

Strasbourg, 12 October 2011

ECRML (2011) 4

EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN SWEDEN

Fourth monitoring cycle

- A. Report of the Committee of Experts on the Charter**
- B. Recommendation of the Committee of Ministers of the
Council of Europe on the application of the Charter by
Sweden**

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making Recommendations for improvements in its legislation, policy and practices. The central element of this procedure is the Committee of Experts, established in accordance with Article 17 of the Charter. Its principal purpose is to examine the real situation of the regional or minority languages in the State, to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers has adopted, in accordance with Article 15.1, an outline for the periodical reports that a Party is required to submit to the Secretary General. The report shall be made public by the government concerned. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under its Part II and in more precise terms all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee's first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned.

The Committee's role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee gathers information from the respective authorities and from independent sources within the State, with a view to obtaining a just and fair overview of the real language situation. After a preliminary examination of a periodical report, the Committee submits, if necessary, a number of questions to the Party concerned on matters it considers unclear or insufficiently developed in the report itself. This written procedure is usually followed up by an "on-the-spot" visit of a delegation of the Committee to the respective State. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages, and consults the authorities on matters that have been brought to its attention.

Having concluded this process, the Committee of Experts adopts its own report. This report is submitted to the Committee of Ministers, together with suggestions for recommendations that the latter may decide to address to the State Party.

Contents

A.	Report of the Committee of Experts on the application of the Charter in Sweden	4
	Chapter 1 - Background information.....	4
	1.1. Ratification of the Charter by Sweden	4
	1.2. Presentation of the regional or minority language situation in Sweden: update	4
	1.3. Particular issues arising in the evaluation of the application of the Charter in Sweden	6
	1.3.1. <i>Sweden's new strategy for regional or minority languages, the territorial application of the Charter and monitoring</i>	6
	1.3.2. <i>Status of Elfdalian</i>	9
	1.3.3. <i>Status and promotion of Ume Sami</i>	9
	Chapter 2 - Conclusions of the Committee of Experts on how the State authorities have reacted to the recommendations of the Committee of Ministers (RecChL(2009)3)	11
	Chapter 3 - The Committee of Experts' evaluation in respect of Part II and Part III of the Charter	14
	3.1. Evaluation in respect of Part II of the Charter.....	14
	3.2. Evaluation in respect of Part III of the Charter.....	24
	3.2.1. <i>Sami</i>	25
	3.2.2. <i>Finnish</i>	38
	3.2.3. <i>Meänkieli</i>	49
	Chapter 4 - Findings of the Committee of Experts in the fourth monitoring round	61
	Appendix I: Instrument of Ratification	64
	Appendix 2: Comments by the Swedish authorities	66
B.	Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Sweden.....	69

A. Report of the Committee of Experts on the application of the Charter in Sweden

adopted by the Committee of Experts on 2 May 2011
and presented to the Committee of Ministers of the Council of Europe
in accordance with Article 16 of the Charter

Chapter 1 Background information

1.1. Ratification of the Charter by Sweden

1. Sweden signed and ratified the European Charter for Regional or Minority Languages (hereafter referred to as “the Charter”) on 9 February 2000. The Charter entered into force in Sweden on 1 June 2000. The instrument of ratification of Sweden is set out in Appendix I of this report.

2. Article 15.1 of the Charter requires States Parties to submit three-yearly reports in a form prescribed by the Committee of Ministers¹. The Swedish authorities presented their fourth periodical report to the Secretary General of the Council of Europe on 14 October 2010.

3. This fourth evaluation report is based on the information obtained by the Committee of Experts from the fourth periodical report of Sweden and through meetings held with representatives of speakers of regional or minority languages in Sweden and the Swedish authorities during the on-the-spot visit, which took place from 21 to 23 March 2011. The Committee of Experts received comments from bodies and associations legally established in Sweden, submitted pursuant to Article 16.2 of the Charter. This information was very helpful in the course of evaluating the application of the Charter and the Committee of Experts would like to express its appreciation to these organisations for their valuable contribution and participation in the monitoring process.

4. The present report contains detailed observations that the Swedish authorities are encouraged to take into account when developing their policy on regional or minority languages. On the basis of these detailed observations, the Committee of Experts has also established a list of general proposals for the preparation of a fourth set of recommendations to be addressed to Sweden by the Committee of Ministers, as provided in Article 16.4 of the Charter.

5. This present fourth report was adopted by the Committee of Experts on 2 May 2011.

1.2. Presentation of the regional or minority language situation in Sweden: update

6. The Committee of Experts refers to the relevant paragraphs of the three previous evaluation reports² for basic information on the situation of regional or minority languages in Sweden. Sweden declared at the time of ratification that Sami, Finnish and Meänkieli are regional or minority languages, protected under Part III of the Charter. It also identified Romani Chib and Yiddish as non-territorial languages spoken in Sweden.

Kalé

7. Of the Romani varieties currently spoken in Sweden, Kalé is one of the longest established, having a traditional presence since the 16th century. It is not mutually intelligible with other varieties of Romani spoken in Sweden that arrived from the turn of the 20th century onwards.

8. During the current monitoring round, representatives of speakers of Kalé strongly expressed the view that particular steps should be taken to protect and promote Kalé as a traditionally used variety, since this has not been a priority of Sweden’s Romani related activities so far which have tended to focus on Kelderash and the more recently arrived varieties.

¹ [MIN-LANG \(2009\) 8 Outline for 3-yearly periodical reports as adopted by the Committee of Ministers of the Council of Europe.](#)

² [First evaluation report of the Committee of Experts on the application of the European Charter for Regional or Minority Languages in Sweden ECRML \(2003\) 1; Second evaluation report of the Charter in Sweden ECRML \(2006\) 4; Third evaluation report of the Charter in Sweden ECRML \(2009\) 3.](#)

Sami

9. Sweden has ratified for Sami without distinguishing its separate languages. During the process of monitoring the protection and promotion of Sami, it has become increasingly clear that there is a need to differentiate between at least three languages, North, Lule and South Sami, for example in the field of education. The Committee of Experts has therefore adopted this approach where appropriate. However, where there is no need for such differentiation, the Committee deals with Sami as a whole (see also Chapter 1.3. of the fourth evaluation report of the Committee of Experts in respect of Norway, ECRML (2010) 3). This approach is consistent with the approach of the Swedish authorities and the Sami-speakers.

Official statistics regarding the number of speakers of the regional or minority languages

10. In its third evaluation report (paragraphs 9 -10), the Committee of Experts noted that Sweden did not collect official statistics regarding the number of users of regional or minority languages. The Committee of Experts urged the Swedish authorities to take pragmatic steps to collect, in co-operation with the speakers, reliable data on the number and geographic distribution of the speakers of the regional or minority languages.

11. In their fourth periodical report (page 19), the Swedish authorities reiterate that Sweden does not gather official statistics on the number of people belonging to an ethnic group, since in their view the methods of calculating such is neither ethically acceptable nor scientifically reliable.

12. During the on-the-spot visit, representatives of speakers of regional or minority languages stressed the urgent need for the collection of reliable data on the number and geographical distribution of speakers of the regional or minority languages spoken in Sweden. Although surveys on the number of speakers have been recently conducted for Sami and Meänkieli, they are only rough estimations and not large-scale enough to produce a representative outcome. Therefore they cannot serve as a basis for proper and effective language policy planning, which is most urgently needed in the field of minority language education.

13. The non-governmental organisation the Central Roma Minority Language Delegation, not confident with the estimated figures given by the Swedish authorities, has carried out an informal census on the number of Roma living in Sweden, through the various local organisations in Sweden. Their estimation of the total number of Roma in Sweden (both Roma with a traditional presence and those of more recent migrant background), amounts to about 154 000.

14. The number of speakers of the different varieties of Kalé (mainly Swedish Kalé and Finnish Kalé) is estimated to be approximately 7000.

15. The Committee of Experts understands the sensitivity connected to the collection of official statistics on ethnic affiliation and possible infringements upon the Swedish Personal Data Act. However, the Committee is of the view that collecting reliable statistics on language competence does not need to involve personal data. The Advisory Committee of the Framework Convention for the Protection of National Minorities in its most recent opinion on Sweden also recommended to the Swedish authorities to collect reliable data *inter alia* on language use (see paragraphs 33 and 34, ACFC/OP/II (2007)006).³

The Committee of Experts strongly urges the Swedish authorities to take pragmatic steps to collect, in agreement and co-operation with the speakers, reliable data on the number and geographic distribution of the speakers of regional or minority languages.

³ http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_OP_Sweden_en.pdf

1.3. Particular issues arising in the evaluation of the application of the Charter in Sweden

1.3.1. Sweden's new strategy for regional or minority languages, the territorial application of the Charter and monitoring

16. Since the last monitoring round, Sweden has adopted and implemented a strategy "From Recognition to Empowerment – the Government's Strategy for the National Minorities" (Government Bill 2008/09:158) in relation to its regional or minority languages. This has involved legislation, funding and monitoring.

17. In terms of legislation, Sweden has adopted the Act on National Minorities and National Minority Languages (2009:724) (hereafter: *Minority Act*). This Act replaces the two previous acts concerning the right to use Sami, Finnish and Meänkieli in dealings with public authorities and courts. The legislation covers Sami, Finnish and Meänkieli in connection with local and regional authorities, as well as Sami and Finnish in connection with the following central public bodies: the Parliamentary Ombudsman, the Office of the Chancellor of Justice, the Social Insurance Office, the Swedish Tax Agency and the Equality Ombudsman.

18. Another significant development has been the adoption of the Language Act (2009:600). The Act declares Swedish to be the principal language in Sweden. The Act also gives special recognition to the regional or minority languages covered by the Charter, and to sign language.

19. With regard to funding, an annual sum of SEK 80 million⁴ has been allocated to support activities concerning regional or minority languages. This includes implementing the legislation.

20. The compliance with the legislation is monitored by the County Administrative Board in the County of Stockholm (hereafter: *Länsstyrelsen i Stockholm*) and the Sami Parliament (*Sametinget*). In February 2011, these two bodies published their first report on the implementation of the Minority Act.⁵

Territorial application of the Charter

21. In the three previous monitoring cycles (paragraph 23, paragraphs 16 -18 and paragraphs 11 - 14 respectively), the Committee of Experts observed that the territorial scope of the two principal legal acts implementing the Charter in Sweden (see paragraph 17 above) were restricted to certain administrative districts in Norrbotten County. This geographical limitation concerned mainly Articles 9 and 10 of the Charter. The acts excluded the territory where South Sami had traditionally been spoken, and a large part of the territories where there is a substantial traditional presence of Finnish. The Committee of Experts encouraged the Swedish authorities to define, in co-operation with the speakers, the entire areas where Lule, North and South Sami, Finnish and Meänkieli are traditionally used in Sweden and to apply the Charter in these areas. On the basis of the observations made by the Committee of Experts in its third evaluation report, the Committee of Ministers adopted the recommendation addressed to the Swedish authorities to **"define, in co-operation with the speakers, the areas where Finnish and Sami are covered by Part III of the Charter and apply the relevant provisions of the Charter in these areas"** [RecChL(2009)3].

22. While the Swedish authorities have not defined these areas precisely, they have nevertheless made substantial progress in respect of the territorial application of Article 10 ("administrative authorities and public services").

23. Pursuant to Section 6 of the Minority Act, the administrative areas for Finnish and Sami were extended on 1 January 2010 to include 18 and 13 additional municipalities respectively (see Section 6 of the Act). In the case of Finnish, this now includes the two largest cities of Sweden, the capital Stockholm and Gothenburg.

24. According to Section 7 of the Minority Act, municipalities other than those listed in Section 6 may voluntarily join the administrative area, subject to final decision of the government. The

⁴At the time of this report, the currency was SEK 10 = EUR 1.12.

⁵<http://www.lansstyrelsen.se/stockholm/SiteCollectionDocuments/Sv/publikationer/2011/Lagen-om-nationella-minoriteter-tillampning-rapport-2010.pdf>

Länsstyrelsen i Stockholm and the Sami Parliament have the duty to facilitate this process. In application of this new regulation, on 1 May 2010 and after 1 February 2011, the administrative area for Finnish has been further extended to nine municipalities and one county council, and now reaches a total of 32 municipalities⁶. Three further municipalities have applied for voluntary inclusion for Finnish in 2012 and are currently being considered by the government. On 1 May 2010, the administrative area for Sami was further extended by one municipality and now reaches a total of 18 municipalities.⁷ As regards Meänkieli, the administrative area that comprised five municipalities has been extended by one municipality which joined on 1 February 2011⁸.

25. The Länsstyrelsen i Stockholm and the Sami Parliament have been commissioned to support and co-ordinate the implementation of the Minority Act in the new municipalities and have been provided ring-fenced money for this task. According to the fourth periodical report (page 10), government subsidies to municipalities and county councils have increased for 2010 to approximately SEK 50 million. The Committee of Experts understands this to be part of the SEK 80 million allocation to regional or minority languages. The SEK 50 million is earmarked specifically to cover additional costs arising from the implementation of the Act. On 1 February every year, the government distributes these funds to local authorities according to the criteria that the government itself has determined, on the basis of the population count. If funds are left over at the end of the reporting year, the local authorities may carry them over to the following year.

26. According to the Länsstyrelsen i Stockholm, some municipalities do not join the administrative area because they fear that they will not be able to bear the additional costs.

27. The Länsstyrelsen i Stockholm informed the Committee of Experts that it has carried out consultations with the local authorities to assist them in implementing the Minority Act and has organised two conferences with the local authorities on the need to identify language competences within its staff and encourage consultations with the speakers of regional or minority languages.

28. As to the process of joining the administrative district, the Committee of Experts was informed of an exemplary municipality, Kalix municipality, with regard to Finnish and Meänkieli. The first step undertaken by the municipality was to consult the speakers, followed by drawing up an action plan. Then a survey was conducted amongst the employees to identify their relevant language skills, in order to establish contact persons for the Finnish and Meänkieli-speaking public.

29. Representatives of the Finnish-speakers showed in general their satisfaction with the new legislation during the on-the-spot visit. In their estimation, the new administrative area for Finnish covers about 50% of the Finnish-speakers in Sweden. Along with the new municipalities that have joined, the activities involving the Finnish language have increased and have also sparked interest among young speakers.

30. Representatives of the Sami-speakers welcomed the extension of the administrative area, and the fact that South Sami is now included in the area.

31. According to Section 9 of the Minority Act (see also paragraph 36 below), in certain circumstances there is a right to use Finnish, Meänkieli and Sami outside the administrative areas in oral and written communication with public authorities. It seems that so far the Minority Act has not been applied in practice outside the administrative areas due to lack of awareness amongst the speakers and the authorities.

32. According to the fourth periodical report (page 18), the right to use Finnish, Meänkieli and Sami is not extended to cover additional courts, and there are at present no plans to do so. The

⁶ With regard to Finnish, the 18 additional municipalities are: Botkyrka, Eskilstuna, Hallstahammar, Haninge, Huddinge, Håbo, Köping, Sigtuna, Solna, Stockholm, Södertälje, Tierp, Upplands Väsby, Upplands-Bro, Uppsala, Älvkarleby, Österåker and Östhammar. On 1 May 2010 the following were added: Borås, Surahammar and Västerås. After 1 February 2011, the municipalities of Kalix, Gothenburg, Hofors, Skinnskatteberg, Sundbyberg and Umeå also joined. The County Council is Gävleborg. The municipalities of the original administrative area for Finnish are: Gällivare, Haparanda, Kiruna, Pajala and Övertorneå.

⁷ With regard to Sami, the new municipalities are: Arvidsjaur, Berg, Härjedalen, Lycksele, Malå, Sorsele, Storuman, Strömsund, Umeå, Vilhelmina, Åre, Älvdalen and Östersund. Krokoms municipality was added on 1 May 2010. The municipalities of the original administrative area are: Arjeplog, Gällivare, Jokkmokk and Kiruna.

⁸ With regard to Meänkieli, the new municipality is Kalix. The other five are Gällivare, Haparanda, Kiruna, Pajala and Övertorneå.

government does not consider it as a priority at this stage. Therefore, the right to use these languages in courts remains only in the original administrative area in Norrbotten County. Consequently, the question of the territorial application of Article 9 of the Charter in Sweden remains unaddressed by the Swedish authorities.

Monitoring

33. According to the fourth periodical report (pages 6 –8), a state monitoring system has been introduced in order to monitor adherence to the 2009 Minority Act and minority policy. The Act obliges administrative authorities to provide national minorities with information on their rights, when this is needed. The responsibilities have been commissioned and clarified. Hence, the Länsstyrelsen i Stockholm and the Sami Parliament (*Sametinget*) are responsible for co-ordinating and monitoring the implementation of minority policy on a national level. These two bodies also have the task of assisting municipalities to apply the Minority Act and submitting an overall assessment of the compliance with the Minority Act. Their role is also to implement measures aimed at increasing awareness. In this respect, the Sami Parliament was commissioned to create the new website⁹ on national minorities which was launched in December 2009.

34. During the on-the-spot visit, the Committee of Experts was informed by representatives of the speakers of Finnish and Meänkieli that so far they are satisfied with the work of the Länsstyrelsen i Stockholm and that it has been very active in the first year and has carried out consultations with representatives of the speakers of regional or minority languages. In the view of representatives of the Equality Ombudsman that the Committee met during its on-the-spot visit, the task of such a monitoring body would be better carried out if it was more independent and if some form of enforcement system were in place. On the other hand, the Länsstyrelsen i Stockholm explained that, as it is stated in a government bill, if the system in place is not functioning satisfactorily, it is possible to introduce a stricter law.

35. As the Länsstyrelsen i Stockholm pointed out during the on-the-spot visit, the implementation and the monitoring work is still at an early stage. In general, those municipalities that joined the administrative area voluntarily after the passing of the Minority Act, tend to be better prepared with regard to the protection of regional or minority languages. As for County Councils, the necessary structure to allow implementation is not yet in place. In their first monitoring report (see paragraph 20 above), the Länsstyrelsen i Stockholm detected three success factors for local and regional authorities in the administrative areas: a) clear political support in the leadership of the municipalities; b) appointment of a language co-ordinator at an early stage; c) co-operation between local authorities and representatives of the speakers.

36. For the second year of monitoring, the Länsstyrelsen i Stockholm plans to focus on the implementation of the “basic rights” that apply throughout Sweden, i.e. those deriving from Section 9 of the Minority Act mentioned in paragraph 31 above. This is especially important for the non-territorial languages Yiddish and Romani Chib. The Länsstyrelsen i Stockholm will also focus on consultation processes.

37. Municipalities, County Councils and selected public bodies are obliged to submit reports to the Sametinget and the Länsstyrelsen i Stockholm on the implementation of their minority language policy. These reports will then be forwarded to the Government.

38. According to the fourth periodical report (page 7), a number of public bodies are to monitor, analyse and present their initiatives based on the objectives of minority language policy during a three-year period, namely:

- National Police Board;
- National Board of Health and Welfare;
- Swedish National Institute of Public Health;
- Swedish National Agency for Education;
- Swedish Schools Inspectorate;
- Swedish National Agency for Higher Education;

⁹ <http://www.minoritet.se>

- Lantmäteriet (the Swedish mapping, cadastral and land registration authority);
- Equality Ombudsman;
- Swedish National Board for Youth Affairs;
- Election Authority;
- Swedish Arts Council.

39. During the on-the-spot visit, the Committee of Experts was informed by representatives of some of these public bodies that they have increased the visibility and awareness of regional or minority languages by translating parts of their websites into these languages and/or providing information about the speakers' language rights. Furthermore, the National Police Board intends to include awareness of regional or minority languages into the training of the police staff.

40. According to comments submitted by representatives of the Meänkieli-speakers, some of these bodies have not yet been open to consultation with them.

41. The Committee of Experts welcomes the adoption of these policies and looks forward to receiving more examples of how these public bodies have implemented their policy initiatives in the next periodical report.

1.3.2 *Status of Elfdalian*

42. In its two previous evaluation reports (paragraphs 24 -26 and paragraphs 19 – 20 respectively), the Committee of Experts commented on Elfdalian and the desire of its speakers for Elfdalian to receive protection under Part II of the Charter in accordance with Article 2.1. While acknowledging the ongoing dialogue between the Swedish authorities and representatives of the municipality of Älvdalen and speakers of Elfdalian, the Committee of Experts urged the Swedish authorities to clarify the status of Elfdalian in co-operation with the speakers.

43. The Swedish authorities state in their fourth periodical report (pages 24 –25) that after discussions with the speakers and the municipality of Älvdalen in February 2008, the question of the status of Elfdalian was addressed in the government bill 2008/09:158, page 61. At this stage, the government does not recognise Elfdalian as a language to receive protection under the Charter. The Swedish authorities nevertheless consider that, regardless of its status, Elfdalian should be preserved as part of the Swedish cultural heritage and should be passed on to the younger generation, for which the Swedish Institute for Dialectology, Onomastics and Folklore Research (hereafter: *Institute for Language and Folklore*) and the municipality of Älvdalen would be competent.

44. In the current fourth monitoring round, the Committee of Experts met again with representatives of the Elfdalian-speakers who currently are neither aware of any support or activities carried out by the Swedish Institute for Language and Folklore nor of the possibility to receive support. To date all activities aimed at promoting and safeguarding Elfdalian are financially supported by the municipality of Älvdalen or by private donors.

45. While acknowledging the authorities' engagement with the speakers and tabling the issue in the government, the Committee of Experts is of the view that there is a need for the involvement of a scientific study on the matter in order to reach a justifiable conclusion and base its decision on these results.

46. The Committee of Experts therefore encourages the Swedish authorities to clarify the status of Elfdalian as a language or dialect through, for example, commissioning an independent scientific study, in co-operation with the speakers.

1.3.3 *Status and promotion of Ume Sami*

47. In its third evaluation report (paragraph 21), the Committee of Experts had been informed about a revitalisation movement of the Ume Sami language. It encouraged the Swedish authorities to provide more information about its status and promotion in their next periodical report.

48. According to the fourth periodical report (page 25), Ume Sami-speakers formed the non-governmental organisation *Álguogáhtie* with the aim of preserving the Ume Sami language and strengthening and increasing its visibility. In this respect, the organisation co-operates with the municipality of Umeå. The newly established Sami Language Centre in Tärnaby undertakes Ume Sami language promotion and language revitalisation activities, alongside supporting other varieties of Sami.

49. During the on-the-spot visit, the Committee of Experts was informed by representatives of the speakers that new language courses in Ume Sami are being offered as part of the revitalisation effort, attracting young people. An introductory summer course to Ume Sami has occasionally been organised by Umeå University. Attempts were made to introduce Ume Sami into pre-school but without success due to a lack of teachers. Co-operation and consultation between the NGO *Álguogáhtie* and the local authorities work very well. A co-coordinator for Ume Sami has been recruited. According to the comment submitted by *Álguogáhtie*, an Ume Sami orthography has been adopted. There are however different views on the need to create a common standard for Ume Sami. *Álguogáhtie* also works on topographical names in Ume Sami in Arjeplog and Arvidsjaur.

50. According to the representatives of the speakers of Ume Sami, efforts are needed to make the language more visible. Furthermore, support is needed to create learning and teaching materials and recruit Ume Sami teachers. Learning opportunities need to be created for children and adults alike. Finally, more research needs to be undertaken on the number of speakers and geographical distribution of the language.

51. According to the Swedish authorities, Sweden's ratification of the Charter includes the Ume Sami variety because it is covered under the new strategy for minority languages, and the seven municipalities where it is spoken are part of the administrative area for Sami. According to the authorities, Ume Sami-speakers are for instance entitled to pre-school education in Sami. The Committee of Experts considers that this implies provision, as far as possible, in the Ume Sami variety.

52. The Committee of Experts welcomes the support of the Sami Language Centre and of the authorities towards the revitalisation of Ume Sami and encourages the Swedish authorities to continue its efforts, most notably in relation to language acquisition and research. It also asks the authorities to clarify to what extent Ume Sami is specifically promoted by the Sami Language Centres.

Chapter 2 Conclusions of the Committee of Experts on how the State authorities have reacted to the recommendations of the Committee of Ministers (RecChL(2009)3)

Recommendation No. 1:

“Define, in co-operation with the speakers, the areas where Finnish and Sami are covered by Part III of the Charter and apply the relevant provisions of the Charter in these areas.”

53. This recommendation relates largely to Articles 9 and 10 of the Charter. While the Swedish authorities have not defined the areas precisely, they have nevertheless made substantial progress in respect of Article 10 (administrative authorities and public services).

54. With the adoption of the Act on National Minorities and National Minority Languages (2009:724), the administrative areas for Finnish and Sami were extended to include an additional 18 and 13 municipalities respectively. The continuous opportunity to voluntarily join the administrative areas has been introduced, and from 1 May 2010 to date, the administrative areas have been extended by an additional one for Sami and Meänkieli each, and by nine for Finnish. Three more have applied for voluntary inclusion for Finnish in 2012. One County Council also voluntarily joined the administrative area for Finnish. In order to help implement the new act, government subsidies to municipalities and County Councils have increased in 2010 to approximately SEK 50 million. The Länsstyrelsen i Stockholm and the Sami Parliament have been commissioned to support and co-ordinate the implementation of the new municipalities and have been provided specific funds for this task.

55. As a result of this extension, approximately 50% of the Finnish-speakers reside in the administrative area for Finnish. As for Sami, the administrative area now also covers the territory in which South Sami is spoken.

56. Outside the administrative areas, there are also certain limited rights to use Part III languages in dealings with the authorities and some public bodies.

57. As regards Article 9 (judicial authorities), there have been no such developments.

Recommendation No. 2:

“Actively strengthen education in regional or minority languages both by adapting “mother-tongue” education to the requirements of Article 8 of the Charter and, where appropriate, by establishing bilingual education as well as by developing appropriate basic and further training of teachers.”

58. Sweden has not adapted its model of mother tongue education to the requirements of Article 8 of the Charter. Nor has any progress been made towards the establishment of bilingual education, indeed there are worrying signs of decline.

59. The lack of basic and further training of teachers remains a serious structural problem for the promotion and protection of Sweden’s regional or minority languages. No concerted attempt has been made to deal with these issues.

60. Some of the restrictions surrounding mother tongue education have been relaxed. Since 1 July 2008, according to the amended Compulsory School Ordinance with respect to Finnish and Yiddish, one pupil (rather than formerly five pupils) in a municipality is sufficient to request mother tongue teaching. This is already the case for Sami, Meänkieli and Romani. Furthermore, the requirement for the use of the language as a daily language of communication at home has been removed, although pupils are required to have basic knowledge of the language.

61. As regards teacher training, the government has in the past commissioned Luleå Technical University to provide teacher training for Finnish, Meänkieli and Sami. The courses for Sami and Meänkieli teacher training however were cancelled in 2009 due to a lack of applications. In particular, the shortage of trained teachers for South Sami and Meänkieli remains problematic. The courses for Finnish teacher training offered by Luleå Technical University remained relatively stable in 2009.

62. The government intends to reform teacher training generally. A new type of training is to be launched in the autumn of 2011. However, this reform cannot include regional or minority language teacher training which must await the report of the Swedish National Agency for Higher Education which has been commissioned by the government to propose measures by 30 April 2011 on ways to increase the number of teachers in regional or minority languages. The report has not yet been submitted.

Recommendation No. 3:

“Establish a structured policy to encourage the provision of university or other forms of higher education in Sami, Finnish and Meänkieli.”

63. No structured policy in this respect has been established. As part of the rationalisation of language teaching throughout the universities in Sweden, the government commissioned Uppsala and Stockholm Universities to offer studies in Finnish, and Umeå University to offer studies in Meänkieli and Sami. The commissioned universities do not receive any additional funding for offering Finnish or Meänkieli. Umeå University currently receives SEK 450 000 from the Ministry of Education for Sami, which the university considers as too modest in relation to the need to offer courses in several varieties of Sami.

64. In 2010, the government commissioned the Swedish National Agency for Higher Education to review the current allocation of responsibilities between those universities that offer the study of regional or minority languages and if necessary propose changes. The report has not yet been submitted.

Recommendation No. 4:

“Adopt, as a matter of urgency, flexible and innovative measures to maintain the South Sami language.”

65. The Minority Act has extended the administrative area for Sami so that it covers the area where South Sami is traditionally spoken.

66. Two Sami Language Centres that are intended to encourage the use of Sami in society and assist the local authorities in this respect have been opened in Östersund and Tärnaby. These municipalities are located in the South Sami area. The Sami Parliament is in charge of these centres and SEK 6 million has been annually allocated to these centres since 2010.

67. In the view of the Swedish authorities, the strengthening of integrated Sami teaching (i.e. cultural education within the municipal primary school system which may be, but is not necessarily, taught bilingually) should also contribute to the preservation of the smaller Sami varieties.

Recommendation No. 5:

“Establish a structured policy and take organisational measures to encourage the oral and written use of Sami, Finnish and Meänkieli in dealings with judicial and administrative authorities in the defined administrative areas.”

68. As regards administrative authorities, Sweden has adopted a structured approach. This is evident from the government strategy that includes a Minority Act, together with additional funding to implement it, and the monitoring role of the Länsstyrelsen i Stockholm and the Sami Parliament.

69. As regards judicial authorities, such an approach has not been taken. The right to use Finnish, Meänkieli and Sami which is regulated in the new 2009 Minority Act, has not been extended to additional courts in the new municipalities of the administrative areas, as the government does not deem it to be a priority at this stage.

70. The Swedish National Courts Administration and the Swedish Prosecution Authority have translated information material into Sami, Finnish and Meänkieli about the right to use these languages in courts. There are still no statistics as regards the number of cases of Sami being used in criminal court proceedings.

Recommendation No. 6:

“Facilitate the creation of newspapers in Sami and Meänkieli”

71. Based on the proposals of the Swedish Press Committee, in December 2008, the government decided on amendments to the terms and conditions governing press subsidies. Subsequently, the limit for newspaper subscriptions to be granted financial support was lowered from 2000 to 1500 copies. In addition, in June 2010, the Swedish Parliament (the *Riksdag*), decided on the new terms and conditions for aid to the daily press in view of the government bill. The authorities contend that this forms the basis for an initiative between the relevant authorities and stakeholders in Norway and Finland in order to facilitate the publication of a transnational newspaper in Sami. The initiative also covers possible co-operation concerning Meänkieli in Sweden and Kven in Norway.

72. The Sami Parliament has been commissioned to investigate into the possibility of creating transnational newspapers for Sami and Meänkieli, in co-operation with the non-governmental umbrella organisation for Meänkieli. It has received SEK 130 000 to carry out this specific task.

Chapter 3 The Committee of Experts' evaluation in respect of Part II and Part III of the Charter

3.1 Evaluation in respect of Part II of the Charter

73. The Committee of Experts will not comment on those provisions of Part II for which no major issues were raised in the third evaluation report and for which the Committee of Experts has not received any new significant information. Under Part II, this concerns Article 7, paragraph 1 *b, g* and *i* and Paragraph 5. The Committee of Experts reserves, however, the right to evaluate the implementation of these provisions again at a later stage.

Article 7 - Objectives and principles

Paragraph 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;

74. The legislative framework pertaining to the protection and the use of regional and minority languages has improved since the previous monitoring round (see Chapter 1.3.1. above). In 2009, the Swedish Government passed the Act on National Minorities and National Minority Languages (2009:724) which entered into force on 1 January 2010 and applies nation-wide. The Länsstyrelsen i Stockholm and the Sami Parliament monitor the application of the Minority Act. The new Act replaces the previous Acts on the right to use Sami, Finnish and Meänkieli.

75. In 2009, the Swedish Government also passed a Language Act (2009:600) which entered into force on 1 July 2009. Section 4 of this Act declares Swedish to be the principal language in Sweden. Section 7 stipulates that "the national minority languages are Finnish, Yiddish, Meänkieli, Romani Chib and Sami". According to Section 8 of the Act, the public sector has a particular responsibility to protect and promote the national minority languages. Section 14.1. declares that "persons belonging to a national minority are to be given the opportunity to learn, develop and use the minority language", which is the same wording as for the Swedish language. The Language Council of the Swedish Institute for Language and Folklore monitors the application of this Act. The Sami Parliament also monitors the Language Act with regard to the Sami language.

76. According to the Swedish authorities, these two Acts clarify and strengthen the position of regional or minority languages in Sweden. Both Acts have been translated into all languages covered by the Charter, and are accessible on the government's website.

77. The adoption of these two acts and the resulting recognition of the regional or minority languages have already shown positive effects: for example a revival for Yiddish, whereby significantly more people identify themselves as speakers of this language. As for Finnish and Meänkieli, the languages have gained a more positive image in Sweden and the acts have led to a wider recognition of regional or minority languages by the majority population. According to the Finnish-speakers the language has been significantly strengthened since the adoption of the new acts. These have reanimated activities in the language organisations. According to the speakers of Meänkieli, there are visible signs of a change of attitude at the national level, while there are still gaps at municipal level. While welcoming the adoption of the new acts, and the resulting extended administrative areas for language protection, speakers of the Sami language pointed out that the acts were weaker than those of the neighbouring countries Norway and Finland with regard to the duty of the authorities to use the language.

78. The Committee of Experts commends this important development which has taken place since the previous monitoring round and which demonstrates the serious commitment of the Swedish Government to the protection and promotion of regional or minority languages.

c the need for resolute action to promote regional or minority languages in order to safeguard them;

79. In June 2009, the Swedish Parliament adopted a strategy containing measures *inter alia* to promote regional or minority languages, namely the bill "From Recognition to Empowerment – the Government's Strategy for the National Minorities" (Government Bill 2008/09:158). As well as the adoption of the Minority Act and the creation of a robust monitoring mechanism, the strategy also led to an earmarked budget for minority policy which increased in 2010 from SEK 10 million to an annual SEK 80 million, and in 2011 to SEK 85 million until 2012. The strategy aims among other things at ensuring stricter adherence to the Charter, supporting regional or minority languages, improved monitoring of the implementation of minority policies, strengthening the influence of national minorities and combating discrimination against national minorities.

80. Out of the overall sum mentioned in the previous paragraph above, SEK 8 million are allocated to the Swedish Arts Council for promoting national minority languages and culture. Furthermore, financial support to the minority organisations has been increased by an additional SEK 2 million to an annual SEK 6 million.

81. According to the information provided in the fourth periodical report (page 13), the Swedish Government appointed a special reference group within the Government Offices in May 2010 in order to provide competence and experience on issues regarding the revitalisation of minority languages. It will present its final report in June 2012. The Committee of Experts looks forward to receiving more information on this report in the next periodical report.

82. Furthermore, according to the fourth periodical report, the Swedish authorities have allocated funds to the Swedish Institute for Language and Folklore for specific language revitalisation initiatives carried out by organisations. For 2010, SEK 3.4 million were allocated, out of which SEK 900 000 were spent for language conservation activities. According to page 14 of the fourth periodical report, an additional SEK 700 000 has been allocated for the purpose of language planning (corpus planning, including the publication of dictionaries), revitalisation and cultivation of regional or minority languages. According to the authorities, measures concerning the Meänkieli language have been prioritised at this stage.

83. According to additional information provided by the Ministry of Employment, the government granted the Institute for Language and Folklore an additional SEK 397 000 for initiatives concerning Yiddish and place-names in regional or minority languages. The Committee of Experts commends the Swedish authorities for the significant increase of funding directed towards the protection and promotion of regional or minority languages.

84. The Language Council of the Institute for Language and Folklore continues to provide scientific and practical support to regional or minority languages. However, there is no position which requires linguistic expertise in Yiddish, nor in the indigenous Romani variety of Kalé. Consequently, neither Yiddish nor Kalé are able to benefit fully from the activities of the Language Council. In principle, the Language Council is prepared to fulfil this task, but claims to lack adequate funding for this.

The Committee of Experts encourages the Swedish authorities to ensure that Yiddish and Romani Kalé benefit from adequate practical and financial support from the Language Council of the Institute for Language and Folklore.

85. The Committee of Experts has not been able to determine the extent to which each of the regional or minority languages protected under the Charter in Sweden have benefited from the initiatives outlined in paragraph 82 above. During the on-the-spot visit, representatives of certain language groups expressed their concern about the way in which funding for regional or minority language organisations is distributed. They were particularly concerned about the short-term project based funding, the competition between language groups for resources and the inadequate level of funding. The Committee of Experts asks the Swedish authorities to provide more detailed and language-specific information on the allocation of funds in the next periodical report.

86. According to information at the disposal of the Committee of Experts, the Swedish Government plans to change its funding system for cultural activities, organisations and smaller

archives. In future, such bodies are to be funded by a regional funding system only. It is not clear to the Committee of Experts what effect this may have on the national or umbrella organisations for regional or minority languages that are currently being funded on a national level. The Committee of Experts asks the Swedish authorities to clarify this issue in the next periodical report.

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

Health and Social Care

87. In its third evaluation report (paragraphs 30 –34), the Committee of Experts encouraged the Swedish authorities to take due account of the growing need of the use of regional or minority languages within health care and the care of the elderly, and requested the Swedish authorities to investigate, in co-operation with the speakers, whether undertakings concerning these areas could be part of an extended ratification instrument of the Charter.

88. Section 18 of the Minority Act stipulates that “The municipal authority shall offer a person who so requests the possibility of receiving whole or a part of the service and care, which is offered within the framework of the care of the elderly by staff who have a command of Finnish, Meänkieli or Sami. The same applies for municipalities outside an administrative area if the municipal authority has access to staff who are proficient in the language as appropriate”. Furthermore, Section 6 of the amended Social Services Act (2009:726) as appended to the fourth periodical report (page 103) stipulates that municipalities should strive towards ensuring that staff with knowledge of Finnish, Meänkieli and Sami are available for the care of the elderly when this is deemed to be necessary. This section applies to the entire territory of Sweden.

89. During the on-the-spot visit, representatives of the authorities drew the Committee’s attention to the fact that a service “wholly or partly” (which applies both in the field of pre-school activities and the care of elderly) in a regional or minority language was not defined specifically.

90. According to the fourth periodical report (page 29), the National Board of Health and Welfare has devised an information sheet for staff on the implications of the new Minority Act for health and medical care and social services. The Board also plans to produce a folder on the Act for members of national minorities in order to inform them about their rights in this respect.

91. During the on-the-spot visit, the Committee of Experts was informed by representatives of the Ministry of Health and Social Affairs that the Ministry issued guidelines to all local authorities in the country on the new legislation concerning health and social services in regional or minority languages. The Ministry has also carried out consultations with the Länsstyrelsen i Stockholm and the respective national minorities in this respect.

92. During the on-the-spot visit the Committee of Experts was informed by representatives of the Sami-speakers that Arvidsjaur municipality offers language courses for staff in the care system. Kiruna municipality offers the same for those who work with the elderly. They are allowed to take one day per week off work for training.

93. The Committee of Experts welcomes these positive developments, and looks forward to receiving information on the practical application of these legal rights and obligations in the next periodical report. As regards a possible extension of the ratification instrument with regard to health services, the Swedish authorities state in their report that there is no development in this respect.

Visibility

94. According to the fourth periodical report (page 14), in order to increase the visibility of regional or minority languages and to emphasise their part of Sweden’s cultural heritage, state and local authorities are meant to put up place name signs and other signage in regional or minority languages. Indeed, according to information received from various representatives of regional or minority languages and from the authorities, the amount of signage has increased steadily in the last years, most notably for Sami, Finnish and Meänkieli.

95. Another way to increase awareness and visibility of Sweden's regional or minority languages has been through setting up the website Tema Modersmål¹⁰ which contains information in all minority languages regarding mother tongue and mother tongue tuition. However, according to the Sami Parliament, the website is rarely updated. Furthermore, several local authorities and public bodies now have a multilingual web presence.

96. During the on-the-spot visit, the Committee of Experts was informed of several projects particularly involving Sami and Finnish, where cultural organisations organised intergenerational cultural and social events aimed at strengthening language transmission and language use.

97. A particularly successful initiative regarding the Finnish language has been the Finnish-Swedish bilingual booklet (in English "Let's speak Finnish"), funded by the Language Council and the Sweden Finnish Delegation.

98. Sveriges Radio broadcast and produced a CD of modern fairy tales told in all Sweden's regional or minority languages.

99. In its comments, the Sami Parliament criticises the fact that out of the 106 hours of Sami broadcast in 2009 on SVT, none were in South or Lule Sami.

Yiddish

100. In the third evaluation report (paragraphs 36 – 38), the Committee of Experts encouraged the Swedish authorities to investigate the possibilities of providing radio broadcasts in Yiddish.

101. According to the information provided in the fourth periodical report (pages 28 – 29), the Swedish public broadcaster Sveriges Radio AB (SR) had an extended commission in 2009 to address issues concerning Yiddish as far as this is possible in the daily programme.

102. The Swedish Educational Broadcasting Company (*Sveriges Utbildningsradio*) provides some programmes on the Yiddish language and culture in Swedish, but the provision of radio broadcasting in Yiddish is almost non-existent. No Yiddish radio programmes were broadcast in 2010. With regard to children's programmes, a television series has been translated into Yiddish.

Romani Chib

103. According to the information received by the Romani-speakers during the on-the-spot visit, there is a daily 30-minute radio news programme in Kelderash Romani. The broadcast takes place within the framework of international radio programmes and not as one of the national minority languages. There are still no television programmes in Romani.

104. During the on-the-spot visit, the representatives of the speakers of the Swedish Kalé variety emphasised the importance of recognising Romani as a language traditionally present in Sweden. There was insufficient acknowledgement of the presence of the indigenous Kalé and traveller communities and their respective languages in public life. This concerns for example radio broadcasting, education (including the creation of teaching materials) and websites of the authorities.

105. The Committee of Experts has been informed about a strong wish among the Roma in the northern parts of Sweden to receive the authorities' support for the establishment of a northern Roma cultural centre with the aim, among other things, to cultivate the language. This wish has also received support through the answers from a survey carried out by representatives of Roma organisations.

¹⁰ <http://modersmal.skolverket.se/engelska/>

- 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;***

106. In the third evaluation report (paragraphs 39 - 40), the Committee of Experts had been informed that SWEBLUL was no longer funded by the Swedish authorities and asked them to provide more information in this respect in the next periodical report.

107. The fourth periodical report (page 30) states that SWEBLUL does not receive any state subsidies at present and the Committee of Experts has not been made aware of any equivalent or replacement body that serves as a link between the groups of the regional or minority languages. According to representatives of the Meänkieli-speakers, the new legislation has established co-operation with other national minorities through development projects.

108. The Committee of Experts asks the Swedish authorities to report on measures taken to facilitate and support such co-operation between different minority language groups in the next periodical report.

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

109. The situation of education of the Sami, Finnish and Meänkieli languages is to be dealt with in greater detail in the paragraphs under Part III below.

110. In its third evaluation report (paragraphs 41 – 45), the Committee of Experts noted that the teaching of regional or minority languages was almost exclusively carried out in accordance with the mother-tongue education model as developed in Sweden. In practice, this meant that the language was taught outside the regular curriculum and only between 20 minutes and two hours per week. Bilingual education (maximal 50% teaching in the regional or minority language) played only a marginal role. The Committee of Experts had no updated statistics on the numbers of pupils enrolled in mother-tongue education and lacked detailed information regarding the extent of mother-tongue support in all regional or minority languages at pre-school level. It therefore requested the Swedish authorities to provide such information in their next periodical report. In addition, it again requested information about the teaching of regional or minority languages at *förskoleklass* level (intermediate stage between pre-school and primary school).

111. On the basis of the observations made by the Committee of Experts in its third evaluation report, the Committee of Ministers adopted the recommendation addressed to the Swedish authorities to **“actively strengthen education in regional or minority languages both by adapting “mother-tongue” education to the requirements of Article 8 of the Charter and, where appropriate, by establishing bilingual education as well as by developing appropriate basic and further training of teachers” [RecChL(2009)3].**

112. There has been no movement towards expanding bilingual education. Indeed, bilingual education appears to have decreased alarmingly for both Finnish and Sami. The prevailing model is still mother tongue education. This was severely criticised by representatives of all regional or minority languages as being a completely inadequate method of maintaining these languages and developing mature literacy. The core problem is a failure on the side of the Swedish authorities to develop a comprehensive view of the role of education at all levels in the promotion of regional or minority languages, to allocate adequate resources and in particular, and as a matter of priority, to develop teacher training. Certain minor adjustments to the improvements to the mother tongue model and aspirational declarations about mother tongue teacher training do not make up for a failure to address the issue in a systematic way.

The Committee of Experts urges the Swedish authorities to adopt a comprehensive and structured approach to strengthening the teaching and study of all regional or minority languages.

113. According to information at the disposal of the Committee of Experts, the right to bilingual education in all nine years of primary and secondary schooling, as laid down in Section 7 of the

Compulsory School Ordinance, may be extended to the other regional or minority languages. The Committee of Experts asks the Swedish authorities to provide more information with regard to any such developments in the next periodical report.

114. Apart from the fact that mother tongue education, as it is carried out in Sweden, remains in general unsatisfactory as a means of sustaining language maintenance, the following problems were brought to the attention of the Committee of Experts: 1. if a child has three languages, i.e. Swedish, another language and a regional or minority language (for instance German and Yiddish), it has to choose one of the latter for mother tongue education, unless one of the languages is Romani. 2. As regards the new rule for Finnish and Yiddish mentioned in paragraph 118 below, i.e. that the language no longer needs to be the language of daily use at home, representatives of several languages reported that in practice pupils are required to have at least a basic knowledge of the language, which implies its daily or regular use; 3. A lack of reliable statistics on mother tongue education renders education policy planning difficult.

115. Speakers of certain minority languages prefer a different term for “mother tongue” education, such as “(cultural) heritage language”. Such a change in terminology may well help to improve the learning and teaching of regional or minority languages based on the integration of language, heritage and culture.

Pre-school

116. As regards pre-school education, according to the fourth periodical report (page 20), the Swedish National Agency for Education has gathered teaching material, methodology aid and recommendations for mother tongue education in pre-school on the new website www.modersmal.net.

117. According to the fourth periodical report (pages 31 - 32), there are currently no regulations regarding mother tongue education at pre-school level, and therefore no statistics on the number of children.

118. Section 10 of Chapter 9 of the new Education Act, which enters into force on 1 July 2011, covers rules for mother tongue support in pre-schools. Furthermore, pursuant to Section 11 of the amended School Ordinance, the rules for mother tongue tuition in Finnish and Yiddish shall be the same as for Sami, Meänkieli and Romani. This will ensure that Finnish and Yiddish mother-tongue education can be provided even if only one pupil requests it (compared to a minimum of five pupils previously), and the language concerned is not in daily use at home.

119. The fourth periodical report does not provide any information with regard to the teaching of regional or minority languages at *förskoleklass* level.

Primary school

120. The Swedish authorities have now provided figures in the fourth periodical report (page 30), relating to primary education only. According to these figures, in the school year 2008/09, 3576 pupils participated in mother tongue education in Finnish, ten in Yiddish, 301 in Sami, 345 in Romani Chib and 71 in Meänkieli. Compared with the school year 2007/ 08, the number of pupils has increased with regard to Finnish and Yiddish mother tongue education, and decreased for the other languages. There is a large gap between the number of pupils entitled to mother tongue education and the number of pupils actually receiving mother tongue education.

Teacher training

121. As regards teacher training, a representative of the Ministry of Education informed the Committee of Experts during the on-the-spot visit that regional or minority language teacher training does not receive any earmarked funding. In the new teacher training programme entering into force in autumn 2011, there is no Swedish higher education institution providing teacher training for minority languages (see also paragraph 62 above). A representative of higher education admitted that the universities need to be given clearer tasks and allocated money in order to be able to provide teacher education for these languages.

122. According to the fourth periodical report (page 51), following the planned teacher training reform mentioned in the previous paragraph, mother tongue teachers should be given the same status and position as other teachers, meaning that mother tongue teacher training will be integrated into the

teacher training programmes for upper secondary school teachers. At present there are no new possibilities for students to become teachers of the regional or minority languages or to teach in these languages, until the National Agency of Higher Education has filed its report and it has been treated by the Government.

123. During the on-the-spot visit, the Schools Inspectorate informed the Committee of Experts that it will conduct research on the language competence of teachers of mother tongue instruction in 2012. Sami Schools will be monitored separately during the same year.

Romani Chib

124. In its third evaluation report (paragraphs 46 - 47), the Committee of Experts commended the Swedish authorities for offering the possibility of instruction of two mother tongues for Roma children and asked for additional information about the implementation. With regard to teacher training, however, a teacher-training course for Roma, which was offered at the Malmö University College, had not produced any results as there were no applications. The Committee of Experts strongly urged the Swedish authorities to devise innovative solutions to the lack of Romani-teachers in co-operation with the speakers.

125. The Committee of Experts has received no further information about the implementation of instruction of two mother tongues for Roma children, but is pleased to note that this is now enshrined in law.

126. The fourth periodical report (pages 33 – 34) states that the Language Council of the Institute for Language and Folklore and the Swedish National Agency for Education are working towards creating teaching materials and basic school grammars, and hold meetings and seminars. A specific reference group with representatives of various Romani Chib varieties has been formed. As for the pre-school education mentioned in the previous evaluation report, it still offers 15 places and includes Roma and Swedish staff, and both Romani and Swedish are used.

127. There are currently three fully educated teachers of Romani. The Swedish authorities have not informed the Committee of Experts of any recent innovative solutions to address the shortage of teachers of Romani. One possibility suggested by representatives of the Romani-speakers, in order to facilitate an increase in the number of Romani teachers might be, at least for a certain period, to lower the threshold for potential Romani teachers for entering into university. Without some such innovative solution, the problem is in danger of persisting, leading to the serious detriment of the Romani language in Sweden and further marginalisation of Roma. In a wider perspective, it is an urgent matter to increase the general education level of Romani-speakers and decrease the drop-out rate of Roma children from school.

128. The Delegation for Roma Issues (for information on the Delegation, see paragraphs 148 – 150 below) proposed earmarked state funding for the production of teaching materials.

The Committee of Experts again strongly urges the Swedish authorities to devise innovative solutions to the lack of Romani-teachers in co-operation with the speakers.

Yiddish

129. In the third evaluation report (paragraphs 50 - 51), the Committee of Experts urged the Swedish authorities to increase the availability of teaching in or of Yiddish, in particular in Gothenburg, Stockholm and Malmö.

130. According to the information provided in the fourth periodical report (pages 30 and 35), out of an estimated 16 pupils entitled to mother tongue tuition in Yiddish in the school-year 2008/09, ten pupils participated in such courses. Recently, Yiddish has been made a subject in the independent Hillel School in Stockholm. During the on-the-spot visit, the Committee of Experts was informed about a lack of adequate teaching materials. There is currently no teacher training for Yiddish.

The Committee of Experts again urges the Swedish authorities to increase the availability of teaching in or of Yiddish, in particular in Gothenburg, Stockholm and Malmö.

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

131. The teaching of Sami, Finnish and Meänkieli at higher education institutions is examined in detail in the section dealing with the Part III undertakings.

132. In its third evaluation report (paragraphs 53 - 55), the Committee of Experts encouraged the Swedish authorities to take pro-active measures to create a structured policy with regard to higher education in regional or minority languages in co-operation with the speakers.

Meänkieli

133. During the on-the-spot visit, the Committee of Experts was informed by representatives of the speakers of the need for corpus and status planning of Meänkieli, which is still not considered by all speakers as a language in its own right. There is a need for a language and research centre and for the cultivation of the language, including more knowledge on the background and history of Meänkieli. For example, some municipalities are in need of expert guidance on the orthography for signage and for the purposes of public use, including at schools. The language planning work of the Swedish Institute for Language and Folklore mentioned in paragraph 43 above also seems to be relevant in this respect. There is no Language Board for Meänkieli, however the Institute for Language and Folklore plans to establish a new reference group for Meänkieli, with a clearer linguistic profile.

Romani

134. The Swedish authorities state in their fourth periodical report (page 33) that the government has commissioned Linköping University to offer Romani Chib courses. In its 2009 report, the University stated that the course only attracted a few applicants, especially from within the Roma community, despite actively targeting and informing Roma associations. This is apparently due to a general low level of schooling and therefore insufficient qualification of Roma children. Another problem was that the instruction mainly took place in the Swedish language. The course was being re-evaluated by the Faculty in 2010.

135. The Delegation for Roma Issues (for more on the Delegation, see paragraphs 148 - 150 below) proposed that the National Agency for Higher Education should itself promote research of Romani Chib.

Yiddish

136. According to the information available in the fourth periodical report (page 37), in 2009, there were 159 applicants for the 120 seats planned for the six newly started courses of Yiddish at Lund University. It is not clear to the Committee of Experts how many students are actually enrolled in the courses. Currently there is a three-year temporary professor's post for Yiddish at Lund University.

Paragraph 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."

137. Sweden adopted a new Discrimination Act (2008:567) which entered into force on 1 January 2009 (see page 6 and the Appendix of the fourth periodical report) and replaces previous legislation. The Equality Ombudsman who is charged with monitoring the implementation of this Act has taken a pro-active approach to the issue of regional or minority languages in the field of discrimination. In written evidence to the Committee of Experts, the Ombudsman Office has pointed out several aspects of minority language policy, practice and legislation in Sweden which should be improved. This includes too little co-operation between the speakers and the authorities, inadequate redress for

speakers deprived of their rights, a failure to empower speakers and, as a main aspect, to provide bilingual education.

Paragraph 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.

138. In the third evaluation report (paragraphs 60 - 61), the Committee of Experts urged the Swedish authorities to take measures to improve the awareness and understanding of regional or minority languages in mainstream teacher training, primary and secondary school instruction and in the Swedish society at large.

139. In their fourth periodical report (pages 37 and 38), the Swedish authorities report on teaching materials and textbooks about regional or minority languages in Sweden. The Swedish authorities further report that the curricula (for nine-year compulsory schools) are currently under review. As regards the curricula of upper secondary education, pupils may choose the topic of minority languages as part of the core subject Swedish B.

140. According to representatives of the speakers of Meänkieli, all teacher trainees should receive a mandatory introductory course on the national minorities in Sweden and the languages they speak.

141. As a means of increasing awareness of the existence of regional or minority language in Sweden, the Swedish authorities refer to the newly established website www.minoritet.se which contains information about national minorities and their rights (fourth periodical report, page 38).

142. The Committee of Experts observes that the adoption of the Language Act and the Minority Act has led to an increased awareness of the traditional existence of regional or minority languages in Sweden. This in turn has led to an increased acceptance of and interest in these languages by the majority population.

Paragraph 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.

143. In the third evaluation report (paragraph 62), the Committee of Experts noted that representatives of all regional or minority languages reported persisting deficits in the consultation of the speakers' representatives, including with regard to major political changes affecting the regional or minority languages.

144. Pursuant to Section 5 of the 2009 Minority Act (see page 73 of the fourth periodical report) and in accordance with the new strategy on minority policy, public authorities shall give national minorities the opportunity to influence matters which concern them and shall, as far as possible, consult them. According to the authorities (page 9), well-functioning consultation models need to be set up as a priority for this purpose. This also includes initiating a dialogue with youth organisations.

145. During the on-the-spot visit, the Committee of Experts was informed that consultation between the authorities and the representatives of regional or minority language speakers is in general good, including co-operation, although there does not seem to be a consultation model as such. The Institute for Language and Folklore holds regular meetings with the language groups, and has appointed language advisers for Roma, Meänkieli and Finnish. A Yiddish adviser has not yet been appointed. The Delegation for Roma Issues (see paragraphs 148 – 150 below) proposed two members of Roma as Roma advisers.

146. Furthermore, the Länsstyrelsen i Stockholm consults regional or minority language representatives on a regular basis and encourages local authorities to do the same. It has also

identified good consultation as being one of the key components of successful implementation of the Minority Act by local authorities.

147. As regards the Sami language, the role of the Sami Parliament has been strengthened through an amended Sami Parliament Act. In future, the Sami Parliament shall determine the objectives of Sami language policy, rather than simply managing Sami language work.

Romani Chib

148. In its third evaluation report (paragraphs 63 - 64), the Committee of Experts had been informed about a Delegation for Roma Issues whose task was to disseminate information about the Roma in Sweden, and to advise the Government on how to improve their situation. The Committee of Experts requested the Swedish authorities to clarify to what extent the tasks of the Delegation covered aspects related to the promotion of Romani.

149. According to the fourth periodical report (pages 39 – 40), the Delegation for Roma Issues submitted its final report (“The Rights of the Roma – a Strategy for the Roma in Sweden”) in July 2010 and presented a model for a strategy related to Roma rights. The strategy includes *inter alia* a number of proposals concerning Romani Chib. The report¹¹ is currently with the Government Offices of Sweden. The Swedish authorities further report that the strategy for minority policy states that the work of the Delegation needs to continue.

150. During the on-the-spot visit the Committee of Experts met with a representative of the Delegation for Roma Issues. The group was composed of five members of Roma and five non-members. The result of the work illustrated that Roma are still marginalised in society. The report identified major gaps concerning power, welfare and trust. There is a lack of confidence towards the authorities. As for education, only few local authorities are aware of the right to mother tongue education, Roma are not aware of their rights either. Only very few Roma graduate from school.

¹¹ <http://www.regeringen.se/sb/d/108/a/150025>

3.2. Evaluation in respect of Part III of the Charter

151. In this section, the Committee of Experts will focus on the problematic areas and new developments in the protection and promotion of Sami, Finnish and Meänkieli. It will therefore not assess the implementation of provisions which were fulfilled in the first, second and/ or third monitoring cycle(s), apart from such undertakings where the Committee of Experts has received new relevant information. The following provisions will not be commented upon:

In the case of Sami:

- Article 8, paragraph 1. f.iii; g;
- Article 10, paragraph 5;
- Article 11, paragraph 1.a.iii; 2;
- Article 12, paragraph 1.a; b; c; d; e; f; h; paragraph 2;
- Article 13, paragraph 1.a;
- Article 14.a; b.

In the case of Finnish:

- Article 8, paragraph 1.f.iii;
- In relation to the Finnish administrative area:
 - Article 10, paragraph 2.b; paragraph 4; paragraph 5;
- Article 11, paragraph 1. c.i ; e.i; paragraph 2;
- Article 12, paragraph 1.a; b; c; d; f; h; paragraph 2;
- Article 13, paragraph 1.a;
- Article 14.a; b.

In the case of Meänkieli:

- Article 8, paragraph 1.f.iii;
- Article 9, paragraph 1.a.iii; b.iii; d; paragraph 2.a;
- Article 10, paragraph 4.a; paragraph 5;
- Article 11, paragraph 2;
- Article 12, paragraph 1.a; d; f; paragraph 2;
- Article 13, paragraph 1.a;
- Article 14.a; b.

152. For these provisions, the Committee of Experts refers to the conclusions reached in its first, second or third report, but reserves the right to re-evaluate the situation again at a later stage.

153. Finally, the paragraphs and sub-paragraphs that are quoted in bold italics are the obligations chosen by Sweden.

3.2.1. Sami

Article 8 – Education

General issues

Swedish School system

154. In Sweden, primary education (*grundskola*) is classified as education up to year 9 (age 16), which is the extent of compulsory education in Sweden. Secondary education is classified as upper secondary education (age 16 – 19) which takes place in upper secondary education *gymnasieskola*. Other types of post-16 education in Sweden are Folk High Schools. In respect of Sweden, in its reports, the Committee of Experts has adopted these classifications in making its assessment. In other words, primary education refers to the *grundskola*, and secondary education refers to the *gymnasieskola*.

South Sami

155. In the third evaluation report (paragraphs 70 - 71), the Committee of Experts had been informed that no structured policy existed for South Sami education which would take account of the precarious situation of this language. It urged the Swedish authorities to take resolute action in the field of education to maintain South Sami.

156. On the basis of the observations made by the Committee of Experts in its third evaluation report, the Committee of Ministers adopted the recommendation addressed to the Swedish authorities to **“adopt, as a matter of urgency, flexible and innovative measures to maintain the South Sami language” [RecChL(2009)3]**.

157. According to the information provided in the fourth periodical report (page 42), Sami schools in Karesuando, Kiruna, Gällivare and Tärnaby teach in South Sami. Furthermore, the municipalities of Vilhelmina and Härjedalen offer integrated Sami teaching in South Sami (i.e. cultural education within the municipal primary school system which may be, but is not necessarily, taught bilingually). Since autumn 2009, the schools in the Berg and Krokoms municipalities teach in South Sami. The Sami school in Tärnaby offers South Sami bilingual education. Other schools offer mother tongue lessons in South Sami.

158. According to information provided in the fourth periodical report (page 53), pupils who study South Sami at school, have the possibility to participate in a language immersion project, developed in collaboration with the County Governor of Nordland in Norway. 80 pupils participated in this project in 2010.

159. As regards South Sami adult education, according to the information received by the Sami-speakers during the on-the-spot visit, the Sami Education Centre has appointed a language mentor together with Umeå University for South Sami. This model has already been successful in Norway. Another project is intended for those who can speak the language but do not use it in practice. The Sami Education Centre in Jokkmokk offers South Sami courses. They try to expand on web-based distance learning.

160. The Swedish authorities granted SEK 1 million to the Sami Education Board in 2010 in order to extend the opportunities for integrated Sami teaching. The Board has provided assistance to the schools in the above-mentioned municipalities. Together with the Swedish National Agency for Education, the Board has been commissioned by the government to develop teaching materials in Sami, including South Sami.

161. The Committee of Experts asks the Swedish authorities to provide more information in the next periodical report about the extent to which 1. Sami language is taught within “integrated Sami education”; 2. such education is bilingual; and 3. it concerns the different Sami varieties.

Paragraph 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**
 - i* to make available pre-school education in the relevant regional or minority languages; or
 - ii* to make available a substantial part of pre-school education in the relevant regional or minority languages; or
 - 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;**

162. While welcoming the increase in the number of children attending Sami pre-school education, the Committee of Experts considered that the undertaking remained partly fulfilled in its third evaluation report (paragraphs 72 - 74) and strongly urged the Swedish authorities to take action to promote Sami pre-school education.

163. As well as extending the administrative area for Sami, the Minority Act (Section 17) confirms the right to receive pre-school education in Sami. The Swedish authorities state in their fourth periodical report (page 43) that in order to be able to meet the demand for Sami pre-school education in the extended administrative area for Sami, the respective municipalities have received subsidies from the government.

164. As mentioned in paragraph 118 above, the amended Education Act covers rules for mother tongue support at pre-schools. Although more children now in theory have access to pre-school education in Sami, thanks to the new legislative framework, the speakers are concerned that the language competence of the children is lower compared to 20 years ago.

165. According to the information received during the on-the-spot visit, Sami is currently taught at five pre-schools, meaning at each of the five Sami primary schools in the Sami school system. In addition, one pre-school opened in the South Sami area where the older generation speaks South Sami to the children. According to representatives of Sami, teacher training remains problematic. There is a serious shortage of pre-school teachers and child care workers and a need for language training because of deficiencies in pre-school teachers' language skills.

166. While welcoming the extension of the area in which pre-school education must be offered in Sami, the Committee of Experts nevertheless notes that the activities seem to be confined to the Sami school system, under the Sami Education Board, and voluntary groups. There does not appear to be any Sami pre-school teaching within the municipal pre-school system. There is also a shortage of trained pre-school teachers and other staff competent in Sami and Sami culture, as well as teaching materials.

167. The Committee of Experts concludes that the undertaking remains partly fulfilled.

The Committee of Experts again strongly urges the Swedish authorities to take action to promote Sami pre-school education.

- b**
 - i* to make available primary education in the relevant regional or minority languages; or
 - ii* to make available a substantial part of primary education in the relevant regional or minority languages; or
 - iii* to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - 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;**

168. In its first evaluation report, the Committee of Experts concluded that the undertaking was fulfilled because the Sami school system appeared to meet the needs of the language.

169. At the time of the first report, Sami schools existed in Karesuando (North Sami), Kiruna (North Sami), Lannavaara (North Sami), Gällivare (North and Lule Sami), Jokkmokk (North and Lule Sami), and Tärnaby (North, Lule and South Sami). These offered bilingual education, at least in years 1 to 3.

170. The current monitoring round, however, has revealed that serious structural problems remain. There is also an alarming deterioration in the extent and nature of Sami language education.

171. As a general feature of the decline, teaching through the medium of Sami is being replaced by teaching Sami as a subject, which in turn is moving in the direction of mother tongue instruction, which in practice can also take place in Swedish.

172. According to the information received by the Sami-speakers, only the schools in Tärnaby and Karesuando offer bilingual education. The other Sami schools have now moved to mother tongue education, apparently due to a lack of teachers competent in Sami. In Jokkmokk for instance it seems that education in Sami is only up to four hours per week, despite the clear wishes of Sami-speakers for a bilingual education model.

173. Furthermore, there has been a failure to invest in new and appropriate teaching materials.

174. The Committee of Experts is concerned about a further decline in Sami-medium education unless positive measures are taken by the Swedish authorities to reverse this trend. These measures include taking up a comprehensive approach to Sami education by ensuring a proper supply of competent teachers and of teaching materials.

175. In the light of this alarming decline, the Committee of Experts must revise its previous conclusion and concludes that the undertaking is only partly fulfilled.

The Committee of Experts encourages the Swedish authorities to take pro-active measures to strengthen Sami-medium primary education.

- c** *i* to make available secondary education in the relevant regional or minority languages; or
- ii* to make available a substantial part of secondary education in the relevant regional or minority languages; or
- iii* to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
- 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;***

176. In its third evaluation report (paragraphs 75 - 77), the Committee of Experts observed that Bokenskolan in Jokkmokk remained the only secondary school where Sami was taught. There was no Sami-medium secondary education and no teaching materials. In addition, the Sami Education Centre could offer distance learning in Sami for pupils of compulsory and upper secondary school, but the Swedish authorities lacked data about the number of pupils benefiting from this option. The Committee of Experts considered this undertaking partly fulfilled and encouraged the Swedish authorities to introduce Sami in secondary education in other municipalities where Sami [was] used.

177. According to the information received from the Sami Parliament, Bokenskolan is the only secondary school that teaches in all Sami languages. Very few other secondary schools offer Sami as a modern language or as a mother tongue subject.

178. This information was confirmed by representatives of the Sami-speakers during the on-the-spot visit. The Committee of Experts has not received any information on measures taken by the Swedish authorities to encourage the introduction of Sami in secondary education in other municipalities where Sami is used, including from those that have recently joined the administrative area for Sami.

179. The Committee of Experts must therefore conclude that the undertaking remains partly fulfilled.

The Committee of Experts urges the Swedish authorities to introduce Sami in secondary education in other municipalities where Sami is used.

- d** *i* to make available technical and vocational education in the relevant regional or minority languages; or
- ii* to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or
- iii* to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
- 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;***

180. In its third evaluation report (paragraphs 78 -80), the Committee of Experts had been informed of Sami vocational education at Bokenskolan secondary school in Jokkmokk. It considered this undertaking partly fulfilled and encouraged the Swedish authorities to increase the offer of Sami in technical or vocational education.

181. In their fourth periodical report (page 46), the Swedish authorities make reference to the Sami Education Centre (*Samernas Utbildningscentrum*) which manages *inter alia* vocational training and language courses in the Sami language, for which it receives annual government subsidies.

182. According to the information received from the Sami-speakers during the on-the-spot visit, vocational training through the medium of Sami has been offered in the field of reindeer herding and handcrafting. Out of the 800 applicants, 200 were approved. Courses are also offered in Sami – Swedish interpretation, for which there is a great demand. Six to eight pupils are taking courses in food preparation. However, according to the speakers, in general it is difficult to have vocational courses in Sami approved by the vocational college authority due to the likely small size of the cohort of students, as it is difficult to compete with other vocational courses.

183. The Committee of Experts notes that applying the economics of the general vocational education system to Sami language vocational education means that in many cases there is complete lack of provision. The Committee of Experts bears in mind that it is frequently necessary in the field of education to take special measures for regional or minority languages. The authorities can make the necessary intervention, for instance, by subsidising courses in regional or minority languages where appropriate. The Committee of Experts urges the Swedish authorities to take a more pro-active approach by extending and reinforcing the provision of vocational education in Sami.

184. The Committee of Experts concludes that the undertaking is partly fulfilled.

- e** *i* to make available university and other higher education in regional or minority languages; or
- ii* to provide facilities for the study of these languages as university and higher education subjects; or
- iii** ***if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;***

185. In its third evaluation report (paragraphs 81 -84), the Committee of Experts noted that Umeå University had been charged by the Government to offer courses in Sami every academic year. As the break-even point of the required number of students to organise a course was high (30-35), the teaching of Sami at Uppsala University was threatened. No earmarked funding was available for higher education in such languages. The Committee of Experts considered the undertaking partly fulfilled and encouraged the Swedish authorities to adapt its funding system for higher education to the needs of teaching in all Sami languages and provide sufficient earmarked funding.

186. On the basis of the observations made by the Committee of Experts in its third evaluation report, the Committee of Ministers adopted the recommendation addressed to the Swedish authorities to **“establish a structured policy to encourage the provision of university or other forms of higher education in Sami, Finnish and Meänkieli” [RecChL(2009)3]**.

187. According to the fourth periodical report (pages 53 – 54), Sami courses (including Lule, North and South Sami) at Umeå University are offered entirely through distance learning with online support. Sami language (as a mother tongue) and Sami cultural studies can be studied as a main subject in a Bachelors/ Masters degree. In 2009, the university also offered a summer course in practical North Sami.

188. According to the information received during the on-the-spot visit from representatives of Umeå University, from autumn 2011, courses on South Sami, North Sami and Lule Sami will continue to be offered. All these courses are part-time and distance learning, with undergraduate courses held either in Kiruna or Gällivare for North Sami, in Östersund for South Sami, and from autumn 2011, in Jokkmokk for Lule Sami. Postgraduate courses also follow a two-year cycle, with courses in Sami linguistics and Sami Revitalisation Studies. Umeå University currently receives SEK 450 000 earmarked funding from the Ministry of Education, which the university considers as too modest, considering the need to offer several varieties of Sami.

189. According to the supplementary information received by Umeå University, the break-even point of required number of students for offering a course at higher education institutions remains at 30 – 35, as for all Arts subjects. The Committee of Experts understands that this reflects the costs of employing sufficient staff to teach the subject. If the numbers decline, then there is a danger that the course will be discontinued by the university as it would not be economically viable. In the opinion of the Committee of Experts, it is not appropriate to apply only free-market rules in the context of the provision of regional or minority education. This is particularly true in the provision of higher education, because of the small number of students qualifying to access higher education and the significance of higher education in the context of teacher training. Higher education institutions should be incited, if necessary through traceable ring-fenced subsidies.

190. Furthermore, according to the same source of information, the only full professor in Sami Languages left Umeå University in 2008, meaning that at present PhD programmes are unavailable. The chair for Sami is still vacant. Uppsala University no longer offers Sami courses on a regular basis.

191. The Committee of Experts concludes that the undertaking is still partly fulfilled. It encourages the Swedish authorities to take active measures so that higher education institutions are able to offer Sami courses and do so, without imposing thresholds which may threaten that provision.

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

192. In its third evaluation report (paragraphs 85 - 87), the Committee of Experts was informed that Luleå Technical University was obliged to offer teacher training for Sami language teaching in primary and secondary school. On the whole, it noted that the structural problems of teacher training for regional or minority languages persisted. The shortage of teachers remained particularly acute for Lule and South Sami. The Committee of Experts concluded that the undertaking was partly fulfilled and strongly urged the Swedish authorities to take measures to develop a teacher training programme for Sami, including bilingual education, and to provide incentives to students to become teachers of Sami.

193. As mentioned in paragraphs 62 and 121 -122 above, the government intends to reform teacher training by autumn 2011. The Committee of Experts observes, however, that this will not affect regional or minority language education. The government states in the government bill *Top of the class – new teacher education programmes* that teacher training programmes for secondary school teachers should exist. According to the fourth periodical report (page 49), the courses for Sami teacher training offered by Luleå Technical University were cancelled in 2009 due to a lack of applications. The government commissioned the University to increase the number of applicants for teacher training courses in minority languages. According to the Sami Parliament, Luleå Technical University has not followed the recommendations of the authorities which is partly due to the lack of earmarked funding for teacher training in Sami.

194. Among the innovative suggestions made by representatives of the speakers were 1. one year of literacy training for the approximately 70% of teachers who already speak Sami but lack the necessary literacy skills which would enable them to teach Sami as a subject or language of instruction, and 2. the creation of a ring-fenced scholarship system for the study of Sami at higher education level.

195. According to representatives of Umeå University, the shortage of trained teachers for South Sami remains problematic. This however, in view of the Committee of Experts, is shared by all Sami languages. The Committee of Experts considers the situation to be highly critical. It has to be dealt with immediately because if left unaddressed, it is likely to mean the end of any meaningful Sami education in Sweden.

196. The Committee of Experts considers that the undertaking is not fulfilled.

The Committee of Experts again strongly urges the Swedish authorities to develop a teacher training programme for Sami languages, including bilingual education, and to provide incentives to students to become teachers of Sami.

i ***to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.***

197. In its third evaluation report (paragraphs 88 - 90), the Committee of Experts, welcomed the fact that the National Agency for Education, an independent agency under the Ministry of Education and Research, then responsible for school inspection, was reviewing its methods of statistics collection, with a view to covering the number of regional or minority language speakers following mother-tongue education. Nevertheless, the Committee of Experts was of the view that the Agency should also be entrusted with monitoring comprehensively the teaching of regional or minority languages and drawing up public periodic reports of its findings. It considered this undertaking remained partly fulfilled.

198. As regards statistics collection, the Swedish authorities state in their fourth periodical report (page 52) that this is not being pursued after all as it would infringe upon the Personal Data Act.

199. As regards monitoring the teaching of regional or minority languages, on 1 October 2008, the Swedish Schools Inspectorate, was established as a new independent authority for providing supervision and quality reviews of schools. Thus, the Inspectorate is responsible for evaluation and control of education, whereas the Agency is responsible for steering and support of education.

200. One of the reviews of the Inspectorate has been of language and skills development of children and pupils with a mother tongue other than Swedish. Regular supervision includes assessing whether mother tongue education is offered in line with the provisions.

201. The National Agency for Education has published some reports¹² on regional or minority language teaching. They are not substantial or regular enough to lead to fulfilment of this undertaking. Specifically, they do not deal with the content of regional or minority education and are confined to commenting on mother tongue instruction.

202. According to supplementary information provided by the Schools Inspectorate, in 2011, it is conducting a special supervision of the Sami school as well as other more general supervision of issues relating to regional or minority education.

203. The Committee of Experts has not been made aware of a specific monitoring body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages, nor whether the newly established Schools Inspectorate will assume this role. Nor has it been made aware of periodic reports of their findings, which are made public.

¹² <http://www.skolverket.se/sb/d/190>

204. The Committee of Experts points out that the current undertaking does not necessarily require the setting up of a new body to carry out the monitoring envisaged under this undertaking. It is for example possible for existing supervisory bodies to carry out these functions and be integrated into existing administrative structures. In that case, there would be a need for a single body to coordinate, analyse and present the work carried out by the other bodies. This task could in turn be carried out by one of the already existing bodies.

205. This undertaking goes beyond the inspection and reporting of mainstream education. It requires evaluating and analysing the measures taken and the progress achieved with regard to regional or minority language education. The report should, among other things, contain information on the extent and availability of Sami language education together with developments in language proficiency, teacher supply and the provision of teaching materials.

206. The drafting of a comprehensive periodic report need not depend on major resources, if the existing supervisory work on the ground is already extensive. A comprehensive report would be the logically consistent and tangible conclusion of the concerted supervisory work. Finally these periodic reports should be made public (see third evaluation report in respect of Germany, paragraphs 75 – 80, ECRML (2008) 4).

207. The Committee of Experts concludes that the undertaking remains partly fulfilled.

Paragraph 2

With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

208. In its third evaluation report (paragraphs 91 - 93), the Committee of Experts considered that this undertaking remained partly fulfilled. While commending the development of the Mother Tongue Theme website and the additional funding, the Committee of Experts noted nevertheless that the reliance on online teaching materials alone was insufficient to fulfil the present undertaking. It encouraged the Swedish authorities to take further measures to make mother-tongue education in Sami more systematically available, *inter alia*, by informing parents about this possibility and by giving clear instructions to schools and local authorities. In addition, the Committee of Experts encouraged the Swedish authorities to devise or reinforce alternative models of language teaching for Sami.

209. The Swedish authorities do not appear to have followed the recommendation of the Committee of Experts made in the previous report.

210. The declaration in Section 14 of the Language Act that persons belonging to a national minority are to be given “the opportunity to learn, develop and use the minority language”, confirms the general right of people belonging to the Sami national minority to learn Sami through the public education system throughout Sweden. The Committee of Experts has received no information as to how this provision is implemented in practice outside the administrative area for Sami. The Committee of Experts has nevertheless been made aware that distance learning courses for all three Sami varieties are available for all levels of education, but lacks detailed information as to how these are actually delivered and what effect they have.

211. The Committee of Experts concludes that the undertaking remains partly fulfilled.

Article 9 – Judicial authorities

212. In previous monitoring round/s, the Committee of Experts concluded that Article 9, paragraph 1.a.iii; b.iii; c.iii; d and paragraph 2.a were fulfilled in the administrative area for Sami, as it existed before the Minority Act came into force. Furthermore, in the first evaluation report on Sweden (ECRML (2003) 1, paragraph 29), the Committee of Experts drew attention to the fact that South Sami was not included in the administrative area for Sami and consequently not covered by the legislation which guaranteed the right to use Sami in court. The Minority Act has enlarged the administrative area for

Sami. The right to use Sami in courts, however, has not been extended accordingly. As mentioned in paragraph 32 above, the Swedish authorities do not consider it a priority at this stage. Nevertheless, the Committee of Experts asks the Swedish authorities to assess the situation and report in the next periodical report on the application of Article 9 to Sami in the extended administrative area. In the light of the circumstances, the Committee of Experts has not made any conclusions on this issue in the current monitoring round.

213. In its third evaluation report, the Committee of Experts strongly urged the Swedish authorities to take practical and organisational measures to ensure that Sami can be used in criminal, civil and administrative proceedings.

214. As stated in the fourth periodical report (page 55), the right to use Sami (and Finnish and Meänkieli) in courts is regulated by the 2009 Minority Act. These languages may be used in administrative courts, a District/ City Court, an environmental and land court, a maritime law court or a rent and tenancy tribunal which has a court district which is completely or partially covered by the municipalities of the seven original municipalities that lie in the respective administrative areas. The right to use the language is given if the case or matter of the proceeding is linked to one of the municipalities of the original administrative area.

215. According to the information contained in the fourth periodical report (pages 56 – 57), the Swedish National Courts Administration and the Swedish Prosecution Authority have translated information material into Sami, Finnish and Meänkieli about the right to use these languages in courts.

Paragraph 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:

a in criminal proceedings:

...

ii to guarantee the accused the right to use his/her regional or minority language;

if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

216. In its third evaluation report (paragraphs 94 - 97), the Committee of Experts noted that the practical and organisational obstacles to exercise the right to use Sami in criminal proceedings, such as the lack of Sami-speaking judicial personnel, had persisted. The Committee of Experts considered the undertaking formally fulfilled.

217. During the on-the-spot visit, the Committee of Experts was informed by representatives of the Sami-speakers and Gällivare judicial district court that Sami was only used in a handful of cases in court proceedings.

218. There are still no statistics as regards the amount of use of Sami in criminal court proceedings.

219. The Committee of Experts concludes that the undertaking remains formally fulfilled.

a iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language,

if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

220. In its third evaluation report (paragraphs 98 - 100), the Committee of Experts concluded that this undertaking remained not fulfilled, as there was no legal obligation for the authorities to produce written documents in Sami.

221. Pursuant to Section 14 of the 2009 Minority Act, the right to use Finnish, Meänkieli or Sami in courts includes the right to submit documents and written evidence in these languages, the right to have documents orally translated into these languages, and the right to speak these languages in an oral hearing before the court. According to the fourth periodical report (page 12), a party or representative of a party who lacks legal representation is entitled, upon request, to receive a written translation of the court's judgement and grounds for the judgement in any of these languages. Apart from this exception, however, no documents connected with legal proceedings are produced in Sami (for instance, originating documents, witness summonses, written testimonies, interlocutory orders, etc.).

222. During the on-the-spot visit, a representative of the Gällivare judicial district court confirmed that judgments are translated into Sami on request.

223. The Committee of Experts must conclude that the undertaking is partly fulfilled.

b in civil proceedings:

...

ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense;

if necessary by the use of interpreters and translations;

224. In its third evaluation report (paragraphs 101 - 103), the Committee of Experts had not been informed about any practical and organisational measures taken by the Swedish authorities to ensure that Sami can be used in civil proceedings. It considered that the undertaking remained formally fulfilled.

225. The Committee of Experts has not received any further information with regard to the implementation of this undertaking and therefore considers that the undertaking remains formally fulfilled.

c in proceedings before courts concerning administrative matters:

...

ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense;

if necessary by the use of interpreters and translations;

226. In its third evaluation report (paragraphs 104 - 106), the Committee of Experts considered that this undertaking remained formally fulfilled.

227. The Committee of Experts has not received any further information with regard to the implementation of this undertaking and therefore considers that the undertaking remains formally fulfilled.

Paragraph 3

The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided.

228. In its third evaluation report (paragraphs 107 - 109), the Committee of Experts considered this undertaking remained partly fulfilled and urged the Swedish authorities to take the necessary measures to ensure that the most important national statutory texts and those relating particularly to users of Sami are made available in Sami too.

229. According to the fourth periodical report (page 59), the 2009 Minority Act and the 2009 Language Act have been translated into North Sami, South Sami and Lule Sami and are available on the government's website.

230. The Swedish authorities are also considering translating a summary of the new Education Act into minority languages. The UN Convention on the Rights of the Child and a child friendly version of the Convention were to be translated into Sami by 31 December 2010.

231. The Committee of Experts welcomes this information and asks the Swedish authorities to consult the Sami-speakers as to whether there are further statutory texts that need to be translated. In the meantime the Committee of Experts concludes that the undertaking is partly fulfilled.

Article 10 – Administrative authorities and public services

232. The Minority Act has transformed the legal basis for implementing Article 10 of the Charter in Sweden. As well as the specific provisions mentioned below, according to Section 10 of the Minority Act, Sami-speakers always have the right to use their language in oral and written communication with representatives of the following central bodies: the Parliamentary Ombudsman, the Office of the Chancellor of Justice, the Social Insurance Office, the Swedish Tax Agency and the Equality Ombudsman.

Paragraph 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;*
- ...
- c *to allow the administrative authorities to draft documents in a regional or minority language.*

233. In its third evaluation report (paragraphs 110 -112), the Committee of Experts considered that these undertakings remained formally fulfilled. It urged the Swedish authorities to increase the proportion of Sami-speaking staff in the relevant State administration offices, to develop adequate training schemes and to provide incentives for staff members to improve their Sami-language skills.

234. According to the Swedish authorities (page 59 and following of the fourth periodical report), the 2009 Minority Act states that public authorities should ensure that staff with knowledge of Sami are available when necessary during communication with the authorities. According to the Swedish authorities, it is still too early to assess whether the new Act has had any positive impact on the use of Sami in practice in this respect and mentions difficulties in recruiting personnel who are proficient in Sami.

235. The Committee of Experts welcomes the information received during the on-the-spot visit from the County Administrative Board of Norrbotten (Länsstyrelsen) according to which Sami language skills are an advantage when applying for new staff posts, although not a requirement. However, there are currently no Sami-speakers among the staff. The Board does not have a minority language policy, and documents are not drafted in regional or minority languages.

236. According to the information received from a representative of the Tax Authority during the on-the-spot visit, Sami is not used in the local tax offices.

237. Bearing in mind that Article 10.1. a. iii requires the authorities to *ensure* that users of Sami may submit oral or written applications and receive a reply in Sami, the Committee of Experts concludes that the Article 10.1.a.iii is not fulfilled. Article 10.1.c is formally fulfilled.

The Committee of Experts strongly urges the Swedish authorities to increase the proportion of Sami-speaking staff in the relevant State administration offices, develop adequate training schemes and provide incentives for staff members to improve their Sami-language skills, increase the visibility of Sami on websites and at premises and inform Sami-speakers of their rights to use Sami.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

...

- b*** *the possibility for users of regional or minority languages to submit oral or written applications in these languages;*
- c*** *the publication by regional authorities of their official documents also in the relevant regional or minority languages;*
- d*** *the publication by local authorities of their official documents also in the relevant regional or minority languages;*

238. In its third evaluation report (paragraphs 113 - 115), the Committee of Experts was informed that the municipalities of Arjeplog, Gällivare, Övertorneå and Haparanda had adopted minority policy action plans with a view to encouraging the oral and written use of Sami, Finnish and Meänkieli. The Committee of Experts considered Article 10.2.b partly fulfilled whereas Article 10.2.c and d were not fulfilled. It strongly urged the Swedish authorities to take further concrete steps to ensure the fulfilment of these undertakings in co-operation with the speakers.

239. The Committee of Experts was informed that some municipalities have appointed language co-ordinators. Their role is not to deliver the services themselves, but to facilitate the delivery of services. In addition they are to raise awareness internally within the local authority about the Minority Act. According to the speakers, implementation of minority policies has been improved in those municipalities that have employed such language co-ordinators. This has also been identified by the Länsstyrelsen i Stockholm as being one of the three key factors of successfully implementing the Minority Act.

240. Some municipalities, including some that have only recently joined the administrative area, have translated parts of their websites into Sami, produced some documents and forms in Sami, and/or provided basic information about the language rights of Sami-speakers deriving from the new acts. Several municipalities have adopted language policies and provide information about language contact persons. However, representatives of the Sami-speakers reported that only a small number of speakers seem to use Sami at the municipal level because they are still concerned about being perceived as troublemakers. This suggests that further awareness raising and confidence building is necessary.

241. As for the regional authorities, the County Councils provide some information in and on Sami, and have produced few documents in Sami. In general, however, the visibility of Sami is far lower than at municipal level.

242. Based on this information, the Committee of Experts concludes that Article 10.2.b. remains partly fulfilled, Article 10.2.c. still not fulfilled, and Article 10.2.d is partly fulfilled.

- g*** *the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.*

243. In its third evaluation report (paragraphs 116 - 118), the Committee of Experts did not conclude on this undertaking and requested more information on the number of places/municipalities employing toponyms in regional or minority languages.

244. According to the fourth periodical report (page 61), there is no statistical information in this respect. The fourth periodical report further states that, in order to increase the awareness of municipalities about the significance of bilingual place-names the Swedish Institute for Language and Folklore, Lantmäteriet (the Swedish mapping, cadastral and land registration authority) and the Swedish Transport Administration organised a conference in Kiruna in June 2010.

245. During the on-the-spot visit, the Committee of Experts was informed that signage in regional or minority languages has increased on maps and road signs over the past few years. However, the Committee did not receive any concrete figures or information on the number of places/municipalities employing toponyms in Sami.

246. The Committee of Experts concludes that the undertaking is partly fulfilled and asks the Swedish authorities to provide more detailed information about the use of place names in Sami in the next periodical report.

Paragraph 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;

247. In its third evaluation report (paragraphs 119 - 121), the Committee of Experts had been informed that administrative authorities had no in-house translators and interpreters for Sami and had to hire them on an ad-hoc basis. It considered this undertaking partly fulfilled.

248. The information at the Committee of Experts disposal relates to the regional and administrative area as it was before the Minority Act came into force. The Committee of Experts considers that it requires updated information about the situation throughout the extended administrative area and in relation to all public bodies covered by the Minority Act before it is in a position to conclude on this undertaking. The Committee of Experts asks the Swedish authorities to provide the relevant information in the next periodical report.

Article 11 – Media

Paragraph 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:

...

d to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;

249. In its third evaluation report (paragraphs 122 – 124), the Committee of Experts reiterated that this provision required the Swedish authorities to take pro-active measures, for example technical and financial support. It concluded that the undertaking remained not fulfilled and urged the Swedish authorities to encourage and/or facilitate the production and distribution of audio and audiovisual works in Sami.

250. The fourth periodical report does not provide any relevant information with regard to this undertaking.

251. However, from the information at the disposal of the Committee of Experts, Filmpool Nord, the regional resource centre for film and television production, funded partly by the regions, partly by the Swedish Film Institute, has co-produced some films that are partly in Sami. The Swedish Educational Broadcasting Company (*Sveriges Utbildningsradio*) produces audio and audiovisual educational programmes which they make available on restricted websites. It has also produced a children's CD in Sami and other regional or minority languages.

252. In the light of this new information, the Committee of Experts concludes that the undertaking is fulfilled, and looks forward to receiving further examples in the next periodical report.

e i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages;

253. In its third evaluation report (paragraphs 125 - 127), the Committee of Experts concluded that this undertaking remained not fulfilled and strongly urged the Swedish authorities to take concrete measures to encourage and/or facilitate the creation of a newspaper in Sami.

254. On the basis of the observations made by the Committee of Experts in its third evaluation report, the Committee of Ministers adopted the recommendation addressed to the Swedish authorities to **“facilitate the creation of newspapers in Sami and Meänkieli” [RecChL(2009)3].**

255. According to the fourth periodical report (page 64), based on the proposals of the Swedish Press Committee, in December 2008 the government decided on amendments to the terms and conditions governing press subsidies. Subsequently, the limit for newspaper subscription to be granted financial support was lowered from 2000 to 1500 copies. In addition, in June 2010, the Swedish Parliament (the *Riksdag*), decided on the new terms and conditions for aid to the daily press in view of the government bill. The authorities contend that this forms the basis for an initiative between the relevant authorities and stakeholders in Norway and Finland in order to facilitate the publication of transnational newspapers in Sami and Meänkieli respectively.

256. According to supplementary information from the Swedish authorities, the Sami Parliament has been commissioned to investigate into the possibility of creating such transnational newspapers for Sami and Meänkieli, in co-operation with the non-governmental umbrella organisation for Meänkieli, the Svenska Tornedalingars Riksförbund STR-T. The Sami Parliament has received SEK 130 000 to carry out this specific task.

257. The Committee of Experts welcomes the initiatives taken by the Swedish Government and looks forward to receiving information about the outcome in the next periodical report. During the on-the-spot visit the Committee of Experts was informed of a shortage of professionally trained Sami language journalists.

258. The Committee of Experts must conclude that the undertaking remains not fulfilled at present.

f ii to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages;

259. In its third evaluation report (paragraphs 128 - 130), the Committee of Experts considered that this undertaking remained formally fulfilled, as no financial assistance for the production of television programmes and other audiovisual products in Sami had been granted.

260. The Swedish authorities state in their fourth periodical report (page 65) that no special governmental support has been given to the production of television programmes, nor, according to the Sami Parliament, are there any language criteria from the Swedish Film Institute for funding films in the Sami language. In principle it is possible to apply for film productions in any language but in practice there are very few.

261. According to information at the disposal of the Committee of Experts, Filmpool Nord, the regional centre for film and television production, has co-produced films that are partly in Sami. Although no special measures seem to have been applied, it seems to be possible in practice to produce audiovisual productions in Sami.

262. The Committee of Experts welcomes this information and considers that the undertaking is partly fulfilled at present.

3.2.2. Finnish

Article 8 – Education

Paragraph 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**
 - i* to make available pre-school education in the relevant regional or minority languages; or
 - ii* to make available a substantial part of pre-school education in the relevant regional or minority languages; or
 - 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;**

263. In its third evaluation report (paragraphs 137 - 139), the Committee of Experts noted that there was neither a statutory right, nor earmarked funding for mother-tongue pre-school education. This had led to the closure of many Finnish-speaking pre-schools and Finnish-speaking groups within mainstream pre-schools. There were no statistics on the current number of pre-schools that taught wholly or partly in Finnish. It requested the Swedish authorities to provide specific information, including about special training for Finnish-speaking pre-school personnel. It considered this undertaking remained partly fulfilled and strongly urged the Swedish authorities to take action to promote Finnish pre-school education.

264. As mentioned in paragraph 118 above, Section 10 of Chapter 9 of the new Education Act, which enters into force on 1 July 2011, covers rules for mother tongue support in pre-schools. Furthermore, the amended School Ordinance states that the rules for mother tongue tuition in Finnish (and Yiddish) shall be the same as for Sami, Meänkieli and Romani. This will ensure that Finnish (and Yiddish) mother-tongue education can be provided even if only one pupil requests it (compared to a minimum of five pupils previously) and the language concerned is not in daily use at home.

265. The Swedish authorities state in their fourth periodical report (page 43) that in order to be able to meet the demand for Finnish pre-school education in the extended administrative area for Finnish, the respective municipalities have received subsidies from the government.

266. According to the representatives of the Finnish-speakers that the Committee of Experts met during the on-the-spot visit, in general, pre-school provision seems to have improved. New pre-schools have been set up where there are independent bilingual primary schools, all within the administrative area for Finnish. According to the speakers, attempts have been made to set up new pre-schools, for example in Södertälje, but these were not successful.

267. The Committee of Experts has also been made aware of the case of one municipality putting Finnish pre-school education in competition with elderly care in Finnish with regard to the costs.

268. Some representatives of the Finnish-speakers are dissatisfied with the new Education Act in the sense that there is no adequate pre-school teacher training. The lack of Finnish language competence of pre-school teachers and the lack of teaching materials are also becoming a problem. Another problem is that neither teachers nor parents are sufficiently informed about the new act.

269. There are no figures as to the number of pre-school pupils receiving education in Finnish.

270. While welcoming the fact that new pre-schools have been opened, the Committee of Experts concludes that the undertaking remains partly fulfilled and encourages the Swedish authorities to make the right to pre-school education in Finnish more widely known, especially in the new municipalities of the administrative area for Finnish.

- b**
 - i* to make available primary education in the relevant regional or minority languages; or
 - ii* to make available a substantial part of primary education in the relevant regional or minority languages; or
 - iii* to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or

- 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;**

271. In its third evaluation report (paragraphs 140 - 142), the Committee of Experts noted that eight Sweden Finnish independent primary schools provided Finnish-medium education. Finnish-language education continued to rely mainly on mother-tongue education. Furthermore, there were still no teaching materials produced specifically for the teaching of/in Finnish as a regional or minority language. The Committee of Experts considered this undertaking partly fulfilled.

272. The Committee of Experts was informed that there are now only seven independent schools, teaching partly in Finnish. The law prescribes that part of the curriculum should be in Finnish, which in practice varies considerably. The law only prescribes that the education taught through the medium of Finnish (or any other language) must not exceed 50% throughout primary school and the proportion of Swedish is to gradually increase towards the end of primary school.

273. There are five municipalities in which bilingual education takes place in schools. The Committee of Experts asks the Swedish authorities to provide information on these schools and where they are situated in the next periodical report. Bilingual classes (grades 1 – 9) in Umeå have been discontinued because there were too few pupils.

274. The Swedish authorities state in their fourth periodical report (pages 43 – 44) that they have commissioned the Swedish National Agency for Education together with the Delegation of the Sweden Finns and the Finnish teachers' association in Sweden and teachers to develop teaching materials in Finnish. Three high quality textbooks in Finnish have been published recently for children in grades 1 – 5, created for the Sweden Finnish context, and are also available on the internet.

275. According to the speakers, many parents are still not aware of the right to request Finnish education for their children.

276. According to representatives of the Finnish-speakers, 42% of those pupils entitled to mother tongue instruction receive it.

277. As a general feature of the decline, teaching in Finnish has for a long time been replaced by teaching Finnish as a subject, which in turn is moving in the direction of the so-called mother tongue instruction, which in practice can also take place in Swedish.

278. The Committee of Experts is concerned that there will be a further decline in the teaching in and of Finnish in the Swedish education system, unless urgent measures are taken by the Swedish authorities. These measures include adopting a comprehensive approach to Finnish education by ensuring that there is a proper supply of competent teachers and of teaching materials (see also paragraph 174 above with regard to Sami).

279. The Committee of Experts concludes that the undertaking remains only partly fulfilled.

- c**
- i to make available secondary education in the relevant regional or minority languages; or*
 - ii to make available a substantial part of secondary education in the relevant regional or minority languages; or*
 - iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
 - 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;**

280. In its third evaluation report (paragraphs 143 - 145), the Committee of Experts noted that no steps had been taken to develop bilingual secondary education as an alternative to mother-tongue education and that updated statistics concerning Finnish-language education at the secondary level were lacking. The Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Swedish authorities to take action, both at primary and secondary level, with a view to developing bilingual Finnish language education as an alternative to mother-tongue education.

281. Due to a decline in the number of pupils at the only existing secondary school that provided bilingual education in Finnish and Swedish, as of the autumn term 2010, such bilingual education is no longer offered at secondary level anywhere in Sweden.

282. In the light of this development, the Committee of Experts considers the undertaking not fulfilled.

- d i to make available technical and vocational education in the relevant regional or minority languages; or*
- ii to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- 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;*

283. In its third evaluation report (paragraphs 143 - 145), the Committee of Experts noted that there were technical and vocational education programmes for school recreation leaders and bilingual staff assistants at Axevalla Folk High School. The Committee of Experts requested the Swedish authorities to submit specific information about the nature of these programmes and the number of persons enrolled, as well as regarding the extent to which teaching takes place in Finnish. The Committee of Experts considered this undertaking partly fulfilled.

284. The fourth periodical report (page 46) states that the Stockholm branch of the Axevalla Folk High School offers courses in the Finnish language, with approximately 35 – 40 participants. The report further states that the Swedish-Finnish Folk High School in Haparanda offers courses in Finnish. However, this school is not aware of any vocational training conducted through the medium of Finnish.

285. The Committee of Experts has received contradictory information about whether in fact there is any teaching in or of Finnish at the branch of the Axevalla Folk High School in Stockholm and indeed at the School itself. The Committee of Experts is therefore not in the position to conclude on this undertaking and asks the Swedish authorities to provide detailed information on whether there is teaching in or of Finnish at any of the mentioned folk high schools or at other institutions providing vocational education.

- e i to make available university and other higher education in regional or minority languages; or*
- ii to provide facilities for the study of these languages as university and higher education subjects; or*
- iii if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;*

286. In its third evaluation report (paragraphs 149 -151), the Committee of Experts observed that studies in Finnish were offered at the universities of Uppsala, Umeå and Stockholm and at Mälardalen University, which is located in the region where the majority of the speakers reside. The Committee of Experts considered this undertaking fulfilled. However, it encouraged the Swedish authorities to develop and apply a structured policy for higher education in Finnish.

287. On the basis of the observations made by the Committee of Experts in its third evaluation report, the Committee of Ministers adopted the recommendation addressed to the Swedish authorities to **“establish a structured policy to encourage the provision of university or other forms of higher education in Sami, Finnish and Meänkieli” [RecChL(2009)3].**

288. According to the fourth periodical report (page 48), Uppsala and Stockholm Universities have been commissioned to offer education in Finnish every year.

289. Approximately 100 students study Finnish at Uppsala University, mainly on an elementary level. There is only one senior lecturer who is in charge of the whole study programme in Finnish.

290. At Stockholm University, both beginner's courses of Finnish and courses in Finnish are provided, including an additional course on Finnish culture and literature. There are four full-time

employees and about 150 students. The section of Finnish at Stockholm University is at present the only institution in Sweden that offers a post-graduate programme in Finnish. Although the government has commissioned Uppsala and Stockholm universities to offer Finnish as a subject, it does not provide any additional funding to support it. Stockholm and Umeå Universities redistribute some of their funds to support some language subjects, including Finnish.

291. According to the information received during the on-the-spot visit by a representative of Umeå University, Umeå University offers non-certified courses for beginners which enable students to study through the medium of Finnish, and post-bachelor academic courses. A small but stable number of students are enrolled in these courses. Mälardalen University also offers courses of Finnish which today almost completely consist of distance courses. From the academic year 2011/ 2012, the chair of Finnish will be cancelled and the senior lectureship is not filled.

292. The numerical threshold for the group size of courses remains a general problem in higher education, also for Finnish (see paragraphs 189 above and 390 below).

293. The Committee of Experts is concerned about the general decline in the number of university level positions of Finnish at the higher education institutions. It has been informed that during the last ten years, half of the university level positions have been cancelled or are not filled. There is also an obvious decline in the number of students of Finnish at higher education level. The Committee of Experts is of the view that if a higher education institution is commissioned to provide courses in one of the regional or minority languages, then this should be linked with adequate funding.

294. Despite the obvious negative trend in the higher education field for Finnish in Sweden, the Committee of Experts considers that the undertaking remains fulfilled at present. It encourages the Swedish authorities to take active measures so that higher education institutions are able to offer Finnish courses and do so, without imposing thresholds which may threaten that provision.

g to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;

295. In its third evaluation report (paragraphs 152 – 154), the Committee of Experts noted that the teaching of the history and culture which is reflected by a regional or minority language depended on the initiative of individual teachers and was not systematically ensured. The Committee of Experts considered this undertaking remained partly fulfilled and requested the Swedish authorities to provide further information on the practical implementation of this undertaking in their next periodical report.

296. According to the fourth periodical report (page 50), the curricula for nine-year compulsory schools are currently under review. As mentioned in paragraph 139 above, upper secondary school pupils may choose the topic of minority languages as part of the core subject Swedish B. Furthermore, the Swedish National Agency published an anthology in all minority languages which is intended to be used in compulsory schools to increase the pupils' knowledge of national minorities and minority languages.

297. The Committee of Experts has not received any information on the implementation of this undertaking for pupils in mainstream education and asks the Swedish authorities to provide the relevant information in the next periodical report.

298. In the meantime the Committee of Experts considers that the undertaking remains partly fulfilled.

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

299. In its third evaluation report (paragraphs 155 - 157), the Committee of Experts noted that although the number of students enrolled in the teacher training programme for Finnish at Luleå Technical University had increased, the possibility to offer adequate teacher training for Finnish had decreased due to drastic cuts in staffing. In the view of the Committee of Experts, basic training of teachers for Finnish was inadequate and there seemed to be no systematic further training for teachers of Finnish. The Committee of Experts considered this undertaking remained partly fulfilled and requested the Swedish authorities to take measures to create a structured policy regarding teacher training in/of Finnish, in co-operation with the speakers.

300. As mentioned in paragraphs 62 and 121 - 122 above, the government commissioned Luleå Technical University to provide teacher training for Finnish. The government intends to reform teacher

training generally and a new type of training is to be launched in the autumn of 2011. However, this reform will not include regional or minority language teacher training which must await the report of the Swedish National Agency of Higher Education which has been commissioned by the government to propose measures by 30 April 2011 on ways to increase the number of teachers in regional or minority languages. The report has not yet been submitted.

301. According to the fourth periodical report (page 49), the courses for Finnish teacher training offered by Luleå Technical University remained stable in 2009 (approximately 15 applicants).

302. According to information received during the on-the-spot visit, teacher training at Luleå Technical University is not adapted to the needs of Finnish education. Representatives of the Finnish-speakers expressed their concern regarding the language competence of the trained teachers. The Committee of Experts was also informed that the location of the training in Luleå does not seem to attract a potential number of students from the central and southern parts of Sweden.

303. Based on the fact that the number of teachers trained in Finnish is very low, the Committee of Experts considers that the undertaking is only partly fulfilled.

i **to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.**

304. In its third evaluation report (paragraphs 88 - 90), the Committee of Experts, welcomed the fact that the National Agency for Education, an independent agency under the Ministry of Education and Research, then responsible for school inspection, was reviewing its methods of statistics collection, with a view to covering the number of regional or minority language speakers following mother-tongue education. Nevertheless, the Committee of Experts was of the view that the Agency should also be entrusted with monitoring comprehensively the teaching of regional or minority languages and drawing up public periodic reports of its findings. It considered this undertaking remained partly fulfilled.

305. As regards statistics collection, the Swedish authorities state in their fourth periodical report (page 52) that this is not being pursued after all as it would infringe upon the Personal Data Act.

306. As regards monitoring the teaching of regional or minority languages, on 1 October 2008, the Swedish Schools Inspectorate was established as a new independent authority for providing supervision and quality reviews of schools. Thus, the Inspectorate is responsible for evaluation and control of education, whereas the Agency is responsible for steering and support of education.

307. One of the reviews of the Inspectorate has been of language and skills development of children and pupils with a mother tongue other than Swedish. Regular supervision includes assessing whether mother tongue education is offered in line with the provisions.

308. The National Agency for Education has published some reports¹³ on regional or minority language teaching. They are not substantial or regular enough to lead to fulfilment of this undertaking. Specifically, they do not deal with the content of regional or minority education and are confined to commenting on mother tongue instruction.

309. According to supplementary information provided by the Schools Inspectorate, in 2011, it is conducting a special supervision of the Sami school as well as other more general supervision of issues relating to regional or minority education.

310. The Committee of Experts has not been made aware of any specific monitoring body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages, nor whether the newly established Schools Inspectorate will assume this role. Nor has it been made aware of periodic reports of their findings, which are made public.

311. The Committee of Experts points out that the current undertaking does not necessarily require the setting up of a new body to carry out the monitoring envisaged under this undertaking. It is for example possible for existing supervisory bodies to carry out these functions and be integrated into

¹³ <http://www.skolverket.se/sb/d/190>

existing administrative structures. In that case, there would be a need for a single body to coordinate, analyse and present the work carried out by the other bodies. This task could in turn be carried out by one of the already existing bodies.

312. This undertaking goes beyond the inspection and reporting of mainstream education. It requires evaluating and analysing the measures taken and the progress achieved with regard to regional or minority language education. The report should, among other things, contain information on the extent and availability of Finnish language education together with developments in language proficiency, teacher supply and the provision of teaching materials.

313. The drafting of a comprehensive periodic report need not depend on major resources, if the existing supervisory work on the ground is already extensive. A comprehensive report would be the logically consistent and tangible conclusion of the concerted supervisory work. Finally these periodic reports should be made public (see third evaluation report in respect of Germany, paragraphs 75 – 80, ECRML (2008) 4).

314. The Committee of Experts concludes that the undertaking is partly fulfilled.

Paragraph 2

With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

315. In its third evaluation report (paragraphs 161 - 163), the Committee of Experts noted that Finnish mother-tongue education was provided in areas outside the administrative districts. It was also possible to study Finnish at the folk high schools in Axevalla and Gothenburg. The Committee of Experts observed that its concerns with regard to the limited effectiveness of mother-tongue education and the almost complete absence of bilingual education in Finnish also applied in respect of territories other than those in which Finnish was traditionally used. The Committee of Experts encouraged the Swedish authorities to develop a system by which this right to education can be fulfilled in practice. It considered this undertaking remained partly fulfilled and requested the Swedish authorities to provide further information in the next periodical report.

316. In their fourth periodical report (page 54), the Swedish authorities refer to the newly established Swedish Schools Inspectorate and its role in monitoring that the demand for mother tongue education is met.

317. The declaration in Section 14 of the Language Act that persons belonging to a national minority are to be given “the opportunity to learn, develop and use the minority language”, confirms the general right of people belonging to the Finnish national minority to learn Finnish through the public education system throughout Sweden. The Committee of Experts has received no information as to how this provision is implemented in practice outside the administrative area for Finnish.

318. The Committee of Experts concludes that the undertaking remains partly fulfilled.

Article 9 – Judicial authorities

319. In previous monitoring round/s, the Committee of Experts concluded that Article 9, paragraph 1.a.ii; a.iii; b.ii; b.iii; c.ii; c.iii; d; and paragraph 2.a were fulfilled in the administrative area for Finnish, as it was before the Minority Act came into force. The Minority Act has enlarged the administrative area for Finnish. The right to use Finnish in courts, however, has not been extended accordingly. As mentioned in paragraph 32 above, the Swedish authorities do not consider it a priority at this stage. Nevertheless, the Committee of Experts asks the Swedish authorities to assess the situation and report in the next periodical report on the application of Article 9 to Finnish in the extended administrative area. In the light of the circumstances, the Committee of Experts has not made any conclusions on this issue in the current monitoring round.

320. During the on-the-spot visit, the Committee of Experts was informed that there are Finnish-speaking judges, but they are close to retirement. In the case of Haparanda, the retirement of the

judge has resulted in the loss of the capacity to use Finnish in a city where Finnish is the daily language of a substantial number of people.

321. According to the representative of the Ministry of Justice, no human resources policy is in place to ensure that the retiring judges will be replaced by judges with Finnish language competence. However, over the past few years judges have been recruited from a broader perspective. According to the Swedish constitution, the concept of competence allows for taking into account different objective factors, which could include skills in a regional or minority language.

322. At Gällivare district court, vacancy announcements for administrative posts state that language skills are favourable. Legal training for judges or lawyers in regional or minority languages is not available in Sweden.

Paragraph 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:

a in criminal proceedings:

...

iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language,

if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

323. In its third evaluation report (paragraphs 164 - 166), the Committee of Experts concluded that this undertaking remained not fulfilled and strongly urged the Swedish authorities to ensure, if necessary by modifying the relevant legislation, that judicial authorities produce, on request, documents connected with legal proceedings in Finnish.

324. Pursuant to Section 14 of the 2009 Minority Act, the right to use Finnish, Meänkieli or Sami in courts includes the right to submit documents and written evidence in these languages, the right to have documents orally translated into these languages, and the right to speak these languages in an oral hearing before the court. According to the fourth periodical report (page 12), a party or representative of a party who lacks legal representation is entitled, upon request, to receive a written translation of the court's judgement and grounds for the judgement in any of these languages.

325. During the on-the-spot visit, a representative of the Gällivare judicial district court confirmed that judgments are only translated into Finnish on request. At Haparanda district court it seems that documents are translated into Finnish.

326. Based on the information received, the Committee of Experts now concludes that the undertaking is partly fulfilled.

Paragraph 3

The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided.

327. In its third evaluation report (paragraphs 167 - 169), the Committee of Experts considered this undertaking remained partly fulfilled and urged the Swedish authorities to take the necessary measures to ensure that the most important national statutory texts and those relating particularly to users of Finnish [were] made available in Finnish too.

328. According to the fourth periodical report (page 59), the 2009 Minority Act and the 2009 Language Act have been translated into Finnish and are available on the government's website.

329. The Swedish authorities are also considering translating a summary of the new Education Act into minority languages. The UN Convention on the Rights of the Child and a child friendly version of the Convention were to be translated into Finnish by 31 December 2010.

330. The Committee of Experts welcomes this information and asks the Swedish authorities to consult the Finnish-speakers as to whether there are further statutory texts that need to be translated.

331. In the meantime the Committee of Experts concludes that the undertaking is partly fulfilled.

Article 10 – Administrative authorities and public services

332. The Minority Act has transformed the legal basis for implementing Article 10 of the Charter in Sweden. As well as the specific provisions mentioned below, according to Section 10 of the Minority Act, Finnish-speakers always have the right to use their language in oral and written communication with representatives of the following central bodies: the Parliamentary Ombudsman, the Office of the Chancellor of Justice, the Social Insurance Office, the Swedish Tax Agency and the Equality Ombudsman.

Paragraph 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;

...

c to allow the administrative authorities to draft documents in a regional or minority language.

333. In its third evaluation report (paragraphs 170 - 172), the Committee of Experts lacked information about the use of Finnish, in particular in writing, within State administrative authorities other than the employment agencies in Norrbotten County, and considered these undertakings remained partly fulfilled.

334. According to the Swedish authorities (page 59 and following of the fourth periodical report), the 2009 Minority Act states that public authorities should ensure that staff with knowledge of Finnish are available when necessary during communication with the authorities.

335. According to the fourth periodical report (page 60), by May 2010, the administrative area for Finnish was extended by 21 municipalities (see paragraphs 23 - 24 above). As regards the use of Finnish outside the extended administrative area, the Swedish authorities estimate that Finnish is used very seldom with state administration authorities.

336. According to information received from a representative of the tax authority during the on-the-spot visit, Finnish is used in the local tax offices.

337. Since the implementation of the Minority Act is still in its initial phase, it has not been possible for the Committee of Experts to reach a conclusion on the possibility to use Finnish with the state administration authorities. It therefore requests the Swedish authorities to provide information in this respect in the next periodical report.

338. In the meantime, the Committee of Experts considers that the undertakings are partly fulfilled.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

...

- c the publication by regional authorities of their official documents also in the relevant regional or minority languages;*
- d the publication by local authorities of their official documents also in the relevant regional or minority languages;*

339. In its third evaluation report (paragraphs 173 - 175), the Committee of Experts concluded that Article 10.2.c and 10.2.d remained not fulfilled. It strongly urged the Swedish authorities to take further concrete steps to ensure the fulfilment of these undertakings.

340. During the on-the-spot visit the Committee of Experts was informed that several local authorities have translated their website into Finnish. This is a new development.

341. Some municipalities, including some that have only recently joined the administrative area, have translated parts of their websites into Finnish, produced some documents and forms in Finnish, and/ or provided basic information about the language rights of Finnish-speakers deriving from the new acts. Several municipalities have adopted language policies and provide information about language contact persons.

342. As for the regional authorities, the County Councils provide some information in and on Finnish, and have produced a few documents in Finnish. In general, however, the visibility of Finnish is far lower than on municipal level.

343. Based on this information, the Committee of Experts concludes that Article 10.2.c. still not fulfilled, and Article 10.2.d is partly fulfilled.

- g the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.*

344. In its third evaluation report (paragraphs 176 - 177), the Committee of Experts referred to its evaluation of Article 10.2.g in respect of Sami, which applied accordingly, and requested further information in the next periodical report.

345. According to the fourth periodical report (page 61), there is no statistical information in this respect. The fourth periodical report further states that, in order to increase the awareness of municipalities about the significance of bilingual place-names the Swedish Institute for Language and Folklore, Lantmäteriet (the Swedish mapping, cadastral and land registration authority) and the Swedish Transport Administration organised a conference in Kiruna in June 2010.

346. During the on-the-spot visit, the Committee of Experts was informed that signage in regional or minority languages has increased on maps and road signs over the past few years. However, the Committee did not receive any concrete figures or information on the number of places/ municipalities employing toponyms in Finnish.

347. The Committee of Experts concludes that the undertaking is partly fulfilled and asks the Swedish authorities to provide more detailed information about using place names in Finnish in the next periodical report.

Article 11 – Media

Paragraph 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;

348. In its third evaluation report (paragraphs 178 - 180), the Committee of Experts considered this undertaking fulfilled. It nevertheless encouraged the Swedish authorities to provide information regarding the position of Sisuradio as part of the public broadcasting in Finnish in the next periodical report.

349. According to the information provided in the fourth periodical report (page 62), in 2009, SR Sisuradio broadcast a total of 13 824 hours in Finnish, also via the internet.

350. According to the information received from representatives of Sisuradio during the on-the-spot visit, 16 hours are broadcast daily in Finnish, from 6 a.m. to 10 p.m. In addition to the national station in Stockholm there are regional stations. They broadcast in analogue, and cover the entire territory in Sweden. An attempt to provide digital radio broadcasting in Finnish as a pilot study of the new technology has largely failed, and few are able to listen to these programmes. The analogue radio has about 200 000 daily listeners. The programmes are also available on the Internet (www.sr.se/sisuradio), which also provides written material, e.g. news.

351. According to the information received during the on-the-spot visit from representatives of the Finnish-speakers, the new broadcasting licence no longer requires a minimum number of hours of broadcasting in regional or minority languages, contrary to the previous licence. During the on-the-spot visit, a representative of the Ministry of Culture explained that the new broadcasting licenses are more general in terms of content. The Committee of Experts nevertheless trusts that the changes to the licence conditions will not mean an adverse effect on television broadcasting in Finnish in Sweden.

352. The Committee of Experts considers that the undertaking remains fulfilled.

d to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;

353. In its third evaluation report (paragraphs 184 - 186), the Committee of Experts considered this undertaking remained not fulfilled and urged the Swedish authorities to encourage and/or facilitate the production and distribution of audio and audiovisual works in Finnish.

354. The fourth periodical report does not provide any relevant information with regard to this undertaking.

355. The Swedish Educational Broadcasting Company (*Sveriges Utbildningsradio*) produces audio and audiovisual educational programmes in Finnish which they make available on restricted websites. It has also produced a children's CD in Finnish and other regional or minority languages.

356. In the light of this information, the Committee considers the undertaking partly fulfilled.

f ii to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages;

357. In its third evaluation report (paragraphs 190 - 192), the Committee of Experts considered this undertaking remained formally fulfilled and encouraged the Swedish authorities to provide information on how or whether Finnish is taken into consideration in the existing measures of financial assistance for audiovisual productions.

358. Unfortunately, the Committee of Experts has received no further information in respect of this undertaking and considers that the undertaking remains formally fulfilled.

Article 12 – Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

...
g *to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;*

359. In its third evaluation report (paragraphs 193 - 195), the Committee of Experts considered this undertaking remained partly fulfilled and encouraged the Swedish authorities to provide the Sweden Finnish Archives with the necessary funding to carry out its tasks in accordance with this undertaking.

360. According to the fourth periodical report (page 68), the Sweden Finnish Archives received SEK 250 000 from the National Archives' Private Archives Committee in 2010.

361. The Sweden Finnish Archives collect and present collections of printed items, historical documentation and other cultural artefacts. They do so by functioning as a traditional archive, but also through exhibitions and a digital platform (www.arkisto.org). They also cooperate with other institutions and Eskilstuna municipality.

362. The Archives receive their main funding from the Swedish National Archives, and to a lesser extent from the Finnish authorities. In addition they apply for project funding from various sources. The regular Swedish and Finnish funding does not suffice to cover the basic costs of the employee, office space and the support of the website. The Committee of Experts has been informed that the funding of cultural institutions in general is being restructured and regionalised. One of the foreseen effects is that the hitherto received funding from the National Archives will be cancelled altogether.

363. The Committee of Experts considers that the undertaking is partly fulfilled at present and encourages the Swedish authorities to take measures to ensure the future funding of the Sweden Finnish Archives at an adequate level.

3.2.3. Meänkieli

General issues

364. In its third evaluation report (paragraph 198), the Committee of Experts was of the view that codification and standardisation of Meänkieli were necessary for the implementation of several undertakings entered into by Sweden with respect to this language, in particular under Articles 9 and 10. The Committee of Experts encouraged the Swedish authorities to provide information in their next periodical report on the implementation of a language plan for Meänkieli and about how the Swedish authorities have supported initiatives by speakers to standardise the language and about plans to establish a Meänkieli Language Board.

365. According to the information provided in the fourth periodical report (page 41), the Meän Akateemi Foundation with the financial support of the Swedish Institute for Language and Folklore is working on a large dictionary for Meänkieli, taking the different varieties of the language into account. There is no Language Board for Meänkieli, however the Institute for Language and Folklore plans to establish a new reference group for Meänkieli, with a clearer linguistic profile.

366. The Committee of Experts welcomes the information on the creation of a dictionary for Meänkieli, which could serve as a useful reference and working tool for Meänkieli, especially in official contexts in public life, including in the field of education.

367. The Committee of Experts has not received any information on whether the reference group for Meänkieli has been established at the Institute for Language and Folklore, and asks the Swedish authorities to provide such information in the next periodical report, including information on the work it has carried out.

Article 8 – Education

Paragraph 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***
 - i*** *to make available pre-school education in the relevant regional or minority languages; or*
 - ii*** *to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
 - 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;***

368. In its third evaluation report (paragraphs 199 - 201), the Committee of Experts observed that there was still no systematic provision of Meänkieli pre-school education in the municipalities of the Meänkieli administrative area other than Pajala. The Committee of Experts considered this undertaking remained partly fulfilled and requested the Swedish authorities to provide information on the number of pupils enrolled in pre-schools providing Meänkieli mother-tongue support in the five municipalities concerned. The Committee of Experts urged the Swedish authorities to improve the offering of pre-school education in Meänkieli throughout the area where the language is traditionally spoken.

369. The Swedish authorities state in their fourth periodical report (page 43) that they do not have any statistics on the number of pupils receiving mother tongue education in Meänkieli.

370. The Swedish authorities also report that the municipalities receive state subsidies in order to fulfil the requests for pre-school education in Meänkieli.

371. Representatives of the Meänkieli-speakers confirmed that the situation has remained almost the same since the last monitoring round. Meänkieli is taught in all pre-schools in Pajala, but alongside Finnish. They also confirmed that the subsidies from the Government are earmarked for Meänkieli pre-school education, amounting to SEK 500 000. The Committee of Experts has not received any other new information relevant to this undertaking, including any implementation in Kalix, the new

municipality that joined the administrative area for Meänkieli, and therefore considers that the undertaking remains partly fulfilled.

The Committee of Experts strongly urges the Swedish authorities to improve the offering of pre-school education in Meänkieli throughout the area where the language is traditionally spoken.

- b***
 - i* to make available primary education in the relevant regional or minority languages; or
 - ii* to make available a substantial part of primary education in the relevant regional or minority languages; or
 - iii* to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - 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;

372. In its third evaluation report (paragraphs 202 - 204), the Committee of Experts noted that mother-tongue education in Meänkieli was offered in three of the five municipalities in the administrative area for Meänkieli. One independent primary school in Pajala provided limited Meänkieli-medium instruction. The Committee of Experts considered this undertaking remained partly fulfilled and strongly urged the Swedish authorities to take steps to provide mother-tongue instruction in all the municipalities concerned and to develop bilingual education in Meänkieli as an alternative to mother-tongue education.

373. Once more, the Committee of Experts observes that the situation seems to have remained the same since the previous monitoring round. Mother-tongue education is available in three primary schools and there is no bilingual education in Meänkieli. The representatives of the speakers of Meänkieli demand instruction through the medium of Meänkieli with a new pedagogical form of teaching, but Swedish legislation does not apparently allow for this. Also, there is a need for teaching materials and learning materials. Pajala municipality continues its efforts to improve the situation of Meänkieli in education.

374. During the on-the-spot visit, the Committee of Experts was informed that Pajala municipality introduced Meänkieli-medium education at one school in the form of a Tornedalian culture and language syllabus as part of the "school choice" system. However, the way that this was done was criticised by the Schools Inspectorate during its regular supervision in 2009, as it was considered to be contrary to the School Ordinance because the course did not involve a formal assessment of the pupils, and no grades were given for it. Therefore the instruction in Meänkieli was discontinued. According to representatives of the speakers, this had the unfortunate effect of making parents less confident in requesting Meänkieli education for their children, and led to a subsequent decline in demand. Furthermore, representatives of the speakers informed the Committee of Experts that it would be possible to introduce a school choice option for Meänkieli, if it were done properly. There was clearly a demand for it. According to supplementary information provided by the Schools Inspectorate, the school now offers Meänkieli in the form of mother tongue education or as an optional subject within the curriculum.

375. While understanding the obligation of the Schools Inspectorate to act upon the fact that the school in Pajala had not introduced Meänkieli education in accordance with the existing legislation, the Committee of Experts regrets the fashion in which the school, and its pupils, were discouraged from continuing Meänkieli-medium education. The Committee of Experts encourages the authorities in Sweden to work with the speakers of Meänkieli to find ways in which their wishes for further Meänkieli-medium education can be provided, and in particular to examine ways in which this can be validly done within the school choice system.

376. The Committee of Experts concludes that the undertaking is not fulfilled at present.

The Committee of Experts again strongly urges the Swedish authorities to take steps to provide the teaching of Meänkieli as an integral part of the curriculum in all the municipalities concerned and to develop bilingual education in Meänkieli as an alternative to mother-tongue education.

- c**
 - i* to make available secondary education in the relevant regional or minority languages; or
 - ii* to make available a substantial part of secondary education in the relevant regional or minority languages; or
 - iii* to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - 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;**

377. In its third evaluation report (paragraphs 205 - 207), the Committee of Experts noted that Meänkieli secondary education could not be strengthened due to a lack of teachers. Only one pupil had completed mother-tongue education in Meänkieli at the upper secondary level in 2007 and there were no indications of Meänkieli teaching or teaching materials at secondary level. The Committee of Experts noted with concern the absence of a structured policy to implement this undertaking. It considered this undertaking remained not fulfilled and urged the Swedish authorities to develop strategies, in co-operation with the Meänkieli-speakers, to strengthen the offer of Meänkieli secondary education.

378. In their fourth periodical report (page 45), the Swedish authorities state that they have commissioned the Swedish National Agency for Education, together with language organisations and two municipalities, to develop teaching materials in Meänkieli.

379. During the on-the-spot visit, the Committee of Experts was not made aware of any further developments with regard to this undertaking, including the production of teaching materials.

380. The Committee of Experts observes that corpus planning in Meänkieli is essential in order to offer Meänkieli at secondary school level (see paragraphs 133 and 364 – 366 above).

381. The Committee of Experts therefore maintains its previous conclusion that the undertaking is not fulfilled.

The Committee of Experts strongly urges the Swedish authorities to develop strategies, in co-operation with the Meänkieli-speakers, to strengthen the offer of Meänkieli secondary education.

- d**
 - i* to make available technical and vocational education in the relevant regional or minority languages; or
 - ii* to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or
 - iii* to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - 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;**

382. In its third evaluation report (paragraphs 208 - 210), the Committee of Experts considered this undertaking remained not fulfilled as no education was provided in Meänkieli in technical and vocational education. It requested the Swedish authorities to inform about the implementation of this undertaking in the next periodical report.

383. In their fourth periodical report (page 47) the Swedish authorities state that the Tornedalen Folk High School offers courses about and in Meänkieli.

384. The Committee of Experts notes that applying the economics of the general vocational education system to Meänkieli language vocational education means that in many cases there is complete lack of provision. The Committee of Experts bears in mind that it is frequently necessary in the field of education to make special provision for regional or minority languages in order to compensate for the failure of the market. Only the authorities are in a position to make the necessary intervention, for instance by subsidising where appropriate courses in regional or minority languages.

The Committee of Experts urges the Swedish authorities to take a more pro-active approach by extending and reinforcing the provision of vocational education in Meänkieli.

385. The Committee of Experts concludes that the undertaking remains partly fulfilled. It encourages the Swedish authorities to investigate into the possibility of offering Meänkieli-medium vocational education, in co-operation with the speakers.

- e i *to make available university and other higher education in regional or minority languages; or*
- ii *to provide facilities for the study of these languages as university and higher education subjects; or*
- iii ***if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;***

386. In its third evaluation report (paragraphs 214 - 216), the Committee of Experts noted that several universities that offered tuition in Finnish also taught in Meänkieli as an integral part of their Finnish programmes. However, the teaching in/of Meänkieli at the universities of Luleå and Stockholm was not secured and there was no full academic position for the teaching of Meänkieli in higher education. The Committee of Experts considered this undertaking partly fulfilled and invited the Swedish authorities to provide information on the development of Meänkieli in higher education in the next periodical report.

387. On the basis of the observations made by the Committee of Experts in its third evaluation report, the Committee of Ministers adopted the recommendation addressed to the Swedish authorities to **“establish a structured policy to encourage the provision of university or other forms of higher education in Sami, Finnish and Meänkieli” [RecChL(2009)3].**

388. According to the fourth periodical report (page 48), the Swedish government has commissioned Umeå University to offer tuition in Meänkieli as a subject. Considering the low number of applications, the University decided to offer summer courses in the format of web-based beginner's course from the year 2009.

389. Representatives of Umeå University confirmed this information during the on-the-spot visit explaining that Meänkieli is not offered as an academic subject, although they are continuing their efforts to establish a course. Umeå University has not employed a permanent teacher of Meänkieli. Also, as with all other regional or minority languages (excluding Sami), there is no specific funding for Meänkieli in higher education, “not a single Crown” as representatives of the speakers put it.

390. According to the supplementary information received by Umeå University, the break-even point of required number of students for offering a course at higher education institutions remains at 30 – 35, as for all Arts subjects. The Committee of Experts understands that this reflects the costs of employing sufficient staff to teach the subject. If the numbers decline, then there is a danger that the course will be discontinued by the university as it would not be economically viable. In the opinion of the Committee of Experts, it is not appropriate to apply only free-market rules in the context of the provision of regional or minority education. This is particularly true in the provision of higher education, because of the small number of students qualifying to access higher education and the significance of higher education in the context of teacher training. Higher education institutions should be incited, if necessary through traceable ring-fenced subsidies.

391. The Committee of Experts concludes that the undertaking is not fulfilled.

- g to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;***

392. In its third evaluation report (paragraphs 211 - 213), the Committee of Experts observed that the teaching of the history and culture which is reflected by a regional or minority language depended on the initiative of individual teachers and was not systematically ensured. Such teaching was implemented in Pajala. The Committee of Experts concluded that the undertaking remained partly fulfilled and requested the Swedish authorities to provide information on the extent of implementation in the other municipalities of the administrative area.

393. According to the fourth periodical report (page 50), the curricula for nine-year compulsory schools are currently under review. As mentioned in paragraph 139 above, upper secondary school

pupils may choose the topic of minority languages as part of the core subject Swedish B. Furthermore, the Swedish National Agency published an anthology in all minority languages which is intended to be used in compulsory schools to increase the pupils' knowledge of national minorities and minority languages. The Swedish authorities state that they have no information on the extent to which municipalities implement this undertaking.

394. The Committee of Experts has not received any information on the implementation of this undertaking for pupils in mainstream education and asks the Swedish authorities to provide the relevant information in the next periodical report.

395. In the meantime the Committee of Experts considers that the undertaking remains partly fulfilled.

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

396. In its third evaluation report (paragraphs 217 - 219), the Committee of Experts noted that two students had applied for the teacher training programme for Meänkieli at Luleå Technical University in 2006 and one in 2007. The Committee of Experts considered this undertaking remained partly fulfilled and requested the Swedish authorities to provide more specific information about teacher training for Meänkieli. It urged the Swedish authorities to adopt and implement a structured policy for basic and further training of teachers in/of Meänkieli.

397. As mentioned in paragraphs 62 and 121 -122 above, the government commissioned Luleå Technical University to provide teacher training for Meänkieli. The government intends to reform teacher training generally. A new type of training is to be launched in the autumn of 2011. However, this reform will not include regional or minority language teacher training which must await the report of the Swedish National Agency which has been commissioned by the government to propose measures by 30 April 2011 on ways to increase the number of teachers in regional or minority languages. The report has not yet been submitted.

398. According to the fourth periodical report (page 49), the courses for Meänkieli teacher training offered by Luleå University were cancelled in 2009 due to a lack of applications. There is a lack of university teachers for Meänkieli.

399. According to information provided during the on-the-spot visit, there are currently not enough teachers and there is a need for a new generation of teachers. There is clearly a need to attract students for basic teacher training for Meänkieli. The Committee of Experts emphasises the essential role that basic and further teacher training has to play in ensuring viable Meänkieli education and encourages the Swedish authorities to strengthen their efforts so that the evident need for more teachers is met.

400. The Committee of Experts concludes that the undertaking is not fulfilled.

The Committee of Experts again strongly urges the Swedish authorities to develop a teacher training programme for Meänkieli, including bilingual education, and to provide incentives to students to become teachers of Meänkieli.

i to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

401. In its third evaluation report (paragraphs 88 - 90), the Committee of Experts, welcomed the fact that the National Agency for Education, an independent agency under the Ministry of Education and Research, then responsible for school inspection, was reviewing its methods of statistics collection, with a view to covering the number of regional or minority language speakers following mother-tongue education. Nevertheless, the Committee of Experts was of the view that the Agency should also be entrusted with monitoring comprehensively the teaching of regional or minority languages and drawing up public periodic reports of its findings. It considered this undertaking remained partly fulfilled.

402. As regards statistics collection, the Swedish authorities state in their fourth periodical report (page 52) that this is not being pursued after all as it would infringe upon the Personal Data Act.

403. As regards monitoring the teaching of regional or minority languages, on 1 October 2008, the Swedish Schools Inspectorate was established as a new independent authority for providing supervision and quality reviews of schools. Thus, the Inspectorate is responsible for evaluation and control of education, whereas the Agency is responsible for steering and support of education.

404. One of the reviews of the Inspectorate has been of language and skills development of children and pupils with a mother tongue other than Swedish. Regular supervision includes assessing whether mother tongue education is offered in line with the provisions.

405. The National Agency for Education has published some reports¹⁴ on regional or minority language teaching. They are not substantial or regular enough to lead to fulfilment of this undertaking. Specifically, they do not deal with the content of regional or minority education and are confined to commenting on mother tongue instruction.

406. According to supplementary information provided by the Schools Inspectorate, in 2011, it is conducting a special supervision of the Sami school as well as other more general supervision of issues relating to regional or minority education.

407. The Committee of Experts has not been made aware of a specific monitoring body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages, nor whether the newly established Schools Inspectorate will assume this role. Nor has it been made aware of periodic reports of their findings, which are made public.

408. The Committee of Experts points out that the current undertaking does not necessarily require the setting up of a new body to carry out the monitoring envisaged under this undertaking. It is for example possible for existing supervisory bodies to carry out these functions and be integrated into existing administrative structures. In that case, there would be a need for a single body to coordinate, analyse and present the work carried out by the other bodies. This task could in turn be carried out by one of the already existing bodies.

409. This undertaking goes beyond the inspection and reporting of mainstream education. It requires evaluating and analysing the measures taken and the progress achieved with regard to regional or minority language education. The report should, among other things, contain information on the extent and availability of Meänkieli language education together with developments in language proficiency, teacher supply and the provision of teaching materials.

410. The drafting of a comprehensive periodic report need not depend on major resources, if the existing supervisory work on the ground is already extensive. A comprehensive report would be the logically consistent and tangible conclusion of the concerted supervisory work. Finally these periodic reports should be made public (see third evaluation report in respect of Germany, paragraphs 75 – 80, ECRML (2008) 4).

411. The Committee of Experts concludes that the undertaking remains partly fulfilled.

Paragraph 2

With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

412. In its third evaluation report (paragraphs 223 - 225), the Committee of Experts was informed that there was little demand for mother-tongue education in Meänkieli outside the administrative area. Mother-tongue distance learning in Meänkieli was possible via the Mother Tongue Theme website. Adult education associations occasionally arranged courses in Meänkieli outside the administrative area. The Committee of Experts considered this undertaking remained partly fulfilled and urged the Swedish authorities to provide information regarding the demand and the measures taken to meet requests for education in Meänkieli.

¹⁴ <http://www.skolverket.se/sb/d/190>

413. According to the speakers of Meänkieli, for those outside the traditional area where Meänkieli is spoken, distance learning remains the only offer. For example, Pajala offers such courses for a pupil in Jokkmokk. In Norrbotten they have tried to establish a network.

414. The declaration in Section 14 of the Language Act that persons belonging to a national minority are to be given “the opportunity to learn, develop and use the minority language”, confirms the general right of people belonging to the Meänkieli national minority to learn Meänkieli through the public education system throughout Sweden. The Committee of Experts has received no information as to how this provision is implemented in practice outside the administrative area for Meänkieli.

415. The Committee of Experts considers that the undertaking remains partly fulfilled.

Article 9 – Judicial authorities

Paragraph 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:

a in criminal proceedings:

...

ii to guarantee the accused the right to use his/her regional or minority language;

if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

416. In its third evaluation report (paragraphs 226 - 228), the Committee of Experts considered this undertaking remained formally fulfilled and strongly urged the Swedish authorities to take practical and organisational measures to ensure that Meänkieli can be used in criminal proceedings.

417. No information regarding such practical and organisational measures is provided in the fourth periodical report. According to the report (page 57), the Public Prosecution Office in Luleå currently has no Meänkieli-speaking staff although communication is possible via translation and interpretation services.

418. According to the information received during the on-the-spot visit by a representative of the district court in Gällivare, Meänkieli has been used in one court case. Interpreters for Meänkieli are not available.

419. The Committee of Experts concludes that the undertaking remains formally fulfilled.

iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language,

if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

420. In its third evaluation report (paragraphs 229 - 231), the Committee of Experts considered this undertaking remained not fulfilled as there was no legal obligation for the authorities to produce written documents in Meänkieli.

421. Pursuant to Section 14 of the 2009 Minority Act, the right to use Finnish, Meänkieli or Sami in courts includes the right to submit documents and written evidence in these languages, the right to have documents orally translated into these languages, and the right to speak these languages in an oral hearing before the court. According to the fourth periodical report (page 12), a party or representative of a party who lacks legal representation is entitled, upon request, to receive a written translation of the court’s judgement and grounds for the judgement to any of these languages.

422. During the on-the-spot visit, a representative of the Gällivare judicial district court confirmed that judgments are only translated into Meänkieli on request.

423. The Committee of Experts must conclude that the undertaking is not fulfilled.

b in civil proceedings:

...

ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense;

if necessary by the use of interpreters and translations;

c in proceedings before courts concerning administrative matters:

...

ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense;

if necessary by the use of interpreters and translations;

424. In its third evaluation report (paragraphs 232 – 237), the Committee of Experts considered that these undertakings remained formally fulfilled.

425. In the absence of any evidence of a practical implementation of these undertakings, the Committee of Experts maintains its previous conclusion that the undertakings are formally fulfilled. It encourages the Swedish authorities to take practical and organisational measures so that Meänkieli can be used in civil proceedings and in proceedings before courts concerning administrative matters.

Paragraph 3

The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided.

426. In its third evaluation report (paragraphs 238 - 240), the Committee of Experts considered this undertaking remained partly fulfilled as no additional statutory texts had been translated into Meänkieli during the third monitoring cycle, and urged the Swedish authorities to take the necessary measures to ensure that the most important national statutory texts and those relating particularly to users of Meänkieli are made available in Meänkieli too.

427. According to the fourth periodical report (page 59), the 2009 Minority Act and the 2009 Language Act have been translated into Meänkieli and are available on the government's website.

428. The Swedish authorities are also considering translating a summary of the new Education Act into minority languages. The UN Convention on the Rights of the Child and a child friendly version of the Convention were to be translated into Meänkieli by 31 December 2010.

429. The Committee of Experts welcomes this information and asks the Swedish authorities to consult the Meänkieli-speakers as to whether there are further statutory texts that need to be translated. In the meantime the Committee of Experts concludes that the undertaking is partly fulfilled.

Article 10 – Administrative authorities and public services

Paragraph 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;**
- ...
- c **to allow the administrative authorities to draft documents in a regional or minority language.**

430. In its third evaluation report (paragraphs 241 - 243), the Committee of Experts considered these undertakings partly fulfilled and encouraged the Swedish authorities to ensure that users of Meänkieli may submit oral or written applications and receive a reply in Meänkieli in practice.

431. According to the Swedish authorities (page 59 and following of the fourth periodical report), the 2009 Minority Act states that public authorities should ensure that staff with knowledge of Meänkieli are available when necessary during communication with the authorities. According to the Swedish authorities, it is still too early to assess whether the new Act has had any positive impact on the use of Meänkieli in practice in this respect

432. There is no information in the fourth periodical report concerning measures taken by the authorities to ensure the use of Meänkieli in state administration or public bodies.

433. According to the information received during the on-the-spot visit, the County Administrative Board of Norrbotten (*Länsstyrelsen*) has identified the speakers of Meänkieli amongst their employers, in case of need. Apart from that it does not have a minority language policy. Documents are not drafted in Meänkieli.

434. According to information received from a representative of the Tax Authority during the on-the-spot visit, Meänkieli is not used in the local tax offices.

435. Bearing in mind that Article 10.1. a. iii requires the authorities to *ensure* that users of Meänkieli may submit oral or written applications and receive a reply in Meänkieli, the Committee of Experts concludes that Article 10.1.a.iii is not fulfilled. Article 10.1.c is formally fulfilled.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

- ...
- b*** **the possibility for users of regional or minority languages to submit oral or written applications in these languages;**
- c*** **the publication by regional authorities of their official documents also in the relevant regional or minority languages;**
- d*** **the publication by local authorities of their official documents also in the relevant regional or minority languages;**

436. In its third evaluation report (paragraphs 244 - 246), the Committee of Experts was informed that it was very unusual for a Meänkieli-speaker to submit a written application in Meänkieli. Until then, local and regional authorities had not translated their official documents and information about their operations into Meänkieli, except information about the right to use Meänkieli. However, the municipalities in the Meänkieli administrative area had increased their co-operation with a view to implementing the language legislation. The Committee of Experts considered Article 10.2.b remained partly fulfilled whereas the undertakings under Article 10.2.c and 10.2.d remained not fulfilled. It strongly urged the Swedish authorities to take further concrete steps to ensure the fulfilment of these undertakings.

437. According to the information received from representatives of the speakers of Meänkieli during the on-the-spot visit, it is possible to submit oral and written applications to the municipalities and receive a reply in Meänkieli in the administrative area. However, since Meänkieli is mainly a spoken language, speakers are not used to using the language in this context. Some municipalities, including Pajala and Kalix, also produce documents in Meänkieli.

438. As for the regional level, Norrbotten Council (*landstinget*) provides some information in and on Meänkieli, and has produced a few documents in Meänkieli, but in general the visibility of Meänkieli is far lower than on municipal level.

439. The Committee of Experts considers that the Article 2.b is partly fulfilled, 2.c. not fulfilled and 2.d. partly fulfilled.

g *the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.*

440. In its first evaluation report, although the Committee of Experts had been informed that the presence of Meänkieli place-names was still not satisfactory, it considered the undertaking fulfilled.

441. The fourth periodical report (pages 111 and 41) states that the Heritage Conservation Act (1988:950) contains a provision for Swedish, Sami and Finnish names to be used, as far as possible, on maps and signs and other markings in multilingual districts. According to the information received from a representative of the Land mapping authority during the on-the-spot visit, the Swedish Government Offices have decided to add this requirement with respect to Meänkieli in the administrative area of Meänkieli, but so far it has not been implemented.

442. The Committee of Experts welcomes this development and looks forward to receiving more information about the practical implementation of this undertaking in the next periodical report.

Article 11 – Media

Paragraph 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;*

443. In its third evaluation report (paragraphs 247 - 249), the Committee of Experts considered this undertaking fulfilled. It encouraged the Swedish authorities to solve the issues raised by the speakers in co-operation with them.

444. According to the information provided by the Swedish authorities in the fourth periodical report (page 63), SR Sisuradio broadcast 1048 hours in Meänkieli in 2009, which is an increase compared to the previous monitoring rounds.

445. However, according to the speakers that the Committee of Experts met during the on-the-spot visit, fewer hours are broadcast regionally than previously.

446. As regards television broadcasting, the speakers informed the Committee of Experts that the television broadcaster has started a dialogue with representatives of the speakers of Meänkieli to strengthen the offer of programmes in Meänkieli.

447. The Committee of Experts concludes that the undertaking remains fulfilled at present.

d *to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;*

448. In its third evaluation report (paragraphs 250 - 252), the Committee of Experts reiterated that this provision requires the Swedish authorities to take pro-active measures, for example through technical and financial support. It considered this undertaking remained not fulfilled and urged the Swedish authorities to encourage and/or facilitate the production and distribution of audio and audiovisual works in Meänkieli.

449. The fourth periodical report does not provide any relevant information with regard to this undertaking.

450. According to the information at the disposal of the Committee of Experts, Filmpool Nord, the regional resource centre funded partly by the regions, partly by the Swedish Film Institute, has co-produced an award-winning short film in Meänkieli. It has also produced a bilingual children's programme for SVT.

451. The Swedish Educational Broadcasting Company (*Sveriges Utbildningsradio*) produces audio and audiovisual educational programmes which they make available on restricted websites. It has also produced a children's CD in Meänkieli and other regional or minority languages.

452. In the light of this new information, the Committee of Experts concludes that the undertaking is fulfilled, and looks forward to receiving further examples in the next periodical report.

e i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages;

453. In its third evaluation report (paragraphs 253 - 255), the Committee of Experts considered this undertaking not fulfilled and strongly urged the Swedish authorities to encourage and/or facilitate the creation of a newspaper in Meänkieli.

454. On the basis of the observations made by the Committee of Experts in its third evaluation report, the Committee of Ministers adopted the recommendation addressed to the Swedish authorities to **“facilitate the creation of newspapers in Sami and Meänkieli” [RecChL(2009)3].**

455. According to the fourth periodical report (page 64), based on the proposals of the Swedish Press Committee, in December 2008 the government decided on amendments to the terms and conditions governing press subsidies. Subsequently, the limit for newspaper subscriptions to be granted financial support was lowered from 2000 to 1500 copies. In addition, in June 2010, the Swedish Parliament (the *Riksdag*), decided on the new terms and conditions for aid to the daily press in view of the government bill. The authorities contend that this forms the basis for an initiative between the relevant authorities and stakeholders in Norway and Finland in order to facilitate the publication of transnational newspapers in Sami and Meänkieli respectively.

456. According to supplementary information from the Swedish authorities, the Sami Parliament has been commissioned to investigate into the possibility of creating such transnational newspapers for Sami and Meänkieli, in co-operation with the non-governmental umbrella organisation for Meänkieli, the Svenska Tornedalingars Riksförbund STR-T. The Sami Parliament has received SEK 130 000 to carry out this specific task.

457. The Committee of Experts welcomes the initiatives taken by the Swedish Government and looks forward to receiving information about the outcome in the next periodical report.

458. The Committee of Experts must conclude that the undertaking remains not fulfilled.

f ii to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages;

459. In its third evaluation report (paragraphs 256 - 258), the Committee of Experts had not been made aware of any examples of financial assistance for the production of television programmes in Meänkieli and concluded that this undertaking remained formally fulfilled.

460. According to the information at the disposal of the Committee of Experts, Filmpool Nord, the regional resource centre funded partly by the regions, partly by the Swedish Film Institute, has co-produced an award-winning short film in Meänkieli. It has also produced a bilingual children's programme for SVT.

461. Based on this information, the Committee of Experts considers the present undertaking partly fulfilled and looks forward to receiving information about more audiovisual productions in Meänkieli in the next periodical report.

Article 12 – Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

...

- b** *to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;*

462. In its third evaluation report (paragraphs 259 - 261), the Committee of Experts considered this undertaking partly fulfilled since it lacked information with regard to activities other than publishing relevant to this undertaking, such as dubbing, post-synchronisation and subtitling.

463. According to the fourth periodical report (page 67), the public service companies do not report on whether programmes are broadcast in the original language or whether they are dubbed.

464. The Committee of Experts therefore considers that the undertaking remains partly fulfilled and asks the Swedish authorities to provide the relevant information in the next periodical report.

- g** *to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;*

465. In its third evaluation report (paragraphs 262 - 264), the Committee of Experts considered this undertaking fulfilled. It requested the Swedish authorities to provide information on the progress of the Centre for Meänkieli at the North Scandinavian Library.

466. According to the fourth periodical report (page 68), the National Library of Sweden and the Swedish Institute for Language and Folklore hold a collection of literature in Meänkieli.

467. The Committee of Experts, however, has not received any further information on the establishment of a Centre for Meänkieli, and asks the Swedish authorities to provide such information in the next periodical report.

Chapter 4. Findings of the Committee of Experts in the fourth monitoring round

- A. The Committee of Experts appreciates the excellent co-operation it enjoyed with the Swedish authorities, especially in the organisation of the on-the-spot visit. It also notes with satisfaction that the fourth periodical report was submitted on time and that it responds to many requests for information made by the Committee in its previous third report.
- B. Significant improvements pertaining to the protection and promotion of regional or minority languages have taken place in Sweden since the previous monitoring round with regard to the legislative framework, policies and the creation of a monitoring system. These reflect Sweden's growing commitment to its regional or minority languages.
- C. In June 2009, the Swedish Parliament adopted a strategy "From Recognition to Empowerment – the Government's Strategy for the National Minorities", containing measures *inter alia* to promote regional or minority languages. Sweden also adopted two important acts in 2009, the Language Act and the Act on National Minorities and National Minority Languages (Minority Act), both of which strengthen the status and use of regional or minority languages. The administrative areas for Sami, Finnish and Meänkieli have been extended: for Sami, to include the South Sami area, for Finnish to approximately 50% of the area where Finnish-speakers reside and for Meänkieli to an additional municipality. Basic rights to use minority languages are also guaranteed by the Minority Act, although these rights cannot be enforced by individuals. The implementation of the Minority Act is, rather, controlled by a state monitoring system that has been set up for this purpose, involving the County Administrative Board in the County of Stockholm and the Sami Parliament. There is dedicated funding for the implementation by local and regional authorities in the administrative areas. Funding for the activities of the minority language groups has been significantly increased. The Committee of Experts commends the resolute action of the Swedish Government.
- D. As a result of the new acts, most of the minority languages have experienced an increased awareness and acceptance amongst the majority population. The Acts have also sparked a wave of language revitalisation and a growing interest in learning them and participating in activities. Furthermore, many local authorities in the administrative areas now have a language policy plan. Consultation with representatives of the speakers has in many cases significantly improved. Despite these positive developments, some shortcomings remain, and indeed some areas of language protection and promotion have even deteriorated since the previous monitoring round, especially in the field of education.
- E. In general, the lack of the necessary statistical information regarding the number and geographical distribution of regional or minority language speakers continues to hamper the effective implementation of the Charter.
- F. Serious shortcomings still prevail in the field of education, despite amendments to the legislative framework on education. The education system relies too heavily on so-called "mother tongue" instruction which remains generally unsatisfactory, and in many cases is mere tokenism. The problem is exacerbated by the acute shortage of trained teachers which fails to meet the existing demand for all regional or minority languages. There is no proper planning in place to address this issue, let alone meet the likely increased demand resulting from the renewed interest in regional or minority languages as "cultural heritage" languages. Although the government commissioned Luleå University to provide teacher training for the Part III languages, this has failed. Insufficient and inadequate teaching materials are also a problem for all regional or minority languages in Sweden.
- G. With regard to the courts, the government commissioned the Swedish National Courts Administration to translate and publish information material in order to inform speakers of Sami, Finnish and Meänkieli of their right to use their language in courts. Despite the new Minority Act, which has extended the administrative areas for the Part III languages, the right to use these languages in courts has not been extended to the new municipalities that joined the administrative areas. Even in the original administrative areas, the use of these languages in court remains an exception.
- H. With regard to administrative authorities and public bodies, improvements have been made at municipal level on the use and visibility of Finnish, Sami and Meänkieli on websites and

through publication of documents. The appointment of language contact persons amongst the staff has facilitated interactions between speakers of these languages and the authorities. This is true both in the original and the extended administrative areas. To a lesser extent, some national public bodies have also adopted a minority language policy for these languages, including for Yiddish and Romani. Fewer or no improvements have been made at the regional (County Council) or State Administration Board level.

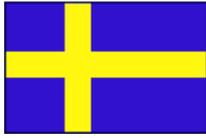
- I. Radio and television broadcasting in Finnish and radio broadcasting in Meänkieli remain on the whole satisfactory. Television in Meänkieli is rather limited. There is a lack of programmes for some of the Sami languages. There is still no publication of newspapers in Sami or Meänkieli, although the Swedish authorities are taking encouraging steps in this direction.
- J. The Sami Parliament is the primary responsible body for monitoring the implementation of the Minority Act with regard to **Sami**. The Sami Parliament now determines the objectives of Sami language policy, rather than simply managing Sami language work. The new language centres for Sami and the inclusion of the South Sami area in the administrative area for Sami have led to promising signs of revitalisation of South Sami. Nevertheless, Sami education is in a critical situation. There has been a decline in the amount of bilingual education, and there is a shortage of teachers, which has been exacerbated by the failure to invest in Sami-language teacher training.
- K. As regards **Finnish**, the number of municipalities in the administrative area for Finnish has been multiplied by six since the adoption of the Minority Act, and the area is constantly expanding. The Act has also sparked an increased activity in the organisations, including amongst young speakers. On the one hand, there have been some positive developments in Finnish education, such as the opening of new pre-schools and the production of high quality primary schoolbooks. On the other hand, these developments are overshadowed by the general picture, including a lack of basic training of teachers at all education levels, and an alarming decline of bilingual and higher education. There is a need for a comprehensive policy with regard to education.
- L. Some positive developments are to be found concerning the creation of a dictionary for **Meänkieli**, which could serve as a useful reference and working tool for Meänkieli, especially in official contexts in public life, including in the field of education. Changes to the legislation now allow for Meänkieli place-names and other types of signage. As for education, no improvements have been made since the previous monitoring round. A first attempt to introduce bilingual education has been discouraged. The shortage of teachers and teaching materials further impedes Meänkieli education.
- M. Since the adoption of the Minority Act, **Yiddish** has experienced a revival with an increase in the number of people declaring themselves as speakers. This has given rise to optimism. However, Yiddish-speakers feel that they have had little benefit from the new strategy on regional or minority languages, both in terms of practical and financial support. There have been some positive developments in the field of education, such as the right to mother tongue education if only one pupil so demands, the offering of Yiddish as a subject at one school and the slight increase in the number of pupils learning Yiddish. However, as with other regional or minority languages, the lack of teaching materials and teacher training causes problems. In the field of media, apart from the production of some audio material, Yiddish remains largely absent.
- N. Concerning **Romani**, the Delegation for Roma Issues submitted its final report ("The Rights of the Roma – a Strategy for the Roma in Sweden") in July 2010 and presented a model for a strategy related to Roma rights, including a number of proposals concerning Romani Chib. The marginalisation of Roma in society hampers the promotion of Romani Chib, which is most urgently needed in the field of education. Flexible and innovative measures need to be taken in the interim to overcome the lack of trained Romani teachers. Teaching materials are also required. There is insufficient acknowledgement of the presence of the traditionally spoken Romani variety of the Kalé and there is a need to take specific steps to promote and protect it.

The Swedish government was invited to comment on the content of this report in accordance with Article 16.3 of the Charter. The comments received are attached in Appendix II.

On the basis of this report and its findings the Committee of Experts submitted its proposals to the Committee of Ministers for recommendations to be addressed to Sweden. At the same time it emphasised the need for the Swedish authorities to take into account, in addition to these general recommendations, the more detailed observations contained in the body of the report.

At its 1123rd meeting on 12 October 2011, the Committee of Ministers adopted its Recommendation addressed to Sweden, which is set out in Part B of this document.

Appendix I: Instrument of Ratification



Sweden :

Declaration contained in the instrument of ratification deposited on 9 February 2000 - Or. Eng.

Sami, Finnish and Meänkieli (Tornedal Finnish) are regional or minority languages in Sweden. Sweden's undertakings pursuant to Article 2, paragraph 2 with respect to these languages are described in the appendix.

Romani Chib and Yiddish shall be regarded as non-territorial minority languages in Sweden when the Charter is applied

APPENDIX

The extent of Sweden's undertakings according to Part III of the European Charter for Regional or Minority Languages.

The followings paragraphs and sub-paragraphs under Article 8 shall apply to Sami, Finnish and Meänkieli:

- 8.1.a.iii
- 8.1.b.iv
- 8.1.c.iv
- 8.1.d.iv
- 8.1.e.iii
- 8.1.f.iii
- 8.1.g
- 8.1.h
- 8.1.i
- 8.2.

The following paragraphs and sub-paragraphs under Article 9 shall apply to Sami, Finnish and Meänkieli:

- 9.1.a.ii
- 9.1.a.iii
- 9.1.a.iv
- 9.1.b.ii
- 9.1.b.iii
- 9.1.c.ii
- 9.1.c.iii
- 9.1.d
- 9.2
- 9.3

The following paragraphs and sub-paragraphs under Article 10 shall apply to Sami, Finnish and Meänkieli:

- 10.1.a.iii
- 10.1.a.v
- 10.1.c.
- 10.2.b.
- 10.2.c.
- 10.2.d.
- 10.2.g.
- 10.4.a.
- 10.5

The following paragraphs and sub-paragraphs under Article 11 shall apply to Sami, Finnish and Meänkieli:

- 11.1.a.iii
- 11.1.d
- 11.1.e.i
- 11.1.f.ii
- 11.2.

In addition, 11.1.c.i will apply with respect to Finnish.

The following paragraphs under Article 12 shall apply to Sami, Finnish and Meänkieli:

12.1.a
12.1.b
12.1.d
12.1.f
12.1.g
12.2.

In addition, 12.1.e will apply to Sami, and 12.1.c and 12.1.h to Finnish and Sami.

The following paragraphs under Article 13 shall apply to Sami, Finnish and Meänkieli:

13.1.a

The following paragraphs under Article 14 shall apply to Sami, Finnish and Meänkieli:

14.a
14.b

This means that a total of 45 paragraphs or sub-paragraphs in part III of the Charter shall apply to Sami and Finnish, and 42 paragraphs or sub-paragraphs to Meänkieli.

Period covered: 1/6/2000 -

The preceding statement concerns Article(s) : 10, 11, 12, 13, 14, 2, 8, 9

Appendix 2: Comments by the Swedish authorities



REGERINGSKANSLIET

2011-08-18

Ministry of Employment

Comments on the Fourth Report on the Application of the Charter for Regional or Minority Languages in Sweden

On behalf of the Government Offices the Ministry of Employment would like to submit the following comments regarding the Fourth Report.

Ministry of Culture

The Ministry would like to clarify that the assignment mentioned in paragraphs 72, 256, 456 should be described as follows:

"According to supplementary information from the Swedish authorities, the Sami Parliament has been commissioned to investigate the feasibility of transnational co-operation between newspapers in Sami and Meänkieli, in co-operation with the non-governmental umbrella organisation for Meänkieli, the Svenska Tornedalingars Riksförbund STR-T."

Ministry of Health and Social Affairs

Paragraph 88 refers to the Social Services Act. The correct number of the Act is 2001:453.

The guidelines referred to in paragraph 91 are issued by the National Board of Health and Welfare and not the ministry. The consultations have also been carried out by the National Board of Health and Welfare and not by the Ministry.

Ministry of Education and Research

Regarding paragraph 61 the Ministry would like to inform that Luleå Technical University is still commissioned to provide teacher training. The last sentence in the paragraph should also be clarified as follows:

"The courses for Finnish teacher training offered by Luleå Technical University remains relatively stable and the University cooperates with Umeå University when it comes to courses in Finnish above basic level."

Paragraph 62 should be clarified and added as follows:

"The Government intends to reform teacher training generally. A new type of training is to be launched in the autumn of 2011. However, there is no special regional or minority language teacher training. The Swedish National Agency for Higher Education has been commissioned by the Government to propose measures by the 31st of October 2011 on ways to increase the number of teachers in regional or minority languages. The report has not yet been submitted."

The report referred to in paragraphs 64, 300 and 397 is thus to be submitted by the 31st of October 2011.

As a consequence the information in paragraphs 121 and 122 should also be clarified as follows: 121. "As regards teacher training, a representative of the Ministry of Education and Research informed the Committee of Experts during the on-the-spot visit that regional or minority language teacher training does not receive any earmarked funding. In the new teacher training programme entering into force in autumn 2011, no Swedish higher education institution has the entitlement to award teachers' degree for teacher training programme for subject education with specialisation in regional or national

minority languages. (see also paragraph 62 above). A representative of higher education admitted that the universities need to be given clearer tasks and allocated money in order to be able to have a chance to be granted the right to award teachers' degree for teacher training programme for subject education with specialisation in these languages."

122. "According to the fourth periodical report (page 51), following the planned teacher training reform mentioned in the previous paragraph, mother tongue teachers should be given the same status and position as other teachers, meaning that mother tongue teacher training is likely to be integrated into the teacher training programmes for upper secondary school teachers. At present there are no possibilities for students to become teachers for subject education of the regional or minority languages, within the new teacher training, because no higher education institution has not yet received the entitlement to award this kind of degree. The Swedish National Agency for Higher Education has been commissioned by the Government to propose measures by the 31st of October 2011 on ways to increase the number of teachers in regional or minority languages."

It is not correct that the University of Umeå is receiving funding with SEK 450 000 for Sami from the Ministry (paragraphs 63, 188 and 389).

Regarding paragraph 197 and 304 the Ministry would like to inform that the agency in question is not an independent agency. It is an agency under the government.

In paragraph 119 the following should be added:

"Pre school and pre-school class is covered by the concept of "teaching". Mother-tongue education has never been used as description for activities in pre-school or pre-school class, the activity is mother-tongue support. Support for children with mother tongues other than Swedish is strengthened in the new Education Act for pre-school and pre-school class. The responsibility is to give children opportunities to utilise their resources in the best way. Supporting the language development of children as well as cultural diversity is therefore an important responsibility."

In paragraph 130 the following should be added:

"In the autumn of 2011 a special education will be launched Jewish studies for class 7 -9 (13 – 15 year olds). In Jewish studies pupils shall be offered Hebrew and Yiddish as a language choice. (SFS 2011:398)"

In paragraph 208 the following should be added:

"There is no reliance only on on line teaching materials. Many books are available both on line and in paper. In the report the ministry informed about measures to support publishing books and other teaching material written in and about the national minority languages. In 2008 the Swedish National Agency for Education was assigned the task of investigating the requirement and supporting the development and production of books and other teaching material for the national minorities. A total of SEK 10 million was allocated for the commission. The Swedish National Agency for Education initiated the commission by contacting the target groups and dividing the resources of the different minorities. The division has, inter alia, been based on the number of pupils in each language group. The Sami Education Board received an additional SEK 1 million for developing teaching material in Sami. In 2010 SEK 1 million is allocated to the devising of teaching material in Romani Chib and Sami."

In paragraph 210 the following should be added:

"To reach the goals in the Language Act the authority Institute for Language and Folklore has an important task. The Institute administers a government grant scheme whose aim is to put individuals in a better position to acquire and use their national minority language. Two government funded language centres in Sami have also been launched.

Distance learning is not regulated for compulsory school. There is a commission investigating how distance learning can be carried out."

In paragraph 285 the following should be added:

"Axevalla Folk High School has a vocational education to become recreation leader. The course has a duration of two years and can be offered bilingually. The Folk High School also offers a bilingual course of two years to become an assistant in rehabilitation facilities of substance abuse."

In paragraph 288 the word "education" should be replaced with the term "academic courses".

Ministry of Employment

Paragraph 24 states that Länsstyrelsen and the Sami Parliament have a duty to facilitate the process of voluntary accession to an administrative area. There is no such obligation.

The number of municipalities that have applied for voluntary inclusion starting in 2012 is nine (eight for Finnish and one for Sami)(paragraphs 24 and 54).

The correct term is "administrative area" and not "administrative district" (paragraph 28).

The basic rights described in paragraph 36 also includes sections 3-5 in the Minority Act.

The SEK 8 million (paragraph 80) are provided in addition to the SEK 85 million mentioned in the previous paragraph. The financial support to minority organisations on SEK 6 millions is however part of the SEK 85 millions described in the previous paragraph.

The SEK 900 000 for language conservation activities in paragraph 82 are provided in addition to the SEK 3.4 million for revitalization initiatives mentioned in the same paragraph.

The correct name of the agency mentioned in paragraph 438 is "Norrbotten county council".

The correct name of the agency mentioned under 4.1 *Findings of the Committee* is "County Administrative Board".

B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Sweden

Recommendation RecChL(2011)3 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Sweden

*(Adopted by the Committee of Ministers on 12 October 2011
at the 1123rd meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the declaration made by Sweden on 9 February 2000;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Sweden;

Bearing in mind that this evaluation is based on information submitted by Sweden in its national report, supplementary information provided by the Swedish authorities, information submitted by bodies and associations legally established in Sweden and information obtained by the Committee of Experts during its on-the-spot visit;

Having taken note of the comments made by the Swedish authorities on the contents of the Committee of Experts' report;

Recommends that the authorities of Sweden take account of all the observations and recommendations of the Committee of Experts and, as a matter of priority:

1. strengthen education for all regional or minority languages, by adopting a comprehensive and structured approach, based on the needs of the speakers and according to the situation of the languages;
2. ensure that "mother-tongue" education meets the requirements of the Charter and offers real and adequate language tuition, enabling pupils to achieve mature literacy in the languages concerned;
3. increase the amount of bilingual education available in Finnish and Sami, and establish bilingual education in Meänkieli;
4. establish a dedicated and properly resourced system of teacher training for all regional or minority languages;
5. create teaching and learning materials, for all regional or minority languages.