



COUNCIL OF EUROPE CONSEIL DE L'EUROPE
Committee of Ministers
Comité des Ministres

**Resolution CM/ResCMN(2008)4
on the implementation of the Framework Convention for the Protection of
National Minorities
by Sweden**

*(Adopted by the Committee of Ministers on 11 June 2008
at the 1029th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as "the Framework Convention");

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;¹

Having regard to the instrument of ratification submitted by Sweden on 9 February 2000;

Recalling that the Government of Sweden transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 13 July 2006;

Having examined the Advisory Committee's second opinion on Sweden adopted on 8 November 2007, and the written comments of the Government of Sweden, received on 17 April 2008;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Sweden:

a) Positive developments

Sweden has continued to develop its legislative framework to combat discrimination. It has pursued valuable work concerning structural discrimination. The Ombudsman against Ethnic Discrimination and other key actors have helped tackle discriminatory practices in some areas, including in access to entertainment establishments. In addition, a large majority of the Swedish population considers that persons belonging to ethnic minorities enrich their society and encourage firmer measures to combat discrimination. Swedish society is increasingly self-critical with regard to xenophobic attitudes.

Sweden has continued to take measures with a view to implementing the right to use minority languages in five municipalities in northern Sweden, and the possible expansion of related legislative guarantees has been studied and promoted in valuable official reports.

Public funding for cultural initiatives of national minorities has slightly increased, and the contribution of minority cultures to the society is today widely recognised in Sweden. The need to enhance the representation of minority cultures, for example, in school textbooks, has been stressed in official reports.

Sweden's public service broadcasting encompasses certain commendable practices in terms of minority language media. These include extensive radio broadcasting in Sami and Finnish languages.

¹ In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: "Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour".

Sweden has developed promising web-based educational tools to advance minority language education and to address the shortage of educational materials in this sphere.

New consultation structures have been introduced to enhance the participation of persons belonging to national minorities in decision-making processes. The central government has also sought to engage local authorities more closely in issues concerning national minorities.

b) Issues of concern

Although the offices responsible for minority issues have shown clear commitment to their tasks, their effectiveness and capacity have been negatively affected by frequent shifts and changes in their institutional responsibilities.

There have been delays in the development of the legislative framework to protect national minorities, including as regards expanding the scope of guarantees for the use of minority languages.

While there are some commendable exceptions, engagement of local authorities in national minority issues remains limited. There is, for example, a need to generate more local commitment to posting minority language signs and street names as well as to participation of persons belonging to national minorities in decision making.

Lack of reliable data on national minorities complicates the formulation, implementation, evaluation and improvement of minority policies. Calls by some national minority representatives for measures need to be followed up more decisively by the authorities.

Minority language education in public schools remains limited and, in some cases, inconveniently organised. Bilingual education is offered in private schools and by isolated public initiatives. There is a need to take further measures to address the shortage of teachers and other capacity problems.

Persons belonging to national minorities, particularly Roma, still face discrimination, including in housing and employment, and limited confidence amongst many Roma in law-enforcement bodies complicates the situation further.

The continuous legal uncertainty concerning land rights continues to affect traditional activities of the Sami, including reindeer herding. It has given rise to legal disputes, with heavy financial consequences for certain Sami villages. The role of the Sami Parliament is not sufficiently developed in areas other than the reindeer industry.

The Advisory Committee noted that there are concerns that the print media subsidy system and certain mechanisms for supporting minority organisations do not adequately reflect the specific needs and diversity of national minority initiatives.

2. Adopts the following recommendations in respect of Sweden:

In addition to the measures to be taken to implement the detailed recommendations contained in sections I and II of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- take further steps to ensure that the protection of national minorities is tackled in a consistent and co-ordinated manner at both central and local level, and that there is clarity and stability as regards institutional responsibilities;
- ensure close involvement of persons belonging to national minorities in decision-making processes at both central and local level, including in general questions of central importance to national minorities, ranging from health to spatial planning;

- pursue swiftly the pending proposals to strengthen the legislative guarantees for the protection of national minorities. These include the important initiative to expand the scope of guarantees for the use of minority languages;
- enhance data on national minorities by supporting data collection practices that take into account the views amongst national minorities and fully respect data protection and other pertinent concerns;
- take decisive measures in order to expand the availability of minority language education and give adequate support to bilingual education. These measures should also address teacher shortages and other capacity problems;
- pursue further efforts to combat discrimination against Roma and persons belonging to other national minorities, keeping this as a key consideration in the continuing institutional and legislative reforms;
- tackle, as a priority, the continuous legal uncertainty around land rights in northern Sweden, in a manner that fully protects the rights of the Sami. In the meantime, ensure that the related legal disputes do not threaten the viability of Sami villages and their reindeer herding activities;
- consider increasing the role of the Sami Parliament in areas other than the reindeer industry;
- take further measures to support minority language media and cultural initiatives of national minorities, including by ensuring that the eligibility criteria of the related subsidy systems take into account the specific concerns of national minorities.

3. Invites the Government of Sweden, in accordance with Resolution (97) 10:

- a. to continue the dialogue in progress with the Advisory Committee;
- b. to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above.