

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

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

GVT/COM/IV(2018)001

Comments of the Government of Sweden on the Fourth Opinion of the Advisory Committee on the implementation of the Framework Convention for the Protection of National Minorities by Sweden - received on 5 February 2018

Government Offices of Sweden Ministry of Culture Director General for Administrative and Legal Affairs Helena Swenzén	5 February 2018 Ku2017/02087/DISK Secretary General of the Council of Europe
---	---

Comments on the Advisory Committee's Fourth Opinion on the Implementation of the Framework Convention for the Protection of National Minorities in Sweden

The Ministry of Culture presents its compliments to the Secretary General of the Council of Europe. Sweden has received the Advisory Committee's fourth opinion on the Implementation of the Framework Convention for the Protection of National Minorities in Sweden and hereby takes the opportunity to submit comments.

1.1 General Comments

The efforts made by the Advisory Committee to receive, gather, evaluate and draw conclusions from the information about the situation of the national minorities and minority languages in Sweden is of considerable value in the continuous development of Sweden's policy on national minorities. Sweden welcomes the report and appreciates the continued dialogue and exchange of information and views.

Observance of the rights of the national minorities in Sweden: Jews, Roma, Sami, Swedish Finns and Tornedalers must be safeguarded. The Swedish Government is committed to ensuring that all the conditions are in place for Sweden to be able to achieve this aim.

1.1.1 Strengthening of Sweden's Minority Policy

The efforts of the public sector in strengthening the protection of national minority rights have been successful in many respects and the Government is keen to ensure that these positive developments continue. To this end the Government will submit a bill to Parliament on the future development of the policy area during spring 2018.

1.1.2 Education

Mr Gustav Fridolin, Minister for Education, appointed an Inquiry Chair (Professor Jarmo Lainio) on 22 December 2016. The inquiry was tasked with mapping the need for measures based on the aim of the Government to protect and revitalise the national minority languages, as well as the recommendations of the Council of Europe regarding education in the national minority languages. Based on the findings of the mapping the inquiry presented its findings in November 2017. The report is currently under circulation for comments.

1.1.3 Enlargement of the Administrative Areas

As a consequence of the Government's commission of the Inquiry on a Strengthened Minority Policy and the commission of a report on the use of state funding in administrative areas, a temporary moratorium on the admission of municipalities to the administrative areas was applied by the Government during 2015 and 2016. The view of the Government is that the administrative areas for Finnish, Meänkieli and Sami are crucial for the attainment of the human rights of national minorities in Sweden. Eight further Municipalities and two County Councils were admitted into administrative areas as of 1 February 2018.

1.2 Specific Comments

1.2.1 Policing and Hate Crimes

Paragraph 61: In the paragraph "Polismyndigheten" is translated with "the Swedish Police Service". The correct translation is "the Swedish Police Authority".

Paragraph 57: In 2015 there were a total of 6 984 police reports with identified hate crime motives. 68 per cent of these (4 765 reports) had a xenophobic/racist motive, of which 1 074 had an afroophobic motive and 239 had an anti-Roma motive. The reports with an Islamophobic, christianophobic or anti-Semitic motive are not included in the 4 765 reports with a xenophobic/racist motive. The sentence should therefore be rephrased: "As concerns the 4 765 police reports on hate crime with a xenophobic motive in 2015, over 1 070 concerned Afrophobia and almost 240 were anti-Roma. In addition, 558 reports had an Islamophobic motive, 388 reports had a christianophobic motive and 277 reports had an anti-Semitic motive."

1.2.2 Culture and Media

General: Throughout the report the public service radio broadcaster Sveriges Radio is referenced to as "Sverigeradio". The correct name in English is "Swedish Radio".

Paragraph 69: The Advisory Committee states that it has not been informed about any other follow-up given to the Sami Parliament's study on cross-border newspaper co-operation, which was presented in September 2011. To clarify, the report of the Sami Parliament was handed over to a public inquiry whose findings have all been carried out and implemented.

Paragraph 34: In addition to the funding of minority culture, the Sami Parliament is responsible for allocating certain funding to Sami Culture.

Paragraph: 51: As for this paragraph it should be changed to:

For radio and television, the Swedish Broadcasting Commission (SBC) is responsible for monitoring the Radio and Television Act as well as the proper execution of the broadcasting licenses granted in accordance with the Act, which include an obligation to take into account the powerful impact of the medium as regards for example content which may be regarded as racist, xenophobic or in otherwise biased. Notwithstanding its limited mandate on hate speech, in 2015 and 2016, the SBC

received 44 complaints concerning the representation of minorities (ethnic, sexual and religious), expressions of racism, as well as the display of Nazi symbols on radio and television. In three cases, the SBC found that there was a breach of this obligation and requested a public rectification. The licenses of the three public service broadcasters include the obligation to report on Sweden's ethnic and cultural diversity.

1.2.3 Education

Paragraph 93: The funding for subject teacher training in minority languages commenced in 2013 and not, as stated in the report, in 2014. Furthermore, the training concerns both grades 7 to 9 and the Upper-Secondary School.

Paragraph 85-87: As the Committee outlines, in Sweden the choice of teaching material is a matter for schools and teachers. The information in textbooks or in other materials is not nationally governed or controlled. The coverage of national minority issues in teaching is however, as the Committee describes, governed by the curriculum. The Schools Inspectorate does not usually review text books, but it has carried out one review in 2010/2011. This review concerned textbooks in chemistry for the 4th and 5th grades and had a focus on gender and general discrimination issues.

Paragraph 88-89: Note that the independent schools (known as *fristående skolor* in Swedish) are in addition to publicly run schools. All schools in Sweden are free of tuition fees.

Paragraph 90-95: The right to receive mother tongue education is, as stated, regulated in the Education Act but ordinances regulate the number of pupils required (Chapter 9, Section 7 of the Compulsory School Ordinance and Chapter 4, Section 19 of the Upper Secondary School Ordinance).

1.3 Concluding remarks

The Government Offices of Sweden appreciated the thorough and knowledgeable discussions with the Advisory Committee during the country visit. Systematic and ongoing work to safeguard compliance with the Convention demands continuous follow-up. The Government welcomes an open dialogue with the Council of Europe on the remaining challenges and is looking forward to receiving the Committee of Ministers' recommendations.

The Swedish Authorities are committed to take on the challenges that remain before Sweden is entirely and fully able to live up to its undertakings on human rights in general and the Convention in specific.

The Ministry of Culture avails itself of this opportunity to renew to the Secretary General of the Council of Europe, the assurances of its highest consideration.

Yours sincerely,

Helena Swenzén

Director-General for Administrative and Legal Affairs