



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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Addendum 2

THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

**Third Periodical Report
presented to the Secretary General of the Council of Europe
in accordance with Article 15 of the Charter**

NORWAY

***Questions submitted to the
Government of Norway regarding its 3rd Periodical Report***

During its 22nd meeting, the Committee of Experts for the European Charter for Regional or Minority Languages made a preliminary examination of the Norwegian Third Periodical Report on the implementation of the Charter. The Committee of Experts did not finalise the examination of the report at this meeting. It was observed that a number of elements in the report needed to be clarified before the Committee of Experts would be in a position to undertake a more detailed examination as required by the Charter.

The Norwegian Government is therefore requested to reply to the following questions in order for the Committee of Experts to continue its examination of the Third Report. This questionnaire will additionally serve as the working document during its forthcoming on-the-spot visit to Norway.

The structure of this document follows the Outline for Periodical Reports to be submitted by Contracting Parties. The questions that the Committee of Experts would like the authorities to reply to are presented in numerical order inside the original outline for clarification purposes.

PRELIMINARY SECTION

1. **Please provide the necessary background information, such as the relevant historical developments in the country, an overview of the demographic situation with reference to the basic economic data for the regions, as well as information on the constitutional and administrative structure of the State.**

Question no. 1. As regards demography (3rd Periodical Report item 4), there are no statistics on ethnic affiliation and the number of regional or minority language speakers may not be accurate. Have the Norwegian authorities any plan to identify accurate figures or statistics of regional or minority language speakers, possibly on the model of the « language usage survey » completed by the Sámi Language Board in October 2000 ?

3. **Please indicate the number of speakers for each regional or minority language. Specify the criteria for the definition of “speaker of regional or minority language” that your state has retained for this purpose.**

Question no. 2. As regards Sámi speakers, are there updated figures of the « language usage survey » completed by the Sámi Language Board in October 2000 ?

5. **Please provide recent general statements on the policy of your State concerning the protection of regional or minority languages where it may be of use to supplement the above four points.**

Question no. 3. Did the Ministry of Culture and Church Affairs consult the regional or minority language speakers when drafting the « Cultural Policy Plan up to 2014 », in particular on the Language related part ? Can the authorities further describe measures they envisage to include the regional or minority languages in the framework of an overall Norwegian language and cultural policy ?

PART I

1. **Please state the main legal act(s) and/or provisions that you consider essential for the implementation of the European Charter for Regional or Minority Languages in your country. Please provide :**
 - copies of those acts and/or provisions, in English or French, should your country not have done so in relation to the initial periodical report ;
 - details and copies of new legislation or policy documents with relevance to the regional or minority languages ;

Question no. 4. Please provide the Committee of Experts with a copy of the governmental decree on bilingual names in the County of Finnmark.

- details of case law or other legal or administrative developments in this field.

Question no. 5. Has there been any judgement or decision from an administrative body following a request by regional or minority language speakers in relation to the use of their language ?

3. Please indicate if any body or organisation has been consulted about the preparation of this periodical report or about the implementation of the recommendations of the Committee of Ministers addressed to your state. In the case of an affirmative answer, specify which one(s).

Question no. 6. Given that the periodical report is not translated into Norwegian, the Committee of Experts would need more information on the way regional or minority language speakers are consulted on the report, on the implementation of the recommendations adopted by the Committee of Ministers, and whether the speakers have the possibility to comment on the situation of their language.

Question no. 7. The Norwegian authorities refer to consultations held with representatives of the speakers of several regional or minority languages (3rd Periodical Report p. 7). If available, please provide a copy of the conclusions of the consultations as well as the names and contacts of the relevant associations, if these are different from the list provided under item 2 of the 3rd Periodical Report.

4. Please indicate the measures taken (in accordance with Article 6 of the Charter) to make better known the rights and the duties deriving from the application of the Charter.

Question no. 8. In addition to the publication on the internet of the reports and the Charter, are there any other measures taken to disseminate the Charter, for instance through the media ?

Question no. 9. Have the Norwegian authorities come to a decision on the measures to be taken to make the report available in Norwegian ? (3rd Periodical Report item 2.4) ? See also question 8.

5. It is understood that full details of the measures taken to implement the recommendations of the Committee of Ministers will appear in the body of the report. Nevertheless, please summarise those measures for each recommendation.

Recommendation 1 : Collaboration between representatives of the various regional or minority languages.

Question no. 10. Do the annual meetings with regional or minority language speakers gather the said speakers all together or are separate meetings organised for each regional or minority language ?

Recommendation 2 : The question of whether Kven is a dialect of Finnish or a separate language.

Question no. 11. Since the submission of the 3rd Periodical report, Kven has been considered as a separate language. Therefore, and from now on, the Kven and Finnish languages will be covered and treated separately under Part II. In that respect, the Committee of Experts would be interested to know what concrete steps have been taken by the authorities to distinguish the two languages (in the relevant legislation for instance) and what specific measures have been taken to protect and promote the Kven language (cf. Part II questions as well).

Recommendation 3 : The Establishment of the Inner Finnmark Court.

Question no. 12. In addition to improving access of the Sámi people to the court system, what other recommendations are included in Report n° 23 (2000-2001) of the Minister of Justice and the Police ?

Recommendation 4 : Protection and promotion of Lule and South Sámi.

Question no. 13. Has the Municipality of Tysfjord received an answer to its request to be included in the Sámi administrative district, as anticipated in the 3rd periodical report (D 1) ? Where do the authorities stand in the process initiated by the municipality of Snasa ?

Question no. 14. Are there other municipalities which may be eligible to be included in the Sámi language administrative district for Lule Sámi ?

Question no. 15. According to the 3rd Periodical report, the Lule Sámi have not developed much new vocabulary. Have the Norwegian Authorities taken specific measures for the survival of this language, with a view in particular to enhancing the possibility for the Lule Sámi language to be spoken in the public sphere ?

PART II

1. Please indicate what measures your State has taken to apply Article 7 of the Charter to the regional or minority languages referred to in paragraphs 1 and 3 of Part I above, specifying the different levels of government responsible.

Article 7 - Objectives and principles

1. In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:

- a. the recognition of the regional or minority languages as an expression of cultural wealth;
- b. the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;
- c. the need for resolute action to promote regional or minority languages in order to safeguard them;

Kven and Finnish languages

Question no. 16. Has the Kvaentunet been inaugurated yet (see 3rd Periodical Report p.17) ? The Committee of Experts would like to know if there is any financial plan to ensure a sustainable functioning of the Centre.

Question no. 17. Have the Norwegian authorities foreseen any additional means to ensure that both the Kven and Finnish languages will be promoted and protected in parallel ?

Question no. 18. Are the Norwegian authorities aware of the Action Plan prepared by the Kven association and ready to support the measures proposed ? If so, in what way have the Norwegian authorities reacted to it ?

Romanes and Romany languages

Question no. 19. Please provide the conclusions of the consultations held between Romany and Roma communities and the public authorities. According to the Periodical report (p. 15), the public authorities have taken note of the need for resolute action. Have any steps forward been taken in that respect ?

Lule Sámi language

Question no. 20. The Norwegian authorities have supported the construction and the running of the Arran Lule Sámi Centre (3rd Periodical report p. 17). Are the activities of the Centre limited to education or does it cover other fields such as cultural projects ? The Committee of Experts would like to know why no projects were funded in 2005.

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

Question no. 21. Could the Norwegian authorities explain what criteria are applied by the Culture Council of Norway to approve the publication of a book ? If the translation is made after the selection of a book, the Committee of Experts would be interested to know if members of the selection panel can read the original version of the book.

Question no. 22. Please provide information on the role of the Culture Council of Norway in the attribution of funds to the Sami Parliament for cultural activities.

Kven and Finnish Languages

Question no. 23. Are funds allocated to the Finnish Library Service automatically every year ? Is it envisaged to have a separate Kven library or a special section for the Kven language ?

Question no. 24. The Committee of Experts would be interested to know if the Norwegian authorities have any concrete plans to facilitate further the use of Kven and of Finnish in public life, and in particular the standardisation of Kven.

Question no. 25. In the 3rd Periodical Report (p. 18), the Norwegian authorities refer to programmes in the Kven language. The Committee has been informed that the 12-minute weekly radio broadcast is in standard Finnish. Is it envisaged to have a separate radio broadcast in Kven language ? If so, what would be the frequency and the length of the programme ?

Question no. 26. How is support granted to the Kven and Finnish language newspapers (such as Ruijan Kaiku, 3rd Periodical Report p. 19) ? Is the amount of the allocations granted to Kven newspapers in 2005 similar or higher than in 2004 ?

Romanes and Romany languages

Question no. 27. The Committee of Experts would like to have information on any structured policy for Romani and Romanes languages to facilitate the use of these languages in public and private life, notably in the media.

Lule Sámi language

Question no. 28. Lule Sámi, according to the 3rd Periodical Report, is written and spoken more often than before, but the number of speakers is still decreasing and losing ground to the majority language (p. 12). Are there any specific measures that the authorities have taken to turn this trend ?

- e. *the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;*

Question no. 29. According to the Committee of Experts there seem to be no general policy and no structured links between the users of all various regional or minority languages. Have the Norwegian authorities taken steps in that direction ?

- f. *the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages.*

Kven and Finnish Languages

Question no. 30. The authorities have provided for alternative methods of teaching of the Finnish language in Regulation No. 722 of 28 June 1999. The Committee of Experts would be interested to know if this facility has been used, and if so, what are the outcomes of this experience. As a consequence of the separation of the languages, have the authorities considered revising this regulation in order to include the Kven language ?

Question no. 31. Finnish is taught quite extensively at primary and lower secondary school in Troms and Finnmark and has benefited from special funding. This has led to a substantial increase in pupils over a 10-year period (3rd Periodical Report p. 20). Kven being now recognised as a separate language, how will the Norwegian authorities and in particular the National School authorities divide the amount of money granted between the two languages ?

Romanes and Romany languages

Question no. 32. Given the positive results of the Comenius project relating to primary and secondary education (3rd Periodical report p. 19, Article 7-1 f, g, h.), the Committee of Experts would be interested to know if there has been any follow-up project. Are there any concrete steps taken to ensure that Roma parents have continued relations with these schools ?

Question no. 33. The Norwegian authorities recognise the lack of teachers and the lack of scholars with a significant knowledge of the Romanes/Romani languages (3rd Periodical Report p. 19). What measures, if any, have they taken to find appropriate solutions, i.e. developing long distance training, scholarships for potential trainers to be trained in Norway or abroad, the development of adequate teaching materials, etc. ?

Sámi languages

Question no. 34. The Norwegian authorities identified a lack of qualified teachers in and of Lule Sámi (3rd Periodical report p. 12) and of motivation to improve the teaching. What are the reasons for such a lack of motivation and what concrete measures have been taken to find and/or train teachers ?

Question no. 35. The Committee of Experts would like to know about the costs of long distance classes provided in Lule Sámi, by the Arran-Lule Sámi Centre - from primary school to college - and whether these classes are accessible to the majority of speakers. (3rd Periodical report p. 20)

Question no. 36. What are the outcomes of the project « South Sámi tuition in local schools » which ended in 2004 ? Is there any follow-up to this plan or any tangible results ? Are there other areas covered by the resource school outside the South Sámi area ?

Question no. 37. The Committee of Experts would like to be informed on the other recommendations that were made by the working group on South Sámi education (3rd Periodical Report p. 20). Does the concept of « Permanent service until further notice » mean that this might end ? If so, on what grounds ?

Question no. 38. Given the positive impact of the pre-school service provided to South Sámi children, both for the speakers and for the school, are there any new funds available to be extended to similar projects on a more permanent basis ?

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

Romanes and Romany languages

Question no. 39. The University of Trondheim offers a research programme in Romani culture (3rd Periodical report p. 20). Will this research programme be continued in the future ? Could this research programme be used as a tool for teacher-training or for developing teaching materials in the future?

Question no. 40. Do facilities exist at present in Universities in Norway to study the Romani and Romanes languages ?

- i. *the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.*

Question no. 41. Please provide information on the current transnational exchanges as stated in the above undertaking for the Kven, Finnish, Lule Sámi, South Sámi, Eastern Sámi, Romanes and Romani languages.

2. *The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.*
3. *The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.*

Question no. 42. The Committee of Experts would be interested to receive news, if available, of the outcomes of the pilot project for South Sámi (3rd Periodical Report p. 20). Has the Ministry of Local Government and Regional Development envisaged developing this kind of project for other regional or minority languages ?

Question no. 43. The Committee of Experts would be interested to know if concrete measures have been taken by the authorities to encourage the mass media to promote mutual understanding between all the linguistic groups in Norway.

4. *In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.*

Question no. 44. Have the Norwegian authorities envisaged in any way establishing a consultative body where the representatives of the regional or minority languages in Norway can advise on all matters pertaining to the regional or minority languages in question?

Question no. 45. According to the legislation on place names (3rd Periodical Report p.18), the regional or minority language speakers have the right to be heard. The Committee of Experts would need more information on the procedure for assigning names, and in particular whether regional or minority language speakers also take part in the final stage of the decision process.

PART III

Article 8 - Education

- 1 *With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:*
 - a *iii to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*

Question no. 46. Regarding pre-school education, could the Norwegian authorities inform the Committee of Experts about measures taken in relation to recruitment and training of personnel in the pre-school sphere. Has any progress been made in that respect ?

- b iv to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;
- c iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;

Question no. 47. Are there possibilities for Sámi students living outside the municipalities of Karasjok and Kautokeino to have classes in and of Sámi in upper-secondary school ? (see ECLMR (2003) 2 p. 16)

- d iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- e ii to provide facilities for the study of these languages as university and higher education subjects; or

Question no. 48. Has the training offered in Sámi to interpreters and translators been improved ? Has the variety of subjects available in the college increased ? (see ECLMR (2003) 2 p. 16)

- f ii to offer such languages as subjects of adult and continuing education; or

Question no. 49. When will the study on the regulation on tuition in and on Sámi be completed ? (3rd Periodical Report p. 21). Please provide a copy of the amendment to the legislation, if available.

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

Question no. 50. Has the Sámi University College improved the teacher training and has it enough financial means to pursue this training ? (see ECLMR (2003) 2 p. 17)

Article 9 – Judicial Authorities

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

Question no. 51. Is the project on the development of legal terminology in Sámi, expected in August 2005, completed (3rd Periodical report, p. 21) ? What measures have been envisaged by the authorities to train law officials, translators, etc. to familiarise themselves with the new terminology ?

Article 10 – Administrative authorities and public services

Question no. 52. The Sámi Language Board proposed to establish a specialised body for monitoring the use of the Sámi language in public institutions (see ECLMR (2003) 2 p. 20). Has this proposal been implemented ?

- 1 Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:
 - a iii to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages; or
- 4 With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:
 - a translation or interpretation as may be required;

Question no. 53. Have the Norwegian authorities taken steps to train professional interpreters in the Sámi language (ECLMR (2003)2 p.24) ? The 3rd Periodical Report (p. 25) does not specifically refer to any such measures.

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

Question no. 54. Please provide a copy of the amendment to the Act relating to personal names (3rd Periodical Report p. 26).

Question no. 55. Does the Social Security administration use the competences of the pool of experts in Sámi language and information technology ? (3rd Periodical Report p. 27) Please illustrate how this measure has improved concretely the situation of Sámi language speakers.

Article 11 – Media

- 1 *The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:*
- a *to the extent that radio and television carry out a public service mission:*
- iii *to make adequate provision so that broadcasters offer programmes in the regional or minority languages;*

Question no. 56. Please provide a copy of the new regulations of the Minister of Culture and Church affairs issued in June 2004 (3rd Periodical Report, p. 27).

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

Question no. 57. Is the training and education programme for journalists provided by the University College in Kautokeino in the Sámi language still running ? (ECLMR (2003)2, p. 24)

Article 13 – Economic and social life

- 2 *With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:*
- c *to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons;*

Question no. 58. To what extent are the local authorities bound by the Action plan relating to staff having a command of Sámi in the health sector ? Please give examples of the expected results of the action plan (see ECLMR (2003)2 p. 26)

Question no. 59. Which municipalities are improving staff knowledge of Sámi language and culture ? (3rd Periodical report p. 31). Does this process include personnel in child welfare services ?