. However, organisations representing children's rights have pointed out that in this respect, the majority (Evangelical-Lutheran) enjoys a different position compared to an individual representing a minority religion in Finland. Individuals representing minority religions may choose to study ethics and at the same time be part of their own religious group. However, members of the Evangelical-Lutheran Church must secede from the Church, should they wish to study ethics. For children aged 12 to 18, secession from the Church requires a consent from the parents. Upper secondary school students who are not members of a congregation may choose either religious or ethical studies, whereas members of a congregation may not choose ethics.

342. Organisers of basic education should provide religious studies that comply with the religion of the majority.

343. For others, at least three students belonging to other religious communities, the teaching of their own religion is provided at the request of the guardians. A core curriculum has been provided for the following religions: Evangelical-Lutheran Christianity, Orthodox Christianity, Islam, Catholicism, Judaism, Buddhism, Adventism, Hare Krishna, the Christian Community, the Baha'í Faith, the Finnish Herran Kansa religious movement, Mormonism, the Free Church and Pentecostalism.

344. Until now, the teaching of one's own religion has been provided if a group of at least three students can be formed. This also applies to other religions such as Islam, Buddhism,

Catholicism, Hinduism etc. Due to the state retrenchments, the group size will be ten students in the future.

345. Bodies such as the Finnish League for Human Rights have criticised the change in the group size, stating that the proposal will further reinforce the special position of the teaching of Evangelical-Lutheran and Orthodox Christianity and weaken the equal position of other religious communities, placing the students in an unequal position.

346. The use of religious symbols or clothing has not been restricted in schools.

347. The General Upper Secondary Schools Act 629/1998 (amendment 455/2003) contains equivalent provisions.

348. According to Chapter 2.1 on the core values for the grounds of the basic education core curriculum approved by the Finnish National Board of Education, the teaching of various subjects is politically neutral and non-denominational. According to the grounds for the core curriculum, the practice of religion is not part of the teaching of religion. The Finnish National Board of Education will modernise the grounds for the basic education core curriculum. As for religious studies, knowledge of other religions and irreligion as well as the acceptance of diversity will be increasingly emphasised in addition to the knowledge of one's own religion.

### ***Freedom of religion in the Defence Forces***

349. In the Defence forces, members of various religious groups will be provided opportunities to practice their own religion if the military service allows this. No one will be placed in an unequal position due to religious or other convictions.

350. The General Regulations (YLPALVO) 2009 have taken into consideration features such as equality and non-discrimination as well as the special questions and practical arrangements related to the practice of religion. Special questions related to the practice of religion include separate prayer times, special diets, exceptional festival days, fasting arrangements and spiritual support. Conscripts on a special diet for religious reasons will be treated in the same way as other conscripts requiring special diets.

351. Each year, ecclesiastic unit of the staff department at the Defence Command submits to the army chaplains an updated list of contact persons for various religious communities that may be contacted in special cases.

352. Good practices related to the freedom of thought, conscience and religion are promoted by the army chaplains, the healthcare personnel and the social curators. At best, these various actors form a network and attempt to cooperate in the questions mentioned above. This network is particularly supplemented by the conscript committees related to the welfare, the benefits and the liberties of the conscripts.

### ***Non-medical circumcision of boys***

353. Finland has no law permitting or prohibiting the non-medical circumcision of boys. In 2008, the Supreme Court ruled that non-medical circumcision is not a crime if it is performed appropriately. The Ministry of Social Affairs and Health has reported that approx. 400 religious circumcisions are performed on boys each year. However, charges of abuse have been made in Finland, and courts have dealt with cases where problems or complications have arisen.



354. In September 2013, the Nordic Ombudsmen for Children made a declaration on the non-medical circumcision of boys<sup>44</sup>. It was brought out in the declaration that a circumcision performed without medical grounds on children unable to give their consent is incompatible with the UN Convention's Article 12 (children's right to express their views in matters affecting them) and Article 24 (children should be protected from traditional practices potentially prejudicial to their health). The declaration suggests that a circumcision could only be performed once the boy can give his informed consent. This requires that the boy has reached an age level and development where he can understand the necessary information provided on the procedure.

### ***Working group for religious and cultural dialogue***

355. The Advisory Board for Ethnic Relations (ETNO) is a broad-based expert body appointed by the Government. ETNO consists of a national advisory board and seven regional advisory boards operating in various parts of Finland. For several years, a permanent working group for religious and cultural dialogue has operated under ETNO.

356. The objective of the working group is to increase the mutual understanding between various population groups and people and groups representing different convictions in Finnish society. At the same time, it serves as a continuous forum for discussion and the exchange of information between religious communities and the authorities. The working group is also charged with bringing out problematic issues between religious and/or cultures and with finding solutions for these issues.

357. The working group meetings are organised at least four times each year, and it makes proposals to the Advisory Board for Ethnic Affairs. The working group creates its own plan of action and reports on its work. The working group may consult experts and organise events such as thematically seminars. The members of the working group represent various ministries, the Church Council, the Catholic and the Orthodox Church, the Finnish Ecumenical Council, the Finnish Islamic Congregation (the Finnish Tatar Community), the Resalat Islamilainen Yhdyskunta - Suomen Ähl-e Beit [the Resalat Islamic Community], the Finnish Islamic Council, the Jewish Congregation in Helsinki, Finland's Buddhist Vietnamese community, the Finnish League for Human Rights and the University of Helsinki.

## **ARTICLE 9**

*1. The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.*

*2. Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.*

*3. The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In legislation on radio and television programmes, they will guarantee persons belonging to national minorities a possibility to establish and use their own media where possible and taking the provisions of paragraph 1 into account.*

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<sup>44</sup> <http://www.lapsiasia.fi/nyt/aloitteet/aloite/-/view/1865087>

4. In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.

### ***Recommendation – mass media for minorities***

*Additional support should be provided for minority mass media, Russian and Sámi-language media in particular, in order for these minority languages to have appropriate presence in printed and electronic mass media;*

### ***Media and publishing activities in minority languages***

358. The Government Decree on Press Subsidies (389/2008) provides for subsidies intended to support the publication of newspapers and online magazines in Swedish, Sámi, Karelian, Roma and sign language. In addition, subsidies may 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 purpose is to promote the freedom of speech as well as the versatility and the polyvalence of the dissemination of information.

359. As decided upon by the Government, EUR 500,000 was allocated for subsidising the press in 2014.

360. In autumn 2012, the Finnish Government amended the Decree on Press Subsidies (538/2011). The Decree entered into force on 1 January 2013. With the amendment, future press subsidies can also be granted to Karelian-language online publications and annexes published in connection with magazines published in Finnish or in Swedish.

361. Until now, it has been possible to grant subsidies to the Sámi-language press, but the Sámi-language population has not had a magazine of its own after 2001. After the decree amendment, it is possible to apply for support for Sámi-language annexes or online publications issued in connection with magazines. The circulation limit of 15,000 copies mentioned in the decree does not apply to them.

### ***Swedish-language media and publishing activities***

362. In 2014, EUR 440,000 was granted to Nyhetsbyrån FNB Ab for the production of Swedish-language news services. Nyhetsbyrån FNB was established in 2006 for the Swedish-language news activities of the Finnish News Agency (STT). Due to their small number, Swedish-language magazines would have to pay 30 percent more for the new service compared to Finnish-language magazines. Thanks to the subsidy, the magazines may purchase the service at the same price as the Finnish-language magazines.

### ***Sámi-language media and publishing activities***

363. The purpose of the Finnish Broadcasting Service (Yle) is to produce programmes in minority languages and to provide programmes also for minority groups (Act on Yleisradio Oy 1380/1993). Among other things, the Finnish Broadcasting Service produces Sámi-language news in the radio and on the television as well as Sámi-language children's programmes. In addition, in Autumn 2013, Yle uutiset launched the broadcast of television news produced by Yle Sápmi on weekdays.

364. Compared to the previous report, Yle's Sámi-language television and radio programmes have undergone positive development. In 2014, the language revival role of Yle Sámi Radio will be further reinforced as both minority Sámi languages will be increasingly heard as hosting languages. The television broadcasting time will increase with the Yle Ođđasat news broadcast.

365. The national five-minute Yle Sápmi news broadcast has received a wide audience, and it has even become a more important news channel than the Nordic news broadcast (Ođđasat) due to the lateness of its broadcasting time. Yle Sápmi has also developed its services on the Internet, and as a new service, the Yle Sápmi news can also be read in Skolt and Inari Sámi. The news has also become more interactive, and they can be commented on. Yle Sápmi has also developed its activities in the promotion of the written Sámi language. During the reporting period, a television studio and a broadcasting studio compatible with Sámi culture for the children's programme *Unná Junna* have been completed in the Yle Sápmi facilities. During the report year, a weekly live radio programme for young adults, *Sohkaršohkka* (*Sugar Shock*) was launched in March.

366. Yle Sápmi focus areas which include the modernisation of radio narration, the establishment of its own television news broadcasting in three Sámi languages and the implementation of new live technologies. They will also enable the broadcast of live radio and television material with the aid of mobile technologies.

367. In 2014, an attempt will also be made to launch an extensive digitization project for the Yle Sámi Radio archive. The archive contains invaluable cultural material from the 1970s onwards in the three Sámi languages spoken in Finland. The material could be used in a versatile manner for purposes such as language revival, teaching and research, and it could be published in the Ylen Elävä Arkisto archive.

368. With the aid of the broadband subsidies for sparsely populated areas (the Laajakaista kaikille 2015 [Broadband for everyone 2015] project), TeliaSonera Finland Oyj has constructed a fibre-optic network in the municipality of Utsjoki in the Sámi region. Central government transfers covered approx. EUR 1.5 million of the subsidies. Due to the project, Utsjoki benefits from Finland's best availability of the fibre-optic network according to the Finnish Communications Regulation Authority report completed in summer 2013.<sup>45</sup>

369. The Lapin Kansa magazine published at Rovaniemi has published news material in Sámi since 2012. A news service in a minority language is enabled by the annual subsidy granted by the Finnish Government (EUR 50,000 in 2014). The magazine aims at regular Sámi-language publications. In addition, companies such as the Finnish Broadcasting Service have increased their Sámi-language supply, particularly on the Internet.

### ***Russian-language media and publishing activities***

370. In May 2013, the Finnish Broadcasting Service launched the Russian-language "YLE Novosti" television news broadcast, and Russian language films and programmes have been increased over the last few years. In addition, the Finnish Broadcasting Service broadcasts Russian-language news. The Russian-language Radio Sputnik (Radio Satellite Finland ry) radio channel has operated in Finland since 1999. It is an important source of information for Finland's Russian-speaking minority.

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371. Finland's Russian-language magazines include publications such as *Novosti Helsinki*, *Spektr*, *Russkij Svet*, *LiteraruS*, *Venäjän kauppatie* and *Mosaiikki*. The *Helsingin Sanomat* magazine established a Russian-language news service, "HS Po-Ruski". In addition to the magazine publications mentioned, *Suomen Venäjänkielinen Kirjallinen Yhdistys (Finland's Russian-language Literary Association)* publishes the Russian-language literary magazine *Itämeren Aallot – Baltic Waves*.

372. Russian-language online services include Russian.fi and the websites and information broadcasts of Mosaiikki ry and many other associations and organisations.

### ***Roma language media and publishing activities***

373. For several years, the Advisory Board for Roma Affairs has paid attention to the fact that programme time destined for the Roma population has not been increased on the radio since the weekly fifteen-minute *Romano Mirits* programme was launched in 1995. There are no television programmes in the Roma language or destined for the Roma. In addition, the five-minute news broadcast in the Roma language, included in the *Romano Mirits* programme, is the only minority-language news broadcast edited in the culture and lifestyle newsroom instead of the news and current affairs newsroom. The Advisory Board for Roma Affairs has long proposed that current affairs broadcasts are launched in the television and on the radio, but for the moment, the initiatives have not increased the programme time at the Finnish Broadcasting Service. The Advisory Board considers that the Finnish Broadcasting Service does not realise its public service programme activities as intended by the legislator.

374. Finnish Roma organisations are relatively small social and cultural organisations. The publication of magazines is carried out as part of the other activities of the associations, and they have not been able to engage editorial staff for these activities. However, the magazines of Roma organisations are a significant channel for the Roma population itself to receive information on the population and to publish material in the Roma language. Due to these facts, subsidies to publications with a small circulation would be a significant opportunity for increasing the publication activities of the Roma population.

375. Roma magazines have not received or applied for press subsidies focused on minority-language magazines. Information for applying for subsidies should be targeted to minority group organisations, and where necessary, they should be assisted in the application process.

### ***The Jewish Congregation's media and publishing activities***

376. Hebrew and Russian are significant languages for Finland's Jewish population. Where necessary, the Jewish Congregation in Helsinki attempts to publish notices internal to the congregation not only in Finnish and English but also in Hebrew. In connection with the Congregation library, there is a Hebrew-language library group, which gathers on a weekly basis to discuss various subjects and invites Hebrew-language lecturers.

377. The Jewish community does not have publication activities or other media activities in Yiddish. Those interested in Yiddish can read foreign online magazines and watch Yiddish-language programmes on the Internet.

***Karelian-language media and publishing activities***

378. In 2012, the Government granted EUR 20,000 to the Society for the Karelian Language for supporting the creation of a Karelian-language online publication.

379. There are more than ten Karelian-language websites. The development of the Society for the Karelian Language online service was launched in summer 2011, and the online service has shown rapid growth. A Karelian-language online radio, and extensive digital library and an online shop are operating in connection with the online service. Online teaching will soon be launched.

380. The Society for the Karelian Language publishes a monthly Karelian-language *Karjal Žurnalu* online magazine which is also available as a printed version. The magazine deals with the revival work of the Karelian language and culture in Finland and in the Karelian regions of Russia and presents the life of Finnish Karelians and the activities of the communities. Other associations publish Karelian-language magazines of their own, such as the *Oma Suojärvi* magazine.

**ARTICLE 10**

*1. The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.*

*2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.*

*3. The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.*

***Recommendation – Swedish-language services***

*Appropriate measures should be taken to ensure that Swedish-language public services are available to Swedish-speakers under the current legislation, and appropriate attention should be paid to linguistic rights in all stages of the ongoing administrative reform; it should be ensured that the Finnish educational system provides sufficient opportunities for learning the Swedish language in order to maintain and increase the numbers of officials fluent in Swedish;*

***National language strategy***

381. On 20 December 2012, the Finnish Government approved a decision in principle on the national language strategy<sup>46</sup>, which is one of the top projects in the Government Programme. This is the Government's first language strategy, and it contains long-term strategic objectives and concrete measures for developing the national languages, Finnish

<sup>46</sup> National language strategy. 4/2012. The Prime Minister's Office series of publications 4/2012, <<http://vnk.fi/julkaisut/julkaisusarja/julkaisu/fi.jsp?oid=373031>>.

and Swedish, during the electoral period between 2011 and 2015. The national language strategy is a development project aimed at ensuring that Finland has two vital national languages in the future. The strategy contains measures for state authorities and recommendations for bilingual municipalities and municipal federations as well as higher education institutions.

382. The starting points for the national language strategy include individuals' fundamental linguistic rights as well as the benefits and strengths of a bilingual society. The Government's starting point is that the existing language legislation concerning Finnish and Swedish is mainly up-to-date. However, it has not been fully implemented in practice. On the background of the national language strategy lies an awareness that the current situation of the Finnish and Swedish language is not satisfactory in the long term. The strategy does not contain proposals for amending legislation.

383. According to the Government Programme, the national language strategy is divided into two parts: the long term strategic document and the Government measures for the electoral period between 2011 and 2015. The responsibility for implementing the strategy is divided between various actors, and the joint responsibility lies with the Ministry of Justice. The Ministry of Finance will ensure that linguistic rights are realised in the municipal reform. The annex to the strategy contains practical tools for various administrative situations. By implementing them, the application of the language legislation can be improved.

384. The duty of the Ministry of Justice is to see to the implementation of the Language Act and the related legislation. The Ministry's tasks include the promotion and supervision of language rights, for example, by providing recommendations and advice on the implementation and application of the Language Act and by informing education authorities regarding language legislation.

385. As regards the implementation of the national language strategy, the Ministry of Justice has visited nearly all ministries. Visits have provided an opportunity to go through the listed measures of the Government and their implementation. The progress achieved in the implementation is also monitored in a table format. On request of the Ministry of Justice the ministries have appointed a liaison/s for national languages.

### ***National language network***

386. The national language network co-ordinates the realisation of the national language strategy. The network's members are the ministries' national language liaisons who support their ministry's management of national language issues.

387. The national language network convenes approximately four times per year. The network discusses different themes from the linguistic standpoint. For example, the recruitment system of the Government has been discussed. In addition, the practical tools for the national language strategy have been published on the website of the Ministry of Justice<sup>47</sup>.

### ***National language strategy – practical tools for municipalities***

388. In connection with a national language strategy, an annex containing tools for state authorities was published. Based on the practical tools, the Finnish Local Government has prepared the guidelines *Kansalliskielistrategian käytännön työvälineet kunnille ja*

<sup>47</sup> <http://www.kansalliskielistrategia.fi>

*kuntayhtymille*<sup>48</sup> (*Practical tools of the national language strategy for municipalities and municipal federations*) guidelines. The purpose of the guidelines is to help municipal authorities, officials and employees to apply the language legislation in their work so that the fundamental rights of the Finnish-speaking and Swedish-speaking citizens are realized. The tools will facilitate the observation of the language legislation, for instance in communications, procurement procedures and recruitment.

389. The guidelines describe good practices for applying the provisions of the Language Act and the principles of good administration. The tools are based on the provisions of the Language Act, on the preparatory work for the Language Act, the decisions of the Supreme Guardians of the Law (the Chancellor of Justice and the Parliamentary Ombudsman) as well as the recommendations given by the Ministry of Justice when monitoring the Language Act.

### ***Report of the Government on the application of the language legislation***

390. The Government submitted its third report on the application of language legislation to Parliament in 2013<sup>49</sup>. The report has been enclosed to the present report. Previous reports were submitted in 2006 and 2009. The current report is a follow-up report examining the changes related to the realisation of linguistic rights that have taken place in the activities of the authorities compared to 2009 and the potential progress made when examining the situation particularly in the light of the previous proposals for measures by the Finnish Government and the positions of the Parliament, the Government Programmes and international conventions. The Advisory Board for Language Affairs appointed by the Government was involved in preparing the report.

391. The realisation of linguistic rights is still random in Finland. In bilingual municipalities, there are still cases where the right to receive public services in Swedish is not protected. According to the report, the rights of Swedish speakers to receive public services in their native language are often not respected, and the authorities regard the lack of personnel proficient in Swedish as the main reason for this. Recently, citizens have been particularly concerned about the fact that bilingual service is not always provided in emergency centres and in social and healthcare services.

392. In recent years, much more attention has been paid to linguistic rights on the planning level, but at the practical level, these good intentions are not yet visible.

393. According to the language report, various authorities and other stakeholders as well as the various language groups residing in Finland were widely consulted. It is submitted to Parliament once in four years and it is prepared at the Ministry of Justice.

### ***Realization of linguistic rights***

394. The Government 2013 report on the application of language legislation states that an attempt has 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 been established and key persons have been appointed to coordinate and develop linguistic services provided by the authorities. On all administrative levels, the reforms and legislative

<sup>48</sup> <http://www.kunnat.net/fi/tietopankit/uutisia/2014/Sivut/2014-04-kielistrategia.aspx>

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

work has assessed or brought out the impact on linguistic rights. Online communications by the authorities in both national languages and other languages have clearly increased. In some administrative sectors, more attention has been paid to the engagement 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 implementing them on a practical level - the good intentions have not reached the practical level.

395. 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 personnel language courses and in the long-term, immersion courses will also increase the numbers of personnel proficient in languages.

396. It is up to the authorities to take the initiative to search for information on the customer's native language in the population data system which contains data such as the individual's native language and language of contact. Despite this, the authorities do not always verify or use the individual's preferred language when providing their services. Thus, ensuring the protection of linguistic rights has in recent years increasingly depended on the individual's personal initiative. All authorities monitor the observation of the Language Act in their own branch of activity, but it is ultimately crucial whether the customer's native language is verified in practical work and whether it is used.

397. Social and healthcare in one's own language is an important part of basic security in all stages in life. Despite this, some sectors of social and health care have found it difficult to organise services in both languages. The future social and healthcare reforms as well as the procurement of social and health services are facing important challenges. It is important that they pay particular attention to the individuals' rights to receive care, treatment and information concerning them in their own language. According to the citizens, this particularly concerns medical care and care for the elderly.

398. According to 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 and health care services. 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.

399. In most 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 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 was also made to establish a centralised coordinating party with the authority to order certain services that the local municipality cannot provide from external providers.

400. 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 are performed on the functionality of the services, and the service provider's view of the standard of the service is relied on.

401. 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 the Finnish Local Government model, the employees review the realization of linguistic rights in services such as the municipal hotlines, 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, some resources as well. It may concern features such as structural changes and quality issues in connection with procurements or assessments. The third stage concerns the development and support of linguistic services by means of various guidelines, rules and plans of action.

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

402. The aim of the social welfare and health care reform (SOTE reform) is to create a new type of service structure for public social welfare and health care. The Government proposal (324/2014 vp) on the new SOTE arrangement act was submitted to Parliament on 4 December 2014. The arrangement act is used for reforming the provisions regarding the arrangement, production, administration, funding and monitoring of municipal social welfare and health care. The goal of the SOTE reform is to secure equal, customer-oriented and high-quality social welfare and health care services throughout the country.

403. At present, there are approximately 200 different municipal organisations with responsibility of organising SOTE services, which they also produce. The new service structure is based on there being only five social welfare and health care regions and that they organise all social welfare and health care regions services. The joint municipal authorities with the responsibility for producing the services will, in turn, produce services for the residents. The SOTE regions may have a maximum of 19 joint municipal authorities with the production responsibility. They can, at their initiative, also purchase services from private companies and organisations. The party responsible for the production must have the ability to be responsible for preventive, rectifying, treating, rehabilitating and other SOTE services as a single consistent entity.

404. The new SOTE regions are to start their work in the beginning of 2016 and the joint municipal authorities responsible for producing the services in the beginning of 2017. Each municipality is part of some SOTE region.

405. In accordance with the proposal on the arrangement act, social welfare and health care services must be near the service users. This means that the services are located rather near most people or will be made available to the people with electronic tools or as mobile services. The SOTE region and the joint municipal authorities that produce the services must hear the views of the residents on the quality and functionality of the services and take them into account in planning and decision-making.

406. The realisation of the Finnish and Swedish language rights, as secured in Sections 17(1) and 17(2) of the Constitution, is tied to the municipality's language position in the Language Act. An individual's right to use his or her right is affected by whether the municipality is monolingual or bilingual and its major language. The same applies to the joint municipal authorities. Thus, changes that affect the language position of the organisation responsible

for the organising of the services may have significant impact also on the language rights of the individual.

407. The reform would form five joint municipal authorities for social welfare and health care and at most 19 joint municipal authorities responsible for the production. Compared to the present state, these regions are larger, and thus the language rights were also to be implemented in larger regions. If a social welfare and health care region were to have at least one Finnish-speaking, Swedish-speaking or bilingual municipality, then administrative decisions in the entire region would have to be done in the mother tongue of the customer or patient or in the language selected by them, in Finnish or Swedish. In addition, the services in the region with production responsibility would have to be given in Finnish or Swedish. The impact of the reform on the language rights would depend on how the mandatory joint work of the municipalities would be implemented in practice. When forming the social welfare and health care regions and joint municipal authorities with production responsibility, the requirements of sections 17(2) and 122(1) of the Constitution must be taken into account. According to the latter provision, when arranging for administration, compatible regional divisions should be aimed at in order to secure the possibility of the Finnish-speaking and Swedish-speaking populations receiving services in their own language on similar grounds.

408. In its memorandum on the proposal on the Constitution, the Constitutional Law Committee has commented on section 122 of the Constitution that language conditions can also be such special reasons for which regional divisions otherwise compatible can be deviated from (PeVM 10/1998 vp, page 35). In the opinion of the Committee, this means, for example, that if it is possible to define an administrative division of regions in several alternative ways, the obligation to secure the basic rights requires the alternative that best implements the basic language rights to be selected. The said provision of the Constitution and sections 17(1) and 17(2) of the Constitution *per se* do not prevent formation of regions, provided that the equal opportunity of the Finnish-speaking and Swedish-speaking population to receive services in their own language will be taken into account on similar grounds. Sections 7 and 24 of the coming arrangement act for social welfare and health care would require the implementation of the act to take into account the rights of the Finnish-speaking and Swedish-speaking population to use their own languages and receive services in these languages.

409. From the perspective of language rights provided by the Constitution, a situation where a language minority is located at the periphery of a certain large operating region may be considered to be worrisome. In this respect, attention must be paid to the realisation of language rights in the social welfare and health care regions that comply with the proposal, in particular to the location of the municipalities in the current Central Ostrobothnian hospital district. According to section 6 of the Language Act, the Central Ostrobothnian hospital district is a bilingual joint municipal authority as it includes Kokkola with Finnish as the majority language and Kruunupyö with Swedish as the majority language. According to the proposal, all municipalities in the Central Ostrobothnian hospital district would belong to the northern social welfare and health care region, putting the Swedish-speaking minority at the periphery of the social welfare and health care region. The fact of the Central Ostrobothnian hospital district belonging to the northern social welfare and health care district can, however, be considered the primary option with regard to the responsibility to organise social welfare and health care. Also at present, the Central Ostrobothnian hospital district belongs to the Northern Ostrobothnian hospital district's special catchment area and,

thus, functionally to the said entity. In this respect, the proposal is in line with the opinion stated by all municipalities in Central Ostrobothnia.

410. The significance of language rights is particularly pronounced when forming regions of production responsibility, as the region responsible for production is the one whose tasks include seeing to the factual implementation of services provided to residents, while the role of the social welfare and health care region is administrative in nature. As stated above, the general rule is that a larger region has better options of implementing the services in such a way that the language rights are realised. In the proposal, the northern social welfare and health care region has, however, been given the option to form five production responsibility regions. This corresponds to the number of hospital districts in the current Northern Ostrobothnian hospital district's special catchment area. When the northern social welfare and health care region decide on the formation of the production responsibility regions, particular attention must, however, be paid to the realisation of the language rights. When implementing the language rights, one must also take into account the readiness of the social welfare and health care personnel to use both national languages.

411. According to the Government's proposal, a social welfare and health care region that contains municipalities with different languages or bilingual municipalities would have the obligation of setting up a minority language board whose task would be to monitor the availability and quality of services to the language minority and make proposals for the development of the services. People representing the minority language of a region could be appointed members of the minority language board.

#### ***Working group for linguistic police services***

412. The Police Administration established a police service working group to assess the linguistic police services in the police administration. The assessment covered national languages, Finnish and Swedish, Sámi languages and sign languages. In its final report<sup>50</sup> on 31 October 2013, the working group made several development proposals improving the linguistic rights.

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

413. The cultural autonomy of the Sámi and the right to use the Sámi language are closely tied to the present municipal division. In conformance with Section 4 of the Act on the Sámi Parliament, the Sámi Homeland is defined based on the present municipal division. The Sámi Homeland covers the municipalities of Enontekiö, Inari and Utsjoki, as well as the area of the reindeer owners' association of Lapland in Sodankylä. The Sámi Homeland also defines the language rights of the Sámi people, as the rights are more extensive in the Sámi Homeland than outside of it.

414. Section 6 of the arrangement Act, dealing with the language of the service, would include a reference to the Sámi Language Act (1086/2003), which provides for the right to use the Sámi language. The right to use the Sámi language applies to the Sámi Homeland.

415. The social welfare and health care region and the joint municipal authority with production responsibility would be required to establish a minority language board whose task would be to develop and fit together services in the region's minority language and

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<sup>50</sup> <http://poliisi.fi/poliisi/home.nsf/pages/44BD1382DCBDB142C2257C220025F1B2?opendocument>

training of the social and health care personnel given in the minority language. In addition, there would be a provision on a Sámi-language board in a social welfare and health care region that contains a municipality belonging to the Sámi Homeland. Its members would be selected from among those representing the Sámi-speaking residents. At least one third of the board's members should be appointed from among people proposed by the Sámi Parliament.

416. As the proposal has many connections to the Constitution and the proposed model significantly differs from the present models of municipal activities, based on the established principles of interpretation of the Constitution, the Government proposes that a statement by the Constitutional Law Committee be requested.

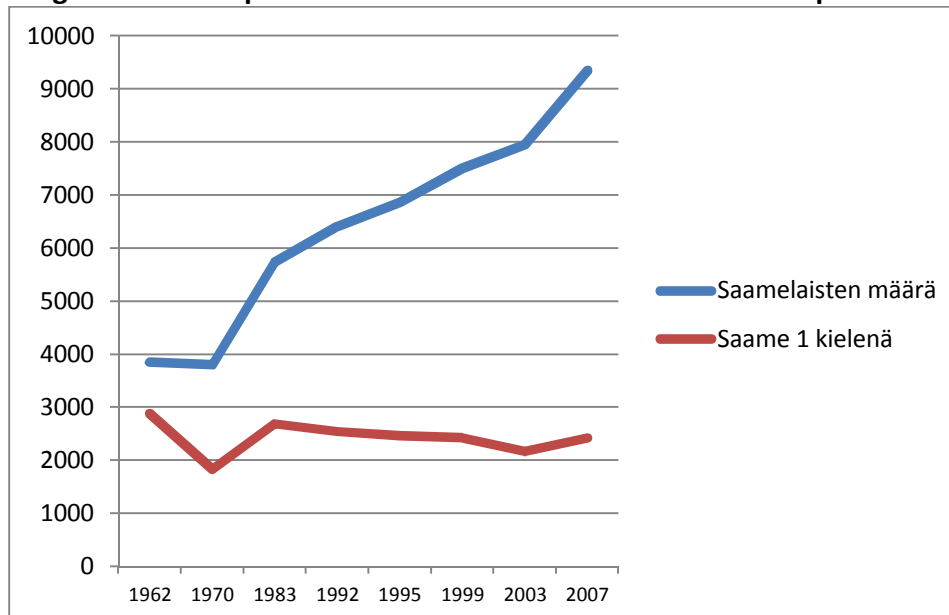
### ***Revival programme for the Sámi language***

417. The plan of action for the revival of the Sámi languages has been explained in connection with Recommendation 2, which requires immediate measures.

### ***Linguistic diversity of the Sámi***

418. The national expert working group dealing with Article 8j of the Convention on Biological Diversity on the traditional knowledge of indigenous communities has created an initial indicator for the linguistic diversity of the Sámi as required in the COP11 Meeting of the of the Conference of the Parties to the Convention. The sources of the indicator include the statistics collected during the election of the Sámi delegation and the Sámi Parliament as well as the 1962 statistics collected by the Sámi Council. Since 2007 (election of the Sámi Parliament), no statistics have been made on the number of the first language speakers of Sámi.

**Diagram 1 Development in the number of the Sámi and the speakers of Sámi**



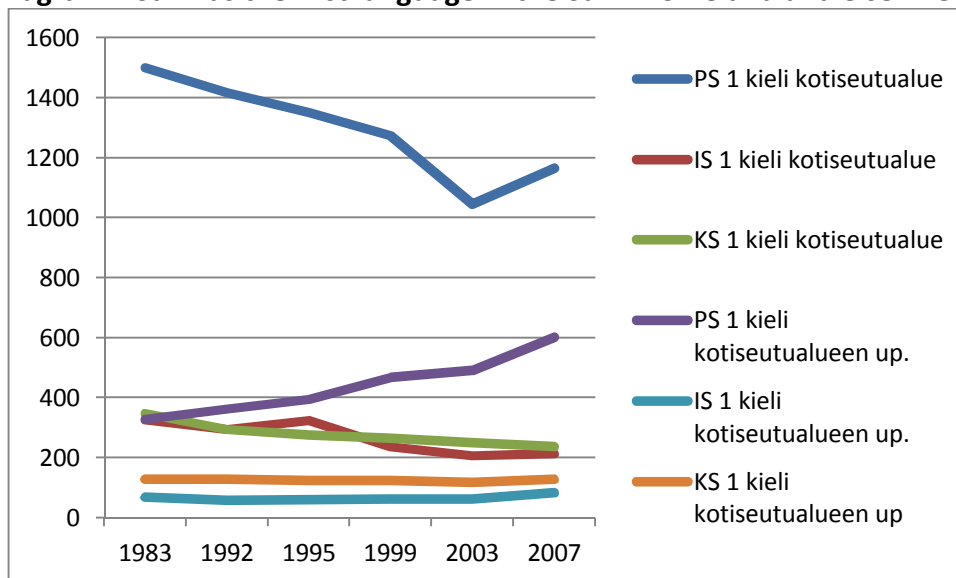
Blue: the number of the Sámi      Red: Sámi as a first language

419. Between 1962 and 2007, the number of the Sámi population has increased by 158 percent. On the other hand, the number of the first-language speakers of Sámi has decreased by 16 percent during this time. Whereas in 1962, approx. 75 percent of the Sámi

spoke Sámi as their first language, in 2007, only 26 percent spoke Sámi as their first language. In 2007, the situation of the population in the Sámi Homeland had slightly improved, as 41 percent of the Sámi residing in the Homeland spoke Sámi as their first language. Outside the Sámi Homeland, approx. 13 percent of the Sámi spoke Sámi as their first language. The statistics are naturally uncertain, since the statistics include plenty of people who have not reported their first language, and the statistics do not take bilingualism into consideration.

420. Since no statistics were compiled on the first language speakers of Sámi in 2011 (election of the Sámi Parliament), it is not possible to assess how the revival activities for the Sámi languages have affected the number of the Sámi speakers. On the other hand, it cannot be estimated how the outward migration of the Sámi has further accelerated the language change. In 2007 and 2011, the number of the Sámi increased slightly under 6 percent outside the Homeland area, and the Sámi population in the Homeland decreased by slightly under 11 percent.

**Diagram 2 Sámi as the first language in the Sámi Homeland and elsewhere**



421. In 2007, approx. 66 percent of the first-language speakers of North Sámi lived in the Homeland. The equivalent figure for the first-language speakers of Inari Sámi and for the first-language speakers of Skolt Sámi was 72 and 65 percent, respectively. Outside the Sámi Homeland, the number of the first language speakers of North Sámi is increasing. According to the statistics, in the Homeland region, North Sámi is the strongest first language among all Sámi languages.<sup>51</sup> According to the Sámi Parliament, the measures taken after the 1990s have not been sufficient for securing the future of the Sámi culture. Instead, the Sámi culture and languages have even become more endangered.

422. The Sámi languages and their natural language use environments are in danger of extinction. If the outward migration of the Sámi from the Sámi Homeland continues to accelerate, language change will accelerate, and the terminology of the Sámi language and traditional knowledge will decrease.

<sup>51</sup> The meeting of a national expert working group dealing with Article 8j of the Convention on Biological Diversity on the traditional knowledge of indigenous communities, on 3 June 2014, the Sámi Parliament proposal for an indicator of linguistic diversity.

423. The Sámi Parliament points out that the activities for the revival of the Sámi language has only been funded with government subsidies intended for language nest activities. No separate provisions have been made for the subsidies. The funding deficit has been patched with pools wins, which the Sámi do not consider a sustainable way of funding the future of an indigenous language. According to the calculations of the Sámi Parliament, securing language nest activities in the entire country would require that at least EUR 2,370,000 be allocated for them in the state budget. This year, language nest activities will be subsidised with EUR 150,000 outside the Sámi Homeland and with EUR 550,000 in the Sámi Homeland.

### ***Sámi language social and health services***

424. The Ministry of Social Affairs and Health and the Sámi Parliament organised a development seminar for Sámi language social and health services at Inari on 19 September 2013. The seminar introduced a study on the welfare and health of the Sámi carried out by the University of Lapland and funded by the Ministry of Social Affairs and Health<sup>52</sup>. The study indicated that the Sámi are much less satisfied with the social and health services and the main population. According to the study (interviews of 118 people), their satisfaction with social services was only 28 percent, and with health services, 55 percent.

425. The University of Lapland report on Sámi language social and health services with the first of its kind. In the future, it would be important to systematically collect customer feedback and municipalities. Culturally sensitive development projects are still required. In addition, more attention should be paid to communications. The municipalities must actively work to recruit Sámi language personnel and fund language training. As the conditions vary greatly between the municipalities, securing local services is challenging. In the social and healthcare reform, attention will be paid to the linguistic rights of the Sámi.

426. During the SaKaste project, the knowledge of the Sámi language and culture has been reinforced among the social and healthcare personnel working in the Sámi Homeland. Plans of actions and tools for the personnel have been developed particularly for early childhood education and working with the elderly. The toolbox for working with the elderly is an electronic manual published in 2013, along with the following guidelines: "*Miten toimim, kun asiakkaana on saamelainen ikäihminen?*" (*Working with elderly Sámi customers*). The municipalities will adopt the manual in their units by reviewing the contents, and at the same time, the operating models of the toolbox will be adopted in the working communities. In each locality, local cultural features will be added to the manual.

427. The material bank for Sámi early childhood education<sup>53</sup> is available in the three Sámi languages. The website already contains some crafting, game, song and traditional music materials and guidelines based on the Sámi Curriculum Guidelines on Early Childhood Education and Care (such as specific features of the Sámi culture, taking nature, culture and languages into consideration).

428. In addition, a manual for the Sámi Curriculum Guidelines on Early Childhood Education and Care daily practices has been processed for the use of day care and language nests personnel in an electronic form. The manual will also be sent to Rovaniemi, Oulu and Helsinki.

<sup>52</sup> Saamelaisten hyvä elämä ja hyvinvointipalvelut. [Good life and welfare services for the Sámi.]

[Http://www.doria.fi/handle/10024/92140](http://www.doria.fi/handle/10024/92140)

<sup>53</sup> <http://www.kuati.fi>

429. Since 2002, the state budget has allocated for one budget year at a time a special government transfer for securing the availability of Sámi language social and health services in the Sámi Homeland. In 2014, the amount of the allocation is EUR 480,000. The government transfer is targeted to the expenses of social and health care services in all the Sámi languages.

430. In 2014, the government appropriations focused on services for the elderly and on healthcare. In 2012, the appropriation was used to support the engagement of 34 Sámi language employees in the Sámi Homeland. Through the government transfers, the Sámi can have a crucial impact on the implementation and on the ways of organisation of the services directed to them and to the contents of the services, thus governing the maintenance and development of their language and culture in their residential area.

431. The greatest challenge for the future is the production of Sámi language services for the elderly. Sámi families with children also need support to face the challenges of daily life and parenthood. The services related to psychoactive drugs and the mental health services for various age groups are also lacking.

432. The municipalities are mainly in charge of producing the Sámi language services. Some services are also produced by organisations as purchased services. However, the provision of social and health care services in Sámi is not sufficient, and bilingual professional personnel are not always available or lack sufficient knowledge of the Sámi language. There is a shortage of material in Inari and Skolt Sámi.

433. According to the Sámi Parliament, the separate appropriation allocated for securing social and health services in Sámi has promoted the protection of the linguistic and cultural fundamental rights of the indigenous Sámi people in the Sámi Homeland. Through the appropriation, the Sámi can have a crucial impact on the implementation and on the ways of organising the services directed to them and the contents of the services, thus governing the maintenance and development of their language and culture in their residential area.

434. As part of the Kaste project entity, the Ministry of Social Affairs and Health has granted government funding for the development project of social and health services at Tenjokilaakso for the period between 1 January 2010 and 31 October 2012. With the aid of cross-border cooperation between Finland and Norway, the objective of the project was to improve the general availability and the standard of the services with a special emphasis on Sámi language services. The central measures concern special health care and basic health care, children's day care and child protection as well as services for the elderly and the disabled. The project particularly examined the knowledge of the norms governing the services as well as the knowledge of the steering and decision-making processes in both countries.

### ***State support under the Sámi Language Act***

435. According to section 31 of the Sámi Language Act (1086/2003), an appropriation must be included in the State budget for purposes of State support to municipalities, parishes and herding cooperatives within the Sámi homeland and to private entities referred to in section 18 of the Act for covering the specific additional costs of applying the Act. The Ministry of Justice has reserved for this purpose part of the annual State budget appropriation allocated for supporting the maintenance of Sámi cultural autonomy.

***Report on the protection of the linguistic rights of the Roma***

436. This year, the Ministry of Justice published a report on the protection of the constitutional linguistic rights of the Roma<sup>54</sup>.

437. The report was based on the Finnish National Policy on Roma (ROMPO), the National Action Plan on Fundamental and Human Rights 2012–2013 and the entries of the Government programme. Material for the report was received from the Ministry of Education and Culture, from the Advisory Board on Romani Affairs, the Finnish National Board of Education and the Roma Language Committee. In addition, people working with Roma affairs were interviewed.

438. The number of students studying the Roma language has increased. The language nest activities for the Roma language have also increased in recent years. The launch of teaching the Roma language and culture on a university level has been an important step forward, since it ensures competent teachers with a degree in the Roma language in the future. However, most Roma children are not taught the Roma language, and the teaching varies regionally. The main problems include the lack of competent teachers of the Roma language and the lack of learning material for different age groups. Even a fixed-term project could produce learning material for the Roma language and train the producers of the learning material. More measures are required to revive the Roma language.

439. According to the report, the linguistic rights of the Roma have been taken into consideration in legislation as required in the Constitution.

440. However, the implementation of the current provisions on the Roma language is partly inefficient, and the rights provided for in legislation are not realised in practice. For instance, the right to study the Roma language is not protected, because there is a shortage of teachers, and the organisation of the teaching depends on the voluntary efforts of the municipalities. All those willing to study the Roma language should be given the opportunity. However, the financial resources of municipalities are a challenge. The Advisory Board on Romani Affairs points out that there is a government funding system for teaching the Roma language. The municipalities should be encouraged to use this possibility. In addition, awareness of the right to study in the Roma language should be promoted among Roma parents.

441. In recent years, progress has been made in the teaching of the Roma language. According to the report of the Finnish National Board of Education, the number of students studying the Roma language has increased. The situation of teaching the Roma language has improved by the government subsidies directed to municipalities as well as a change in the Finnish Government decree reducing the minimum size of a study group for the Roma language. With the aid of a separate government transfer, the language nest activities for the Roma language have also increased.

442. However, most Roma children do not benefit from the teaching of the Roma language. In addition, there are still regional differences in the teaching of Roma. In particular, the lack of competent teachers of the Roma language and the lack of written learning material for different age groups make it more difficult to protect the linguistic rights of the Roma. There is a need for more competent teachers and producers of learning material. For the moment,

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<sup>54</sup> Selvitys romanien kielellisten oikeuksien toteutumisesta. [Report on the protection of the linguistic rights of the Roma.] Ministry of Justice reports and guidelines 11/20014.

[http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1392988540383/Files/OMSO\\_11\\_2014\\_Romanikieli\\_48\\_s.pdf](http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1392988540383/Files/OMSO_11_2014_Romanikieli_48_s.pdf)



however, no early childhood education material for Roma children, such as games, stimulus and teaching materials, has been produced. The production of early childhood education material in the Roma language should be launched. The teaching of the Roma language based on remote connections should also be developed.

443. The teaching of the Roma language and culture on a university level is an important step forward for the linguistic rights of the Roma, since it ensures competent teachers with degrees in the Roma language in the future. However, this takes time, which is why it would be important to regularly organise continuing education for teachers of the Roma language.

444. The Finnish National Board of Education has organised continuing education, but the short-term nature of the project has limited the activities. Continuing education should be developed into genuine continuing education that satisfies the teaching needs and generating credit units. Continuing education is not only required in southern Finland.

445. It is possible to become a teacher of the Roma language by means of the current arrangements. However, recruiting Roma students for university education is challenging, which makes it more difficult to find teachers of the Roma language with a Roma background. Special briefings on the education were organised during the past year.

446. For instance, the language education policy for the Roma language has proposed a separate Language Act for the Roma language in order for the linguistic rights of the Roma to be more efficiently exercised in practice. The parties proposing a Language Act have justified the need for a separate act by pointing out the fragmentation of the provisions on the Roma language and their limited binding force as well as the fact that a separate Language Act would increase the appreciation of the Roma language. On the other hand, interviews conducted by the Ministry of Justice have shown that the necessary legislation for the promotion of the linguistic rights of the Roma already exists and that a new act would not solve the practical problems.

447. The vitality of the language can only be safeguarded by means of legislation up to a certain point. The choices of the language users make a difference: the more private language use is, the less legislation can affect it.

448. There is no need for a separate Act on the Roma language, since there is a regulatory framework for the linguistic rights of the Roma. Instead, practical problems, which prevent the protection of the rights secured in legislation, should be addressed.

449. Having considered the entire situation, it can be estimated that special arrangements would be required to revive the Roma language. In the interviews conducted by the Ministry of Justice, measures such as the creation of a more comprehensive plan for the revival of the Roma language were suggested. A revival programme for the Roma language could be prepared with a preliminary project estimating the most crucial needs and creating a project plan.

450. Even a fixed-term project could produce learning material for the Roma language and train the producers of the learning material. Such a project could be coordinated by a linguistic expert on the Roma language. Full-time learning material producers would be engaged for the project. The problem is the small number of competent producers of learning material and their other assignments. The project-type nature of the programme would allow them to be engaged and secure their commitment to fixed-term learning material production. In addition, the use of remote connections should be developed and fully applied to the teaching of the Roma language.

451. For instance, the Advisory Board for Roma Affairs, the Ministry of Justice as well as the Finnish National Board of Education and the Institute for the Languages of Finland could jointly organise a consultation of the Roma population to learn about their views on the importance of the Roma language, the needs related to the language as well as the wishes among various age groups.

452. The Finnish Roma Association has suggested that a report should be made on the challenges of adult education and professional adult education. They have not been sufficiently considered in the creation of educational programmes (e.g. orally transferred culture, poverty, little experience of working life, poor educational background, the needs for tutoring and the teaching of the Roma language, appropriate work experience placements) and on the other hand, separately on the needs for training among the teachers of the Roma language.

453. The recommendations given by the Committee of Ministers of the Council of Europe and other contractual monitoring mechanisms should also be better communicated to various administrative sectors and thus applied in practice.

### ***Russian language social and health services***

454. The number of Russian language social and health services has somewhat increased compared to 2008. For instance, thanks to the personal doctor system, customers may choose a doctor or a nurse who speaks their native language.

455. The number of Russian language family and youth services has also increased. However, in small localities, Russian language services are still limited. There are problems related to organising interpretation for interactions with the authorities, and in urgent cases, interpreters may not always be available.

456. The Ministry of Social Affairs and Health has gathered Russian language information on child protection on its website. The site explains the main principles for child protection and gives references for additional sources of information.

457. The access of special groups, such as persons with disability, the elderly and patients with chronic diseases, to Russian language information and services has slightly improved compared to 2008, which is mainly due to the activities of Russian language associations. For instance, service guides for the disabled have been translated into Russian. In recent years, Russian language counselling services for immigrants have been established, particularly in larger cities, but they still mainly depend on local projects. The number of elderly Russian speakers increases in Finland year after year.

458. According to the Union of Finland's Russian-Speaking Societies, the Russian-speaking personnel and the Russian language communications of the authorities should be increased. Russian language services and related communications are increasingly also planned on the municipal and urban level.

### ***Considering children's linguistic and cultural background in child protection work***

459. The Central Union for Child Welfare emphasises that in social and family services, and in child protection work in particular, the consideration of various linguistic and cultural backgrounds should be reinforced. The definition of the child's interest included in Section 4 of the Child Welfare Act mentions the consideration for the child's ethnic and linguistic background, but related practical development work has been very limited. As for child

protection, the problem has been that Swedish-speaking children have only been placed in foster care with Finnish-speaking families or institutions. It is particularly problematic if children are placed in a municipality where basic education is only available in Finnish. In this case, the children's right to use their native language cannot be exercised. The difficulty of finding Swedish language psychiatric services for children has also been brought up.<sup>55</sup>

460. Taking the child's linguistic, cultural and religious background into consideration in child protection work is also extremely important for securing the continuity of the language and culture of children belonging to the Sámi and Roma minorities or other minorities. For instance, the majority of Sámi minors live outside of the northern Sámi region. For this reason, awareness of the rights of the Sámi as an indigenous people is essential, particularly in the child protection work carried out in large cities.

461. Participating in decision-making requires that children and adolescents receive understandable information in their own language. The children's parents also need understandable information on services. The Central Union for Child Welfare has developed and maintains the [lastensuojelu.info](http://lastensuojelu.info) website<sup>56</sup>, which provides information on child protection in various languages, for instance in Russian. At the commission of the Ministry of Social Affairs and Health, the Central Union for Child Welfare has also translated the Child Welfare Act into Russian.<sup>57</sup>

### ***Standardisation of the Karelian language and language planning***

462. Finnish Karelian-speakers mainly speak in public Livvi-Karelian or Olonetsian. More than 90 percent of the publication activities are carried out in Livvi-Karelian, which is a fully functional written language. The standardisation of Livvi and other language forms will be assigned to the Language Committee to be established at Joensuu as will the related language planning in conjunction with experts from the Russian Karelia.

463. The most important task for the revival of the Karelian language is the development of a common written language based on the current language forms. The creation of a new written language is essential for the future of the language. The task will be completed by a joint working group of Finnish and Russian Karelians. However, the practical work will be carried out by one or two researchers over a period of two or three years. Modern written language is created in the same way as the modernised Finnish written language at the end of the 19th century, when the representatives of various language forms were involved in the work. Karelians may naturally continue to use their own dialects (also in publication activities) constantly and also after the creation of a common written language. Funding is needed for the working group expenses and researchers' wages.

### ***Danger Communications Act and danger communications manual***

464. The Danger Communications Act (466/2012) entered into force on 1 June 2013. One of the objectives of the act is to better ensure the realisation of linguistic rights (Swedish and the Sámi languages) in authority communications related to danger and accident situations.

<sup>55</sup> Johanna Lindholm, Svenska Finlands Folkting: Suomenruotsalaisten lasten oikeudet kielellisten oikeuksien valossa, Lapsen oikeudet ja kansainvälinen lasten suojelu -neuvottelukunta, Lastensuojelun Keskusliitto, 14.2.2013. [The Swedish Assembly of Finland: the Rights of Finland's Swedish-Speaking Children in the Light of Linguistic Rights, the Advisory Board for Children's Rights and International Child Protection, the Central Union for Child Welfare, 14 February 2013.]

<sup>56</sup> <http://www.lastensuojelu.info/>

<sup>57</sup> <http://www.stm.fi/tiedotteet/tiedote/-/view/1883196>

To support the application of the act, a detailed danger communications manual has been produced. It has been published in Finnish, in Swedish and in the Sámi languages (Inari Sámi, Skolt Sámi and North Sámi)<sup>58</sup>.

## ARTICLE 11

*1. The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to their official recognition, according to modalities provided for in their legal system.*

*2. The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.*

*3. In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.*

### ***Sámi language in the population data system***

465. In the population data system, the Sámi languages were not previously itemised. Instead, the system only recognised general Sámi as the mother tongue. In summer 2013, an extended language code system was adopted in the population data system, enabling the entry of South Sámi, Inari Sámi, Kildin Sámi, Skolt Sámi, Lule Sámi or North Sámi as the mother tongue. In addition, the language code SMI (Sámi language) is used if another Sámi language should be indicated at the mother tongue.

### ***Karelian language in the population data system***

466. Since 2011, it has been possible to indicate Karelian as a mother tongue in the population data system.

### ***Bilingual signs and product information***

467. In recent years, the bilingualism of signs has become a subject of discussion, for instance when a bilingual and a unilingual municipality have merged, and the entire municipality has become bilingual. In this case, signs should legally contain text in both Finnish and in Swedish. In some bilingual localities, bilingual signs have not been produced according to the Language Act. The Vice-Chancellor of Justice has stated in his decision on the signs of bilingual municipalities that street names and building signs, such as day care centre and school signs, should be indicated in both municipal languages even when the related services are only provided in a single language.

468. Signs for bilingual authorities should be equally written in both national languages. Signs are an important part of the external image of the authorities. Unilingual signs give a misleading impression of the authorities' monolingualism. The question as to whether the Finnish or the Swedish name should appear first, for instance on street signs, is frequently discussed. Bilingual municipalities are required to treat both languages and language groups equally. The municipality may decide on the order of the language versions on their signs. In

<sup>58</sup> [http://www.intermin.fi/download/39448\\_vaaratiedoteopas\\_julkaisu\\_012013.pdf?2ba430271c05d188](http://www.intermin.fi/download/39448_vaaratiedoteopas_julkaisu_012013.pdf?2ba430271c05d188)

unilingual municipalities, signs do not cause problems, and municipalities may use other languages besides the municipal language in their signs.

469. The obligation to provide bilingual signs also applies to bilingual authorities operating in unilingual municipalities. The question becomes relevant for instance when the activities of the authorities are rearranged so that a bilingual state authority operates in unilingual locality. Examples of such authorities include the Southern Finland Regional State Administrative Agency, located at Hämeenlinna, and the Western Finland Register Office, located at Seinäjoki.

470. The transitional provision of the Language Act which entered into force in January 2009, according to which at least the products sold in bilingual municipalities should contain product fiches and instructions for use both in Finnish and Swedish have not always been appropriately followed. The Swedish and sometimes also the Finnish texts are missing from the products. One of the reasons for this may be that not all provisions and guidelines are aligned with the language legislation.<sup>59</sup>

## ARTICLE 12

*1. The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.*

*2. In this context the Parties shall, inter alia, provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.*

*3. The Parties shall commit to promote the equal opportunities of individuals belonging to national minorities to receive education on all levels.*

### **Recommendation of the Committee of Ministers – minority education**

*Appropriate measures should be taken, particularly for modifying the practices of higher education, professional education and the engagement of the parties concerned in order to increase the number of individuals belonging to national minorities on the official labour market, including the government.*

### **Supplementary training of Swedish-speaking teachers**

471. Each year, the state uses an appropriation allocated from the state budget to fund the development of the professional skills of the teaching personnel by providing supplementary training. In 2013, a total of approx. EUR 22 million was spent on these activities. Each year, the appropriation will enable the participation of approx. 45,000 teachers in supplementary training. The training, which is free of charge to the participants, annually supports the implementation of central educational policy reforms and the realisation of other significant objectives. The teaching personnel training channelled through the Finnish National Board of Education has been used to support features such as the native language development of topical skills required in the work assignments of Swedish-speaking teachers. In 2012, approx. 4,500 Swedish-speaking teachers participated in the supplementary training funded

<sup>59</sup> Valtioneuvoston kertomus kielilainsäädännön soveltamisesta 2013. [The Finnish Government report on the application of language legislation 2013.] Advisory Board for Language Affairs, Ministry of Justice, <[http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1371116573213/Files/VNn\\_kielikertomus\\_2013\\_suomi.pdf](http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1371116573213/Files/VNn_kielikertomus_2013_suomi.pdf)>.

by the state. The training concerned topical subjects related to the educational policy. That year, the promotion of the national language strategy was one of the focus areas.

472. The *Opettajat Suomessa 2013 (Teachers in Finland 2013)* study, published in 2013, assessed the competence of teachers. The percentage of head teachers and teachers formally competent in Swedish language education had increased to some extent compared to 2010. 79 percent of all head teachers and teachers working in Swedish language comprehensive schools were competent. The percentage of competent head teachers and teachers in Swedish language upper secondary professional education had also increased compared to 2010. However, the competence percentage was still lower in Swedish language education compared to Finnish language education in all types of schools.

### ***Fostering the education, language and culture of the Roma population***

473. The portal *Romanit.fi*, launched in early 2013, is a network portal widely gathering easily adoptable information on the Roma, particularly on the Finnish Roma community. The portal was realised as a part of the Ministry of the Interior *Yhdenvertaisuus Etusijalle - (YES) (Equality is Priority)* project, which is funded by the EU Commission PROGRESS programme and by various ministries. The realisation of the portal was conducted by a working group with a wide representation of Roma organisations and actors.

474. In the 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 on Romani Affairs operates under the Ministry. The tasks of the Finnish National Board of 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 grants government subsidies for the support of 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 various reports.

475. In spring 2008, municipalities were for the first time given the possibility to apply for government subsidies for the support of the basic education of Roma pupils. Between 2008 and 2014, the amount of government subsidies for the support of the basic education of Roma pupils totalled EUR 2.17 million. During this period, 37 municipalities have received government subsidies granted by the Finnish National Board of Education. The large number of Roma pupils in the development municipalities has been more important than the number of the municipalities. During their development activities, approx. 85 percent of all Finnish Roma pupils receiving basic education were covered by the transfers. For the period between 2013 and 2015, EUR 320,000 was made available for the support of the basic education of Roma pupils by the Finnish National Board of Education.<sup>60</sup>

476. The national development activities have aimed at development projects that are as long and comprehensive as possible, with a maximum national impact. The target group for the development activities has included both pupils and their guardians as well as teachers and schools. Municipalities have been obliged to establish the measures as part of the daily life of the school community. The development activities of the basic education for Roma pupils were intended to target measures for finding Roma pupils; promoting tolerance and

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<sup>60</sup> The Finnish National Board of Education. Hakutiedote 2013/ Yleissivistävä koulutus romanioppilaiden perusopetuksen tukeminen, [Application notice 2013/ General education, the support of the basic education of Roma pupils] <[http://oph.fi/download/147913\\_hakutiedote\\_28\\_2013.pdf](http://oph.fi/download/147913_hakutiedote_28_2013.pdf)>.

good ethnic relations; improving knowledge of the Roma culture; fostering ties between the main population and the Roma minority in the school community; promoting the learning of the Roma language; and developing cooperation between Roma homes and schools.

477. For the first time, the Finnish National Board of Education examined the situation of the basic education for Roma pupils ten years ago, during the academic year 2000-2001. Between 2010 and 2011, the Finnish National Board of Education carried out a follow-up study by interviewing a total of 240 Roma children and adolescents receiving basic education as well as their guardians. A total of 1,341 head teachers answered the electronic questionnaire.

478. The first Finnish National Board of Education report on the basic education for Roma pupils indicated that for Roma children, school attendance problems were related to retaking classes and to absenteeism. A significant number of Roma children received special education, and preschool education was less common than among children belonging to the main population. Leaving school was also more common than among the main population. Roma children were successful in subjects requiring manual and artistic skills, socialising and good manners.

479. The latest study indicates that there have been positive developments in aspects such as preschool education involvement and the teaching of the Roma language as well as successes in cooperation between Roma homes and schools. The participation of Roma children in preschool education is still less common than among children belonging to the main population, but it has significantly increased over the last ten years. Roma families have understood the importance of preschool education in terms of preparing children to attend school. The Roma language is particularly important for a positive Roma identity, and the fact that the number of those studying the Roma language has doubled can be considered an excellent result.

480. In basic education, increasing numbers of Roma pupils are successful at school, but one-fifth of all Roma pupils still have significant problems related to school attendance. Becoming independent at a young age, establishing a family and lacking knowledge and support make it difficult to attend upper secondary education and to learn a profession. This has a direct negative impact on the employment of the Roma.

481. Approx. half of Roma students attend preparatory vocational education, but few go to upper secondary school. Compared to other students, Roma students need more support for attending upper secondary education. In the development activities, plenty of attention has been paid to guidance: in many municipalities, Roma students have received support at all transitional stages of education, particularly as they start professional studies or go to upper secondary school. Currently, the cooperation between Roma families and schools is excellent, which is expected to lead to higher educational levels among the Roma in the long term. Various forms of cooperation for increasing the knowledge on education in Roma families and for developing study guidance, mentoring and career guidance for the Roma youth are important.<sup>61</sup>

482. The absenteeism of Roma pupils is identified as a factor impairing successful schooling, and this should be dealt with. Absenteeism is often due to family reasons. However, a study by the Finnish National Board of Education indicates that Roma children often stay at home more easily than children belonging to the main population.

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<sup>61</sup> The Finnish National Board of Education reports 2011:26

483. In the interviews of Roma pupils, school bullying was also revealed as one cause of absenteeism. The school bullying of Roma pupils, which often takes the form of ethnic name-calling, will be handled with increasing efficiency. Ethnic bullying should be included in the KiVa Koulu antibullying programme in order to improve the teachers' abilities to deal with bullying.

484. UNICEF Finland points out that project-type measures focusing on schools are not sufficient to eradicate school bullying. Instead, human rights should be included in all types of education and training to support the creation of an operating environment where human rights are respected. The Human Rights Delegation has given the extensive recommendations previously mentioned in the report for the promotion of human rights education and training in Finland in 2014. The recommendations also apply to teachers' training.

485. Each year, a total of 150 to 180 pupils study the Roma language in a total of approx. twelve municipalities.

486. With the YES project, basic education learning material on the history and culture of the Roma and the modern life of Roma youth has been created online. The material also deals with the prejudice and beliefs related to the Roma. The learning material is focused on upper comprehensive school pupils and contains a teacher's manual. The Finnish National Board of Education has organised seminars for Roma parents. In the municipalities where basic education for Roma pupils is developed, preschool attendance has been promoted in events focused on Roma families. The attitudes of Roma families have been positive.

487. In 2013, the Finnish National Board of Education produced a brochure, *Romanioppilaiden ohjaus toiselle asteelle ja tuki jatko-opinnoissa (Guiding Roma pupils to upper secondary education and supporting them in secondary education)*, which is meant to be used by schools and the Roma families. The Finnish National Board of Education has cooperated with teachers' training institutions, the municipalities and schools for supplementary education intended to improve the abilities of teachers in order for them to support the school attendance of Roma pupils.

488. Homework clubs as a means of supporting the learning of Roma pupils have also proven a good practice. At the clubs, doing one's homework regularly has improved many pupils' ability to attend school. The homework club also sets an example for the whole family on the long-term nature of school attendance and studies. With the homework club, the study results of Roma pupils have often improved, leading to a decrease in absenteeism.

489. There are good experiences of school assistants with a Roma background. The school assistants support all pupils in the classroom, which has proven a viable practice. They particularly support the identity of Roma children.

490. The versatile possibilities of professional education for the Roma have been improved between 2011 and 2013 by increasing the numbers of students allowed for each professional education organiser at the Roma training centre. The Ministry of Education and Culture has also granted that training organiser a permit to organise basic education.

491. Education is never fully neutral at the cultural level. Instead, it is a part of social structures. In Roma education, problems may arise when the system of values of various institutions, such as schools and their activities, meets the cultural background of the Roma students. It has been suggested that one of the reasons why the Roma do not enjoy going to school is the fact that schools do not sufficiently consider the special features of the Roma culture. Instead, all pupils are treated in the same way.



492. In professional basic education, there is a trend towards social and healthcare degrees where students aiming at a licensed practical nurse's degree include both Roma and immigrant women.

493. Databases for guidance and learning are developed by the Ministry of Education and Culture, and the objective is for students to be able to independently search for training in electronic study databases. As for professional education, the electronic joint application system will be used for the first time in autumn 2013. This system should increase the equality between various applicant groups.

494. The Ministry of Education and Culture has granted separate funding for the basic and subject studies of the Roma language at the University of Helsinki. The Roma language and culture studies provide professionals for various posts requiring expertise in the Roma language, such as researchers and experts on Roma language culture, literature, and communications, as well as translators. The Roma language and culture studies also prepare students for working as learning material experts, teaching and the study of learning. The objective of the studies is to prepare students for teaching the Finnish Roma language and culture at various levels of education. The Roma language and culture is also a suitable secondary subject for future nursery school teachers.

#### ***Electronic learning material on the Roma language***

495. As a cooperation project between the University of Helsinki and the Finnish National Board of Education, the *QualiRom* project conducted by the Council of Europe is carried out. The project produces electronic learning material on the Roma language for Roma students of various ages. In addition, reading material, dictionaries and grammar guides for students of various ages are being produced at the Finnish National Board of Education. The results are difficult to assess, but the availability of learning material has improved in recent years.

#### ***Study on the history of the Finnish Roma***

496. 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 it was carried out by the Finnish Literature Society in conjunction with the national Advisory Board for Roma Affairs. Researchers involved in the project were granted the State Award for Public Information in September 2013.

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

#### ***Production of learning materials in Sámi***

498. Planning, producing and distributing Sámi language learning materials and communicating on the learning material is one of the duties of the educational and learning materials office of the Sámi Parliament. The Finnish National Board of Education grants the Sámi Parliament annual government subsidies for the production of learning materials on the Sámi language and on other Sámi language learning materials. For many years, the amount of the annual government subsidy was EUR 258,000. In 2014, the appropriation sum

was increased to EUR 400,000. The appropriation is used to produce learning materials for the Sámi languages and materials for various subjects required in Sámi language teaching activities. The Sámi Parliament distributes the Sámi language learning materials produced by the Sámi Parliament to schools free of charge.

499. The Sámi Parliament produces learning materials in compliance with the principles of the educational curriculum for various levels of education. Until now, the materials have mainly been produced for the needs of basic education and upper secondary education. The greatest amount of materials has been produced for the teaching of the Sámi language and for teaching in the North Sámi language. The production of material in Inari Sámi has increased in recent years. To date, little material in Skolt Sámi has been produced.

500. In 2013, a total government subsidy of EUR 290,000 was allocated to the Sámi Parliament for the production of Sámi language learning material. In particular, work related to learning material in Inari Sámi has intensified. The government transferred was used to fund approx. 40 projects. During the year, they resulted in four new learning materials in North Sámi, two new learning materials in Inari Sámi and one in Skolt Sámi. The Sámi Parliament purchased rights to the North Sámi mother tongue network materials published by e-girji for the teachers of Sámi. In addition, seven amended editions of learning materials in North Sámi and five amended editions of learning materials in Inari Sámi were made. The manuscripts for several materials were completed in 2013, but due to a lack of funds, printing had to be postponed until 2014. Learning materials in Skolt and Inari Sámi, upper secondary school and professional education and adult education are most lacking.

501. In addition to the scarcity of financial resources, the lack of translators and scriptwriters posed a problem. The most severe problem is related to the production of material in Skolt Sámi. According to a report by the Sámi Parliament, the greatest shortage of learning materials concerns materials in Skolt and Inari Sámi, upper secondary school and professional education and adult education. The Sámi Parliament carries out Nordic operations with the Norwegian Sámi Parliament and the Swedish Sámi School Board. An attempt is made to develop the joint Nordic Sámi terminology so as to maintain the coherence of the Sámi language in each country, enabling the use of the learning materials in the neighbouring countries as well. There is also cooperation with the YLE Sámi radio (talking books, voice recordings and films).

### ***New learning materials for the teaching of Inari and Skolt Sámi***

502. To support the teaching of Inari and Skolt Sámi, a total of four posters have been published in each language. The posters contain images and names for daily clothing and accessories, ranging from suspenders to bathrobes. The posters are meant to support teaching in language nests, daycare facilities and Sámi language classrooms.

503. In addition to the posters, in April 2014, an updated edition of the second class North Sámi textbook *Giellaleaika* was published.

504. A new edition of the Sámi-Finnish-Sámi dictionary (*Sámi-suoma-sámi sátnegirji*) has also been published. The last edition was published in February, and it quickly sold out. The work published by the Sámi Parliament is a facsimile edition of the work originally published in 1993 by *Girjegiisá Oy*. The Sámi-Finnish part of the dictionary contains more than 12,000 words, whereas the Finnish-Sámi part contains more than 20,000 words.

***Research Society of Sámi Language and Culture***

505. The Research Society of Sámi Language and Culture was established in June 2014. The purpose of the society is to foster the study of the Sámi language and culture and to increase the understanding between the Sámi culture and other cultures. The society increases information and awareness on the cultures among minority and indigenous languages and promotes the reinforcement of the Sámi language and its restoration widely throughout Finland.

***New Helsinki University study project on indigenous peoples***

506. The new project at the University of Helsinki focuses on the knowledge and concepts of indigenous nations, their practices and learning methods as well as their cultures in a changing world. It is based on a holistic and multi-disciplinary understanding of the relationships between events and actors. The studies emphasise the diversity of the indigenous communities and languages, the different identities of the peoples and also the similarities between them. The objective is to increase awareness of the indigenous peoples, their ways of thinking and their practices. In the framework of the project, close cooperation is carried out with indigenous communities, aiming at the reinforcement of information among indigenous peoples.

507. The study project is a multidisciplinary umbrella for existing courses at the various faculties of the University of Helsinki, including the Faculty of Arts, the Faculty of Social Sciences and the University of the Arts Helsinki. The unique study programme assembles research on indigenous peoples that has already been carried out in various faculties of the University.

***Study on the situation of the Karelian language***

508. Between 2010 and 2012, the situation of the Karelian language in Finland was examined by the ELDIA: European Language Diversity for All project funded by the European Union. The results of the project indicate that the majority of Karelian speakers consider that the learning, maintenance and development of the linguistic skills of their children are at the core of the survival and revival of their language. Textbooks and literature, particularly children's literature, are also required. The Finnish speakers of Karelian have the versatile expertise required for the revival of the language.

509. A reform with a major effect on the position of the language was made in June 2012: an agreement on the Karelian Homeland with the North Karelia Regional Council will render the revival work of the language and culture considerably more effective. The activities of the other Karelian centres in the country will be closely networked with a focus on the Homeland area.

**ARTICLE 13**

1. *Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.*

2. *The exercise of this right shall not entail any financial obligation for the Parties.*

**Private schools**

510. There are approx. 85 private schools in Finland. The schools follow the same schedules and curricula as the equivalent municipal and state schools and schools operating in municipal federations. Most pupils in private schools attend schools following the so-called general pedagogics. Approx. 8 percent of private school pupils attend schools following the Steiner and Freinet pedagogy, and 5 percent attend Christian schools.<sup>62</sup> Approx. 2.6 percent of pupils receiving basic education attend private comprehensive schools.

511. The Government may grant a permission for a registered association or foundation to arrange comprehensive or upper secondary school education. The permission is based on local needs. In addition, the party applying for a basic education permit and the municipality where the teaching will take place should agree on the matter. This type of agreement with the municipality may not be required for organising teaching in a foreign language, special education or education based on a special worldview, if it can be considered that there is a regional or national educational need for the teaching. The permit for organising the education should be applied for no later than one year before the intended launch of the activities.

512. The applicant should have the professional and financial prerequisites for organising teaching or education. Teaching and education may not be organised for profit. Schools may not make a profit or collect school fees. Their finances are based on pupil-specific subsidies received from the state and possibly from the municipalities.

513. The Jewish Secondary School in Helsinki serves as an example of a private school maintained by national minority. The Jewish Congregation in Helsinki also maintains the Jewish day care centre *Päiväkoti Gan Jeladim* with places for forty children of the members of the congregation, ages three to six.

514. In addition, some private upper secondary schools for adults as well as 23 folk high schools provide basic education and additional education for individuals who have completed their compulsory education.

**ARTICLE 14**

*1. The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.*

*2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.*

*3. Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.*

**Swedish language in early childhood education and teaching**

515. The Finnish education system is divided into three stages. The first stage consists of basic education, the second of upper secondary and vocational education and the third studies at universities and universities of applied sciences. Language teaching from early

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<sup>62</sup> <http://www.yksityiskoulut.fi/>

childhood education to adult education cannot be satisfactorily implemented using existing resources and methods. The lack of Swedish teaching will result in increasingly fewer people being responsible for implementing linguistic rights.

516. Under the Child Day Care Act, a municipality must ensure the provision of day care organised or overseen by the municipality to the extent and in the forms required by the need arising in the municipality. In addition, a municipality must ensure that child day care can be given in the child's mother tongue when that language is Finnish, Swedish or Sámi. Consequent to an amendment to the Child Day Care Act, the preparation and steering of legislation on day care services were reassigned at the start of 2013 to the Ministry of Education and Culture as part of the educational and pedagogical system. The amendment to the Child Day Care Act entered into force at the beginning of 2013.

517. The language environment in child day care is an important aspect in supporting a child's linguistic development and impacts on the child's linguistic identity and basis for his or her school language. Many child day care centres where the staff sometimes speaks Finnish have in recent years drawn up a language strategy or specific principles applying to the use of language with children. In some Swedish-speaking day care centres, for example, where there are many Finnish-speaking children, the staff basically speaks Swedish among themselves and with the children, and try to avoid mixing Finnish and Swedish.

518. The lack of qualified kindergarten teachers in Swedish-speaking day care has eased somewhat over the past years, although the situation is still difficult. Swedish-language kindergarten training began in Helsinki in autumn 2011 as a joint project by the University of Helsinki and Åbo Akademi University. One of the focuses of training is multilingual education.

### ***Swedish language in basic education***

519. According to the Constitution of Finland, there are two national languages, Finnish and Swedish. Therefore it is compulsory to study also other national language, Finnish for Swedish speaking pupils or Swedish for Finnish speaking pupils, in basic education as well as in secondary and vocational education.

520. Everyone has the right to basic education in her or his own language, i.e. Finnish speaking pupils in Finnish and Swedish speaking pupils in Swedish. Basic education is provided primarily by the municipality. Under the Basic Education Act, a municipality must organize basic education in both national languages, Finnish and Swedish, if there are Finnish- and Swedish-speaking pupils.

521. All unilingual Swedish-speaking municipalities on the mainland organise basic education in Finnish, if needed. All unilingual Finnish-speaking municipalities organize basic education in Swedish either themselves or by agreement with another municipality

522. Swedish language skills of the Finnish speaking pupils have deteriorated. They do not provide pupils with a sufficient basic knowledge for studies at upper secondary level after basic education and is subsequently reflected inter alia in language studies at university. One of the main conclusions has been that in Finnish speaking schools grade seven is in many ways a problematic time to commence studying Swedish.

523. The schedule reform was approved in summer 2012. Among other things, the objective of the reform is to ensure equal opportunities of benefiting from language teaching, decreasing differences between the municipalities and offering versatile language

teaching and enabling studies in both national languages in the future. The focus should be on communication skills, and the objective is to encourage students to master their native language in a versatile way in their studies and to improve their interactive skills in the second national language and in other languages. The teaching of the second national language will be started earlier, in the sixth grade of comprehensive school.

### ***Swedish language in upper secondary and higher education***

524. The move from basic education to upper secondary and higher education is a particularly decisive stage. The current situation at the lower stages of education has resulted in higher education institutions having to remedy inadequate Swedish skills, which further decreases their ability to improve students' skills in response to the needs of working life, for example.

525. However, the basic knowledge required in language studies comes as a surprise to many university students. Insufficient language studies in upper secondary school education are reflected in language studies at university and in working life.

526. Since the reform of the matriculation examination, Swedish has been an optional subject since the 2004 written exams and the number of candidates writing in Swedish has continued to decline. In addition, Swedish-speaking upper secondary schools offer a smaller choice of courses than Finnish-speaking ones. Some quarters hold the view that efforts to increase study places in certain vocational training – both in secondary stage vocational education and at universities of applied sciences – are needed to ensure the availability of staff with language skills. Without adequate Swedish studies and language skills, graduates from universities of applied science can also find it difficult to get public posts in bilingual municipalities or higher posts in administration and research.

### ***Report for organising the teaching of the Swedish language***

527. In spring 2011, the Ministry of Education and Culture appointed the working group to assess the extent and teaching arrangements of the teaching of Swedish at different educational levels and to explore different alternatives for arranging the teaching of Swedish in basic education. In addition, the working group was asked to put forward proposals for improving the teaching and learning of Swedish at all levels and for ensuring language equality. The working group report<sup>63</sup> was published in spring 2012, stating that the suggestions related to the development of the teaching of Swedish emphasise the modernisation of the curricula and that teaching methods as well as the continuum of the basic and supplementary training of teachers.

528. According to the report, the decline in competence in the Swedish language is owed to several reasons. The amount of Swedish studies has been reduced and the studies have become increasingly one-sided in basic education. After the structural reform of the matriculation examination, the test in the second national language was optimised in the matriculation examination in 2004. Since this decision, the number of students opting to take the Swedish test in the matriculation examination has declined. Regional and gendered differences can also be detected in opting to take the Swedish test as part of the matriculation examination.

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<sup>63</sup> Functional Swedish – Starting Points for Developing the Teaching of Swedish as the Second National Language of Finland. The Ministry of Education and Culture working group memorandums and reports 2012:9. [http://www.minedu.fi/OPM/Julkaisut/2012/Toiminnallista\\_ruotsia.html](http://www.minedu.fi/OPM/Julkaisut/2012/Toiminnallista_ruotsia.html)

529. These structural and quantitative changes impact the quality of language education in Swedish, and the continuum of Swedish studies from early childhood education to adult education is not realised with the current resources and practices. Learning outcomes in the Swedish language are not satisfactory, and gender-based differences in skills level and attitude appear to be increasing.

530. Particularly critical are transitions from basic education to secondary education and again to higher education. The current situation at lower educational levels has led to institutes of higher education having to patch up deficiencies in Swedish skills, which places an additional strain on their resources to develop the skills of the students for example with reference to the needs of working life.

531. One of the most central conclusions of the working group is that starting Swedish studies in the seventh grade of comprehensive school is in many ways problematic. For this reason, the working group considers it important for the point at which pupils begin to study Swedish to be re-evaluated in the future. Proposals related to developing the teaching of Swedish emphasise the renewal of curricula and teaching methods and a continuum between basic and continuing teacher education.

### ***Immersion education programme of Swedish language***

532. Immersion language teaching in Finland started in 1987. Immersion language teaching starts in nursery school and continues through to the last year of comprehensive school. Swedish language immersion teaching for Finnish speakers is the most common in Finland. It is intended to widen the provision of language immersion teaching nationally. The Government's Strategy for the National Languages of Finland (2012) held up immersion teaching as one of the main teaching methods for learning and improving skills in national languages.

533. The University of Vaasa and Åbo Akademi University signed a collaboration agreement on a Swedish language immersion education programme in January 2014. The agreement relates to language education that started at the University of Vaasa in the autumn of 2014, organised together with Åbo Akademi University.

534. With the collaborative model of language immersion teaching, students study Swedish and multilingualism at the University of Vaasa and at Åbo Akademi University they take pedagogical studies and other courses required to become a class teacher. The education is directed towards Swedish language immersion teaching in Finnish-language schools.

### ***Teaching of the Roma language***

535. The teaching of the Roma language is promoted by the studies of the Roma language launched at the University of Helsinki in autumn 2010. The University has produced the curricula for the studies of the Roma language. The teacher training arrangements were taken into consideration in the creation of the curriculum. The Ministry of Education and Culture has overseen the separate University of Helsinki funding for the launch stage of the training. In addition, approx. 20 teacher networks have been trained between 2009 and 2010 as a cooperation project between the Finnish National Board of Education and the National Centre for Professional Development in Education, Educode Oy. In municipalities benefiting from special government subsidies, basic education teachers have been offered supplementary training on the Roma culture.

***Roma language nests activities***

536. The Finnish National Board of Education coordinates the Roma language nest activities by means of the funding received from the Ministry of Education and Culture. The revival measures of the seriously endangered Roma language with the aid of language nest activities are mentioned as a line of action in Finland's Roma policy programme. Special subsidies are used to support the revival of the Roma language so that the Roma of all ages from various parts of Finland are able to practice the Roma language regularly and under supervision. The target groups of the transfers include both municipalities and organisations. For 2013, EUR 75,000 in special transfers had been allocated for the Roma language nest activities.

537. In connection with the Roma language nest activities coordinated by the Finnish National Board of Education, between one and two Roma language summer schools are organised each year with the participation of both teachers of the Roma language and Roma families. The summer school teaching has been divided into different levels of skills in the Roma language. The Finnish National Board of Education also supports the training provided to Roma prisoners in prisons. In addition to the teaching of the Roma language, the training funded by the Finnish National Board of Education has also contained all-round education.

***Teaching of the Sámi language***

538. Students with knowledge of the Sámi language residing in the Sámi Homeland are entitled to benefit from basic education in their own language. In upper secondary school and in secondary professional education, teaching can be provided in Sámi. Sámi can also be studied as an optional subject.

539. In basic education, the linguistic rights of the Sámi are best realised in the education provided in the Sámi Homeland. The particular provision on funding the teaching of the Sámi (L 29.12.2009/1705, Section 45 paragraph 1) refers in practice to approx. 100 percent government transfers for the teaching of the Sámi language and the wages of teachers providing education in Sámi. Since 2008, the teaching of Inari Sámi has slightly increased. During the academic year 2013-2014, a total of 15 students benefited from basic education in Inari Sámi. The number of students participating in teaching in Inari Sámi serves as an indication of successful language revival: the number of students has regularly increased since the 1990s, when no students participated in teaching in Inari Sámi. During this academic year, 39 students are benefiting from the teaching of Inari Sámi. However, the teaching of Inari Sámi is still endangered, and there is a constant shortage of competent teachers and learning materials.

540. During the academic year 2013-2014, no students benefited from teaching in Skolt Sámi, but 22 students benefited from the teaching of Skolt Sámi. The number of the students has remained the same throughout the 21st century, and there has been no significant change since 2008. Towards the upper school grades, Sámi language instruction decreases (in all Sámi languages). As far as general upper secondary education is concerned, the Sámi General Upper Secondary School in Utsjoki is the only one to also provide instruction in North Sámi in some subjects.



**Total number of students in Sámi language basic education and the teaching of the Sámi language 2012–2013**

	Sámi	Mother tongue	Foreign language	Total	Change between 2011 and 2012
Total in comprehensive schools	173	9	318	<b>500</b>	(+30)
Total in upper secondary schools	3	23	28	<b>54</b>	(-1)
Total in the Sámi Homeland	176	28	240	<b>444</b>	(+24)
Total outside the Homeland		4	106	<b>110</b>	(+5)
Total in the <u>municipalities of the Sámi Homeland</u>	176	28	312	<b>516</b>	(+35)
Total <u>outside the municipalities</u> of the Sámi Homeland *		4	34	<b>38</b>	(-6)
Inari Sámi	15	5	41	<b>61</b>	(+6)
Skolt Sámi	5	5	15	<b>25</b>	(+3)
North Sámi	156	23	289	<b>468</b>	(+20)
<b>Total in Finnish comprehensive schools and upper secondary schools</b>	176	32	346	<b>554</b>	(+29)

\* = outside the special funding for the teaching of the Sámi

**Total number of students in Sámi language basic education and the teaching of the Sámi language 2013-2014**

	Sámi	Mother tongue	Foreign language	Total	Change between 2012 and 2013
Total in comprehensive schools	165	11	366	<b>542</b>	(+42)
Total in upper secondary schools		24	47	<b>71</b>	(+17)
Total in the Sámi Homeland	165	26	274	<b>465</b>	(+21)
Total outside the Homeland		8	139	<b>147</b>	(+37)
Total in the <u>municipalities of the Sámi Homeland</u>	165	26	358	<b>549</b>	(+33)
Total <u>outside the municipalities of the Sámi Homeland*</u>		8	55	<b>63</b>	(+25)
Inari Sámi	15	4	39	<b>58</b>	(-3)
Skolt Sámi	-	4	22	<b>26</b>	(+1)
North Sámi	150	26	352	<b>528</b>	(+60)
<b>Total in Finnish comprehensive schools and upper secondary schools</b>	165	35	413	<b>613</b>	(+59)

\* = outside the special funding for the teaching of the Sámi

541. The lack of competent subject teachers as well as high-standard learning materials based on one's own culture can be considered the challenges of basic education. The teacher situation has become more difficult in recent years, and an attempt should be made to rectify this. The situation is particularly worrisome for Inari and Skolt Sámi. Municipalities not only lack plans for recruiting competent teachers to upper comprehensive schools and upper secondary schools but also curricula for studies in Sámi from the first class to the end of comprehensive school.

542. Outside the Sámi Homeland, the situation in the teaching of Sámi is alarming. According to the last electoral roll of the Sámi Parliament, more than 70 percent of Sámi children live outside the Sámi Homeland today. In autumn 2012, only 32 pupils and students benefited from the teaching of Sámi outside the Sámi Homeland. Outside the Homeland, teaching is possible based on a Ministry of Education and Culture decree (1777/2009). In 2010, the ministry reduced the minimum size requirement of student groups from four to two students as a condition for government subsidies.

543. Training organisers operating outside the Homeland do not have a statutory obligation to organise teaching of the Sámi language. For them, the amount of potential government subsidies is approx. one-third of the hourly price of government subsidies received by the Homeland municipalities for the teaching of Sámi. Since there are few lessons, the teaching cannot follow the existing Sámi as a mother tongue or Sámi as a foreign language curricula. The availability of teachers is also problematic in urban areas.

544. In the operational programme for the revival of Sámi, one of the solutions proposed was to enable and establish online teaching originating in the Sámi Homeland to municipalities with few Sámi students. As another solution, the Sámi Parliament has suggested the revocation of the regional limit to the special funding for the teaching of Sámi for municipalities with a significant Sámi population (Rovaniemi, Oulu and Helsinki).

545. In the matriculation examination, the mother tongue examination can be taken in Inari and North 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 North Sámi, Inari Sámi and Skolt Sámi.

546. According to the Ombudsman for Minorities (as of 1 January 2015, the Non-discrimination Ombudsman), it should be possible to take the matriculation examination in Sámi for the subjects which the student has studied in Sámi. In the current situation, many students who received basic education in Sámi switch to Finnish language classes to take the matriculation examination in Finnish. In order to take the matriculation examination, they should be familiar with Finnish language concepts etc. The possibility of taking the matriculation examination in Sámi would greatly impact Sámi studies. The Ombudsman for Minorities presented an initiative on the subject to the Ministry of Education and Culture in early 2010, and the Sámi Parliament has made a similar initiative in April 2014<sup>64</sup>.

547. In professional education, students can complete Sámi studies as a mother tongue syllabus. The Sámi Education Institute (*Sámi oahpahušguovddáš*) based in Inari is Finland's only professional educational institute where Sámi is used as a teaching language.

548. The Sámi language and culture can be studied at three universities in Finland: the universities of Oulu, Helsinki and Lapland. The *Giellagas Institute* at the University of Oulu has the special national responsibility for teaching and researching Sámi language and culture at a high level. The University of Lapland has initiated the studies in Sámi pedagogy. The University of Oulu has launched major subject studies based on the revival of the Inari Sámi language, and similar studies will be launched for Skolt Sámi in autumn 2014. The *Sámi allaskuvla* higher education institution located at Koutokeino, Norway, is the only Nordic higher education institution where Sámi is used as the main language for teaching, research and administration. Among other things, *Sámi allaskuvla* trains Sámi language teachers and also accepts students from the neighbouring countries of Finland, Sweden and Russia.

549. The Sámi Parliament and the *Giellagas Institute* at the University of Oulu have examined the educational needs of the Sámi language early childhood education personnel as well as the needs for developing the teaching of the Sámi language and culture and subject teacher training. In the past, the Universities of Oulu and Lapland have cooperated on various subject teacher training projects. At the Universities of Oulu and Lapland, individual quotas for Sámi language applicants have been used for certain subjects in the past. According to the assessment, however, the majority of the Sámi have sought a place at

<sup>64</sup> Initiative by the Sámi parliament;

[http://www.samediggi.fi/index.php?option=com\\_docman&task=cat\\_view&gid=234&Itemid=10](http://www.samediggi.fi/index.php?option=com_docman&task=cat_view&gid=234&Itemid=10)

the university through the normal channels, and they may have felt that the quota is stigmatising. In its profile, the University of Lapland has emphasised research related to the Sámi and indigenous peoples, particularly for legal studies, but also in other fields (tourism, social sciences, pedagogy, the arts). At the Lapland University of Applied Sciences, an applied sciences agrolology degree in reindeer farming can be taken. The University of Lapland *Davvi project* funded by the European Social Fund, which will be completed on 31 July 2014, has provided open university studies for adolescents and adults in the entire Sámi region. It has been possible to study while working, with no work experience or preparatory education. The project is a cooperation project between the University of Lapland and the Sámi Education Institute which also involves the *Giellagas Institute* at the University of Oulu. In addition to the contact teaching organised at Inari, training has been provided in virtual classes, using remote teaching and multi-form teaching methods.

550. The purpose of the Sámi Education Institute (SAKK) is to particularly improve the professional skills of the Sámi, organise training to meet the needs of the business sector in the Sámi Homeland, to promote employment in the region and uphold and develop the Sámi culture. To carry out its purpose, the Education Institute organises professional education as well as the teaching of the Sámi language and culture, and produces and develops related learning materials, online teaching and other support services for teaching. In 2014, the North Ostrobothnia ELY Centre granted funding to the municipality of Utsjoki for a preliminary report project for adult education on Sámi music.

551. The Sámi Education Institute can also provide linguistic and cultural training on a national level. According to the act, the Education Institute should cooperate with the training organisers, education institutes and higher education institutions operating in the Sámi Homeland and otherwise providing education to the Sámi population. For instance, this will clarify the possibilities of organising online teaching or collaborating with higher education institutions.

552. *Sapmi Miehtá* is a European Social Fund project carried out between 1 January 2011 and 31 December 2014 by the Education Institute. The project creates an operating model for remote teaching of the Sámi language and culture on a national level and for effectively using the Sámi material at museums and libraries for learning purposes. The project will pilot and develop remote training in conjunction with various training organisers, universities and cultural institutions. In addition, training for the use of tools supporting remote teaching, various learning environments and their pedagogy will be carried out.

### ***Sámi language nest activities***

553. Language nest activities refer to day care facilities for indigenous children where all activities are carried out in the language of the indigenous people, or in this case, in Sámi. The activities will be carried out by organising Sámi language day care or open early childhood education for children under school age and afternoon activities for schoolchildren using the language bath method.

554. Since 2011, the state budget has included a separate appropriation for the Sámi language nest activities, intended to secure the continuation and development of the cultural and language nest activities for Skolt Sámi, Inari Sámi and North Sámi. In 2011 and 2012, the state budget appropriation was EUR 350,000, but considering the needs, it has proven insufficient. In the 2013 state budget, the appropriation was raised to EUR 500,000.

555. Between 2008 and 2013, language nest activities have significantly increased in the Sámi Homeland. Language nests in all three Sámi languages spoken in Finland operate in the Sámi Homeland consisting of the municipalities of Enontekiö, Utsjoki and Inari and the northern part of the municipality of Sodankylä. Among the Sámi languages, North Sámi is endangered, and Inari Sámi and Skolt Sámi are in immediate danger of extinction.

556. According to information collected by the Sámi Parliament in 2011, approx. 75 percent of Sámi children under the age of ten lived outside the Sámi Homeland. Thus, there is a special need for initiating language nest activities outside the Sámi Homeland as well. In 2013, the Ministry of Education and Culture granted the Sámi Parliament EUR 150,000 for the development of language nest activities outside the Sámi Homeland. In 2014, this appropriation was raised, so that the amount will be EUR 200,000 in 2014. A language nest opened in Helsinki in November 2013. At Rovaniemi and Oulu, the possibilities of initiating language nest activities are currently mapped.

557. As a revival measure, language nest activities have been found an efficient way to revive the language, and concrete results have been obtained. In its statement for a revival programme of the Sámi languages, the Sámi parliament has proposed that under decree, permanent funding be arranged for the Sámi language nests in all three Sámi languages.

### ***Instruction in the Russian language***

558. Instruction in the Russian language is still relatively rare in Finland. In 2012, approx. 4,000 pupils and students received mother-tongue instruction in the Russian language. The teaching of Russian has slightly increased in comprehensive schools and upper secondary schools, and the teaching of Russian as a mother tongue has also increased. The Finnish-Russian School of Helsinki and the Finnish-Russian School of Eastern Finland are the only educational institutes focusing on the teaching of Russian.

559. The teaching of Russian is rendered more difficult by the poor motivation of students and the extracurricular lessons organised outside school hours. Particularly in smaller localities, the mother-tongue teaching of Russian has often been organised in a school other than the pupil's own school. The teaching groups often consist of pupils of various ages and levels. In addition, there is a shortage of competent teachers of Russian and teaching materials suitable for language teaching.

560. In recent years, various promotion projects for the teaching of Russian have been launched. There has been a wish to increase the teaching of Russian, particularly in Eastern Finland. It has been brought out that the municipalities have the opportunity to receive appropriations, for instance for creating language strategies.

561. According to the Union of Finland's Russian-Speaking Societies, the poor situation of the mother-tongue teaching and learning of Russian is a significant shortcoming which should be improved. The problems include the strain on competent teachers of Russian due to the fragmented groups containing pupils with various levels of skills, the poor learning motivation and the lack of learning materials developed for Finnish residents.

### ***Instruction in Yiddish***

562. According to the survey<sup>65</sup> published in 2002, 27 percent of the members of the Jewish congregations of Helsinki and Turku aged over 18 reported having knowledge of Yiddish (15

<sup>65</sup> Svante Lundgren, *Jews of Finland: religion, customs, attitudes*, Åbo Akademi, 2003.

percent of them reported speaking, 9 percent reported speaking and reading, and 3 percent reported only reading Yiddish) and 41 percent reported understanding Yiddish on some level.

563. The main language of most Yiddish speakers is Swedish. In many cases, their mother tongue or home language has been Yiddish alongside Swedish, but their main language has been Swedish. Many of these people born between the 1920s and the 1930s spoke Yiddish with their parents and grandparents, but they did not speak it among themselves or transfer the language to their children.

564. Since the early 21st century, more attention was paid to the teaching of Yiddish and related cultural activities, when a society named *Idishe vort* was established at the Jewish Congregation in Helsinki. Before this, Yiddish language culture and song tradition was maintained by *Juutalainen laulukuoro ry (the Jewish Choir)* (the choir still operates under the name of *Hazamir*). In the early 21st century, *Idishe vort* organised basic and advanced courses in Yiddish and maintained a conversation club. Their activities were supported by the Finnish National Board of Education. The conversation club is still in operation and contains approx. 15 active members. Between 2006 and 2008, the *Idishe vort* theatre workshop performed Yiddish language plays. The theatre workshop was financed by various funds, e.g. Kulturfonden and the Arts Council of Finland.

565. The cultural practice of Yiddish continues among the Jewish congregation in Finland and particularly in the Jewish Congregation in Helsinki. In early December, the new play of the *Idishe vort* theatre project, *Dibbuk*, will premiere. In addition to the actors and theatre personnel, the project involves *Hazamir* from the *Helsingin juutalainen laulukuoro ry [the Jewish Choir of Helsinki]* and the congregation *Charity Association Judiska Fruntimmers Völgörehetsförening*.

566. Yiddish can be studied at the University of Helsinki.

567. As a spoken language, Yiddish is disappearing in Finland. However, the Yiddish language cultural heritage will continue to be important to the Jewish identity, which is why the language will be studied and practised. The majority of Finnish Jews are of Eastern European origin – Russian, Polish, Baltic etc. – and the melodies, dishes and mentalities of the Yiddish culture are visible in the daily life of families year in year out, though they are decreasing. At the Jewish School, Yiddish is not taught as a language like (modern) Hebrew. However, Yiddish language songs are part of the musical curriculum, and the culture and history of the Eastern European Jews is part of the history teaching. The young are familiar with and use some Yiddish words. However, knowledge of Yiddish could be increased. In the academic year 2002–2003, the Jewish school celebrated the theme year of Yiddish. There have been discussions on a new similar project.

### ***Instruction in the Hebrew language***

568. Hebrew is part of the linguistic heritage and culture of Finnish Jews. With the arrival of Israeli immigrants, increasing numbers of Finnish Jews speak Hebrew as a home language, and the knowledge of Hebrew is increasing among the Finnish Jews in other respects as well. Some pupils of the Jewish School in Helsinki are taught Hebrew as a home language (A1), and the other pupils study Hebrew as a foreign language from the first class onwards. Hebrew is the language of the Jewish religion and holy Scriptures, but it is also the official language of the state of Israel or one of the world's national languages. It is an essential part of the Jewish identity in Finland as well.

***Instruction in the Karelian language***

569. The instruction in the Karelian language has been launched in comprehensive school at Joensuu. In autumn 2012, a private school in Eastern Finland was the first comprehensive school to launch the teaching of the Karelian language as an optional foreign language, and the teaching is currently about to be launched in several other localities. According to the current legislation, Karelian may be taught as a mother tongue or as an optional foreign language. The teachers circulate around Finland in the same way as the teachers of the Orthodox religion.

570. Students should be allowed to take the matriculation examination as well as other exams in Karelian as the language is increasingly studied. Teacher training should be developed at the University of Joensuu. The objective of the Society for the Karelian Language is to establish a comprehensive school and an upper secondary school where all subjects are taught in Karelian in the near future. Another important objective is to establish a cross-border school in the Karelian Homeland.

**ARTICLE 15**

*The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.*

***Government's report on democracy policy 2014***

571. In conjunction with the multi-sectoral Open Democracy working group, the Ministry of Justice prepared the Government's first report on democracy policy<sup>66</sup>, which was submitted to Parliament in spring 2014. The objective of the report is to reinforce the long-span systematic promotion of democracy and the commitment to the implementation of the democracy policy on all levels.

572. The report examines the objectives of the current democracy policy and their implementation as well as the development in the possibilities of involvement and equal participation over the past ten years or so. In addition, the report provides the Government's definitions of policy for the objectives of a democracy policy in the 2010s.

573. The various paragraphs of the article, such as the support for minority cultures, have been reported on in connection with the previous articles.

**ARTICLE 16**

*The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.*

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<sup>66</sup> Avoin ja yhdenvertainen osallistuminen. Valtioneuvoston demokradiapoliittinen selonteko 2014. [Open and equal participation. Government report on democracy policy 2014.] Reports and guidelines 14/2014. Ministry of Justice.

<http://oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1394630106756.html>

**Reform Project for Regional Administration**

574. Since early 2010, the state regional administration has been modernised by means of an extensive global reform. 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).

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

576. In September 2013, an assessment report by the Department of Management Studies at the University of Tampere, *“Työvoitto - Haastavan ajan hallinnonuudistus”* (*“Success - Administrative reform for challenging times”*) was published. A 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 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 for ensuring the functionality of effective regional state administration.

**Language barometer 2012**

577. In spring 2012, as a cooperation project between the Ministry of Justice and Åbo Akademi, *Kielibarometri – Språkbarometern 2012 (Language barometer 2012)* was produced to examine the availability of Finnish language and Swedish language services in bilingual municipalities. Of the regional state administrative authorities, the centres for economic development, transport and the environment were examined. According to the language barometer, the score of the centres for economic development, transport and the environment for linguistic services was 8.7 for Finnish-speaking customers, and 6.8 for Swedish-speaking customers. The score given to the centres for economic development, transport and the environment by Swedish-speaking respondents was the lowest among the regional state administrative authorities examined.<sup>67</sup>

**More freely from a monolingual municipality to a bilingual one**

578. At the proposal of the municipal council, the Government may rule a municipality bilingual during the decreed ten-year period. This amendment entered into force on 15 December 2014. The change of legislation aims to secure the possibility for municipalities that will, as of the beginning of 2015, lose language-based government aid, to have the

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<sup>67</sup> Valtioneuvoston selonteko Eduskunnalle aluehallintouudistuksen toimeenpanosta ja toteutumisesta. [Finnish Government report to Parliament on the implementation and realisation of the regional administration reform.] February 2013, <[http://www.vm.fi/vm/fi/04\\_julkaisut\\_ja\\_asiakirjat/01\\_julkaisut/04\\_hallinnon\\_kehittaminen/Valtioneuvoston\\_selonteko\\_Eduskunnalle.pdf](http://www.vm.fi/vm/fi/04_julkaisut_ja_asiakirjat/01_julkaisut/04_hallinnon_kehittaminen/Valtioneuvoston_selonteko_Eduskunnalle.pdf)>.

possibility of receiving compensation for expenses incurred by language services. In the future, a municipality may receive language-based government aid for municipalities, only if the municipality is bilingual.

579. The Government will continue to decree on the municipality's language position for ten years at a time based on census statistics. A municipality will be decreed bilingual when the Finnish-speaking or Swedish-speaking minority forms at least 8% or 3,000 residents. A bilingual municipality must be decreed monolingual, if the share of the minority falls below 6% or 3,000 residents.

580. In addition, a monolingual municipality may seek the position of a bilingual municipality from the Government with the proposal of the municipal council. Thus, it is possible to seek the change without having to wait until the end of the ten-year period

## ARTICLE 17

*1. The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully visiting in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.*

*2. The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels.*

### ***Support for the capacities of non-governmental organisations***

581. According to democracy indicators, approx. 60 percent of adults have been involved in the activities of an association or organisation during the last year. Statistically, the figure has somewhat increased. In the light of this information, at least one of two Finnish children, adolescents or adults are currently involved in the activities of at least one association or organisation. It is estimated that less than 10 percent of the adult population is most active in associations, that is, involved in the activities of at least four associations.

582. The current Government is committed to supporting the capacities of civil society. According to the government programme, the capacities of non-governmental organisations are reinforced as the producers of voluntary and peer-led assistance work and special services, resourcing is improved and funding and tax exemption are clarified.

583. The Associations Act was amended in 2011 in order for it to better meet the needs of associations in their various forms and the requirements of the activities of modern civil society and organisation. The amendment enabled features such as the remote participation in the meetings of associations or legal representatives by post or with the aid of a data connection or other technical equipment if the rules of the association allow it. The financial subsidies for the activities of non-governmental organisations are included in the state budget for various ministries, particularly the Ministry of Social Affairs and Health, the Ministry for Foreign Affairs, the Ministry of Education and Culture and the Ministry of the Environment. During the electoral period, ministries have attempted to clarify the application criteria for their funding programmes and to adopt electronic application systems. Project funding has aimed at wide-scale entities and programmes.

584. Counselling has been developed for subsidies related to Finland's Slot Machine Association (RAY). The Subsidies Act (2001/1056) was amended in 2013, and an attempt has



been made to facilitate procedures required of organisations by applying the single desk principle. On its part, the state impact and effectiveness programme has an effect on the allocation of subsidies. The tax guidelines on organisations have been modernised and clarified.

### ***International democracy work***

585. Finland provides significant financial support for non-governmental organisations monitoring and promoting democracy and supports their potential for participating in intergovernmental meetings as part of increasing the transparency in the decision-making of societies and on an international level.

586. According to the focus areas of the Finnish Government's development policy programme, Finland supports the development of democratic and responsible societies promoting human rights, particularly in its long-term partner countries. This is done by reinforcing democratic institutions as well as the civil society's readiness to act and the citizens' ability to stand up for their rights.

587. In the definition of policy for democratic support by the Ministry for Foreign Affairs, approved in 2013, an attempt is made to decrease the fragmentation of the support and to increase a more long-term impact.

### ***International Conference of Roma Women***

588. The International Conference of Roma Women was organised in Finland between 16 and 17 September 2013. Its theme was *Acting Now for an Equal Future*<sup>68</sup>. The Advisory Board for Equality (TANE), the Advisory Board on Romani Affairs (RONK) and the Council of Europe organised an international conference for Roma women promoting the position of Roma women, for the organisations they represent and for national and international equality organisations. Approx. 200 participants from 47 countries attended the conference.

589. The objective of the conference was to promote the protection of Roma women's rights and their equality in all European countries and to create a proposal for a European strategy for Roma women. The aim was to boost the activities of Roma women's organisations and to help them network among themselves and with other equality institutions.

## **ARTICLE 18**

*1. The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other states, in particular neighbouring states, in order to ensure the protection of persons belonging to the national minorities concerned.*

*2. Where relevant, the Parties shall take measures to encourage transfrontier co-operation.*

### ***Draft Nordic Sámi Convention***

590. In March 2011, Finland, Sweden and Norway initiated negotiations for a Nordic Sámi Convention which is intended to develop the status of the Sámi as an indigenous people and to reinforce and strengthen Sámi rights. The negotiations will be completed within five

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<sup>68</sup> [http://www.stm.fi/c/document\\_library/get\\_file?folderId=5088341&name=DLFE-27514.pdf](http://www.stm.fi/c/document_library/get_file?folderId=5088341&name=DLFE-27514.pdf)

years. The Finnish delegation contains six members: three of them represent the state and three the Sámi people. The delegation is supported by a national expert group.

591. A draft convention prepared by a Nordic expert group will be used as the framework for the negotiations. The negotiations will be completed in 2016.

### ***Nordic legislative cooperation***

592. Nordic legislative cooperation has long traditions. The work aiming at the harmonisation of legislation and the eradication of obstacles caused by state borders has also been highlighted the Nordic Council and the Nordic Council of Ministers' activities. According to the Treaty of Co-operation (SopS 28/1962) governing the activities of the Council, the parties must attempt to maintain and develop the cooperation between the countries in the legal, educational, social and economic sector as well as in transportation and environmental protection issues, and to jointly negotiate on questions of common interest discussed in European and other international conferences.

### ***Nordic medical cooperation***

593. Between the municipalities and hospital districts, there has been cross-border cooperation between Finland and Norway and between Finland and Sweden. The Lapland Healthcare District and Helse Finnmark, which organises special medical care in the Finnmark Province, made an agreement on the use of special medical care services in 2007. Based on the agreement, Sámi language psychiatric services for children and adolescents (Karasjoki), psychiatric services for adults (Tana) and special medical care services (childbirth at the Kirkkoniemi hospital) have been purchased. The Tenjokilaakso project for the municipality of Utsjoki has examined the possibilities of increasing the availability of social and health care services, particularly in Sámi, by means of cross-border cooperation. The project has examined children's day care, child protection and family counselling services, basic healthcare as well as services for the elderly and persons with disabilities. The project ended on 31 October 2012.

### ***Nordic educational and research cooperation***

594. Nordic educational and research cooperation has long traditions. Official Nordic research cooperation is carried out in various cooperation bodies, one of which is the Nordic Sámi Institute. The institute is funded from a joint Nordic budget, but direct national funding is also provided.

### ***Cooperation between Nordic educational institutions***

595. Many bodies in Finland support cooperation between Nordic comprehensive schools, upper secondary schools and vocational colleges in different ways through their activities or by providing financial support for student and teacher exchanges as well as for development projects. The new "Portti Pohjolaan" (*Gateway to the North*) webpages<sup>69</sup> give access to a broad range of opportunities for Nordic cooperation mainly for comprehensive schools, upper secondary schools and vocational colleges. Information and ideas for Nordic cooperation have been collected on the web pages for school teachers and students. In

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<sup>69</sup> <http://www.edu.fi/porttipohjolaan>

addition, there is a wide range of sources of information about cooperation in the areas such as training, culture, children and youth work, summer jobs and municipalities.

596. The Ministry of Education and Culture has supported the Hanasaari Swedish-Finnish Cultural Centre since 2008 and the Centre coordinates the *Svenska nu (Swedish now)* project which supports the Swedish language in general education.

### ***Nordic cultural cooperation***

597. Nordic cooperation emphasises cultural cooperation between the Nordic countries, the visibility of the Nordic countries in the European Union and cooperation with neighbouring regions. Cultural cooperation is based on the cultural treaty ratified by the five Nordic countries in 1971.

598. In late 2012, the Nordic Ministers of Culture approved a new, more far-reaching strategy for cultural cooperation for the period between 2013 and 2020. The strategy includes the following five visions:

- the sustainable North
- the creative North
- the intercultural North
- the young North
- the digital North.

599. The wide-scale Nordic cultural cooperation is supported by the Nordic Cultural Fund. The Fund is based in Copenhagen. Finland is actively involved in the activities of the Fund.

600. In addition, Finland has bilateral cultural funds with the other Nordic Countries: Finnish-Swedish Cultural Fund (established in 1960), Finnish-Icelandic Cultural Fund (1974), Finnish-Norwegian Cultural Fund (1979) and Finnish-Danish Cultural Fund (1981). The bilateral cultural funds are managed by the Hanasaari Swedish-Finnish Cultural Centre.

### ***Nordic library cooperation***

601. Each year, Nordic state library authorities assemble for discussion on national and news, Nordic development work and joint projects; the jointly maintained Scandinavian Library Quarterly serves as an example of this. The Finnish Ministry of Education and Culture has its own representative in the magazine editorial office.

602. Finland operates two Nordic library buses in Lapland. One of them is jointly owned 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.

### ***Finnish-Russian cultural forum activities***

603. Finnish-Russian cultural forum activities were launched in 2000. Forum events are organised once a year, alternately in Finland and Russia. In 2012, the host was the city of Joensuu in Finland, and in 2013, the forum was organised in Velikij Novgorod in Russia. All of Finland is involved in the activities, and regular participants 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 departments and between the Finnish Ministry of Education and Culture and the Ministry of Culture of the Russian Federation.

604. With the aid of the foreign activities, the cooperation between Finnish and Russian cultural actors is promoted. With the partner activities related to the forums, Finnish and Russian cultural actors interested in cooperation can more readily reach out to each other and launch cooperation projects. The forum also provides information on the possibilities of funding cultural projects.

#### **ARTICLE 19**

*The Parties undertake to respect and implement the principles enshrined in the present framework Convention making, where necessary, only those limitations, restrictions or derogations which are provided for in international legal instruments, in particular the Convention for the Protection of Human Rights and Fundamental Freedoms, in so far as they are relevant to the rights and freedoms flowing from the said principles.*

605. There is nothing to report in respect of this Article.

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#### **APPENDIX 1 - Finnish Government report on the application of language legislation 2013**