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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN SWEDEN

3rd 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.

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

adopted by the Committee of Experts on 26 November 2008
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. The Charter's ratification by Sweden

1. Sweden 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.
2. The instrument of ratification of Sweden is set out in Appendix I of this report. 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.
3. 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 3rd periodical report to the Secretary General of the Council of Europe on 20 September 2007.
4. In its previous evaluation report on Sweden (ECRML (2006) 4), the Committee of Experts on the Charter (hereafter referred to as "the Committee of Experts") outlined particular areas where the legal framework, policy and practice could be improved. The Committee of Ministers took note of the report presented by the Committee of Experts and adopted recommendations (RecChL (2006) 4), which were addressed to the Swedish authorities.

1.2. The work of the Committee of Experts

5. This 3rd evaluation report is based on the information obtained by the Committee of Experts from the 3rd periodical report of Sweden and the replies by the Swedish authorities to an additional questionnaire as well as through interviews held with representatives of the speakers of the regional or minority languages and the Swedish authorities during the on-the-spot visit (14-16 May 2008). The Committee of Experts received comments from bodies and associations legally established in Sweden, submitted pursuant to Article 16.2 of the Charter, as well as from local authorities. The Committee of Experts appreciates the excellent co-operation it enjoyed with the Swedish authorities and the representatives of the speakers of the regional or minority languages, especially in the organisation of its on-the-spot visit.
6. In the present 3rd evaluation report the Committee of Experts will focus on the provisions and issues which were singled out in the 2nd evaluation report as raising particular problems. It will evaluate in particular how the Swedish authorities have reacted to the issues detected by the Committee of Experts and where relevant, to the recommendations made by the Committee of Ministers. The evaluation report also aims at highlighting new issues detected by the Committee of Experts during the 3rd monitoring cycle.
7. 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 recommendations to be addressed to Sweden by the Committee of Ministers, as provided in Article 16.4 of the Charter.

¹ MIN-LANG (2002) 1 Outline for 3-yearly periodical reports as adopted by the Committee of Ministers of the Council of Europe.

8. This report is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to Sweden. It was adopted by the Committee of Experts on 26 November 2008.

1.3. The presentation of the regional or minority language situation in Sweden: up-date

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

9. Sweden does not collect official statistics regarding the number of users of the regional or minority languages. This limits the capacity of the Swedish authorities to plan and take appropriate measures for the protection and the promotion of these languages and makes it difficult for the Committee of Experts to evaluate whether Sweden fulfils its undertakings. In the 2nd monitoring cycle, the Committee of Experts therefore encouraged the Swedish authorities to take steps to collect, in co-operation with the speakers, reliable data concerning the number of users of the regional or minority languages and their geographic distribution.²

10. According to the 3rd periodical report, no such steps have been taken by the authorities. However, representatives of the Sweden Finnish national minority proposed the introduction of a language register to provide statistical information on the number of Finnish-speakers. This proposal has, however, not been supported by all national minorities, given the sensitivity of ethnic data collection for some of the national minorities.³ Against this background, the Committee of Experts urges 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. The Swedish authorities could implement the proposal of a language register in co-operation with the Finnish-speakers. As regards the other regional or minority languages, estimates could be made in co-operation with the speakers. Such estimates could be based on indicators of the local presence of a regional or minority language such as the existence of related associations, events, mother-tongue instruction in pre-school education, church services or the number of subscriptions to print media in a regional or minority language.

1.4. General issues arising in the evaluation of the application of the Charter in Sweden

1.4.1 Territorial application of the Charter to the Part III languages

11. The territorial scope of the two principal legal acts implementing the Charter in Sweden, i.e. the Acts concerning the right to use Sami, Finnish and Meänkieli in dealings with public authorities and courts, is restricted to certain administrative districts in Norrbotten County. In these areas, the speakers of the languages concerned have the right to pre-school education and elderly care wholly or partly in their languages, as well as the right to use them in dealings with public authorities and courts. However, the territorial scope of this legislation excludes the territory where South Sami has been traditionally spoken, and a large part of the territories where there is a substantial traditional presence of Finnish.

12. In the 2nd monitoring cycle, the Committee of Experts considered this geographical limitation, which concerns mainly Articles 9 and 10 of the Charter, incompatible with the spirit of the Charter and encouraged the Swedish authorities "to take steps to secure the implementation of the Charter throughout Sweden, including where necessary the adoption of specific legislation on regional or minority languages".⁴ More specifically, the Committee of Experts encouraged the Swedish authorities to implement the proposals by the Government Commission on the Finnish and South Sami Languages to extend the administrative area for Finnish to Stockholm and the Mälardalen region (i.e. 53 municipalities in total) and the Sami administrative area to a further 20 municipalities in the South Sami area "without delay".⁵

13. In the 3rd monitoring cycle, the Swedish authorities have commissioned the report "National Minority Languages in Courts and Agencies – An Alternative". It recommends most notably that the

² 2nd Report by the Committee of Experts, paragraph 13

³ 3rd Periodical Report, p. 6, 169

⁴ 2nd Report by the Committee of Experts, paragraph 31

⁵ 2nd Report by the Committee of Experts, paragraph 18

administrative area for Finnish should not be expanded while the administrative area for Sami should be expanded by only 2 municipalities. Municipalities would in general be allowed to voluntarily join the administrative areas and receive the related Government funding. Individuals should have the right to use Sami, Finnish and Meänkieli in the whole country provided that the authorities concerned have linguistically skilled staff. In addition, the use of Sami and Finnish should be possible in written contacts with the Parliamentary Ombudsman, the Office of the Chancellor of Justice, the Ombudsman against Ethnic Discrimination, the Social Insurance Agency and the tax authorities. Also, pre-school education in Sami and Finnish should be provided in the whole country.⁶

14. The Committee of Experts observes that the Charter must be applied “within a given territory” of the State where the respective regional or minority language has a traditional presence (Article 1.a.i). Bearing in mind this territorial approach, it appears that the proposals of the aforementioned report would only to some extent ensure the implementation of the Charter in Sweden. Firstly, they intend to limit the use of Finnish, and possibly Sami, to areas which, according to the information that the Committee of Experts has at its disposal, do not correspond to the entire areas where Finnish and Sami have been traditionally present. Secondly, some of the proposals, while being as such commendable, go beyond Sweden’s obligations under the Charter. This concerns namely the right to use Sami, Finnish and Meänkieli in relations with authorities located in the whole country (instead of only in the areas where these languages are traditionally present). Against this background, the Committee of Experts considers that the Swedish authorities should ensure that Sweden’s undertakings under the Charter are implemented in the entire areas where Lule, North and South Sami, Finnish and Meänkieli are traditionally used.

The Committee of Experts encourages 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.

1.4.2 Implementation of the Charter

15. Although the central authorities are responsible at the international level for obligations that Sweden has assumed under the Charter, no national agency is responsible for the protection and promotion of the regional or minority languages. The implementation of the Charter is mainly the responsibility of municipalities and depends on their political will, financial resources and awareness. In the light of this situation, the Committee of Experts encouraged the Swedish authorities in the 2nd evaluation report to “take steps to secure the establishment of a national agency responsible for supervising implementation [of the Charter], as proposed by the Government Commission on the Finnish and South Sami Languages.”⁷ More specifically, the Committee of Experts encouraged the Swedish authorities to ensure that Sweden’s undertakings under the Charter are complied with, *inter alia*, by informing municipalities of their obligations under the Charter, providing them with the necessary technical and financial support, giving detailed instructions, supervising implementation, and by using appropriate incentives, and when necessary, sanctions.⁸

16. With regard to the *establishment of a national agency* which is responsible for the protection and promotion of the regional or minority languages, the Swedish authorities state in the 3rd periodical report that the Language Council of Sweden, the Sweden-Finnish Language Council and the Plain Swedish Group in the Swedish Government Offices have been merged under the Swedish Institute for Dialectology, Onomastics and Folklore Research. This new authority has the task of developing and promoting Sweden’s regional or minority languages.⁹ The Committee of Experts notes that this body has some supervisory tasks but lacks the necessary funding to execute them. In addition, the Ministry of Integration and Gender Equality is in charge of the protection and promotion of the regional or minority languages.

17. As far as the *awareness of local authorities* is concerned, the Swedish authorities state in the 3rd periodical report that they have taken a number of initiatives to inform municipalities of their obligations under the Charter. The Government sent a questionnaire to all 290 municipalities to

⁶ 3rd Periodical Report, p. 32

⁷ 2nd Report by the Committee of Experts, paragraph 31

⁸ 2nd Report by the Committee of Experts, paragraphs 22-23

⁹ 3rd Periodical Report, p. 31

disseminate and evaluate the level of knowledge about the rights and obligations under the Charter. According to the representatives of the Sweden Finns, the results of this questionnaire are discouraging. For example, only six of 290 municipalities have a structured plan for regional or minority languages. The Government also organised a conference with the Association of Local Authorities on the recommendations of the 2nd evaluation report. Furthermore, the Government asked Gothenburg University to produce a handbook on national minorities for municipal activities. The Committee of Experts has been informed that a handbook has also been produced by the Sami Parliament with regard to the use of Sami. Moreover, the Committee of Experts has been informed that a language plan has been produced for Meänkieli. In Norrbotten, the county administrative board set up a working group to evaluate the compliance of the local authorities with the language legislation. It reached the conclusion that “information initiatives need to be improved.” In the light of these findings, the county administrative board, the Norrbotten County Council, the municipalities within the administrative areas and the Swedish Association of Local Authorities launched the project “Information in minority languages” to increase the amount of information available in regional or minority languages. Furthermore, new employees of the Norrbotten County Administrative Board receive training on the linguistic rights of national minorities. Finally, several public relations activities have been carried out.¹⁰ The Committee of Experts welcomes these initiatives and encourages the Swedish authorities to provide further information about developments concerning the handbooks produced and whether similar handbooks are planned for the other regional or minority languages.

18. Pursuant to the Acts concerning the right to use Sami, Finnish and Meänkieli in dealings with public authorities and courts in the administrative districts concerned, the speakers of these languages have the right to pre-school education and elderly care wholly or partly in their languages, as well as the right to use them in dealings with public authorities and courts. However, the Committee of Experts lacks detailed information on how this is being implemented for any of the languages and requests the Swedish authorities to elaborate on this in their next periodical report.

1.4.3 Status of Elfdalian

19. Elfdalian is spoken in Älvdalen municipality (Dalarna County) by approximately 3,000 people. According to information received from the speakers, the Elfdalian language is endangered. In the 2nd monitoring cycle, the Committee of Experts had met with representatives of its speakers who were of the view that Elfdalian should not be considered as a dialect of Swedish and should receive protection under Part II of the Charter in accordance with Article 2.1. The Committee of Experts subsequently encouraged the Swedish authorities to examine whether Elfdalian qualifies as a regional or minority language in accordance with Article 1a of the Charter.¹¹

20. In the 3rd monitoring cycle, the Swedish authorities informed the Committee of Experts that they have an “ongoing dialogue” with representatives of the municipality of Älvdalen and the speakers of Elfdalian. In February 2008, a meeting took place during which the needs of Elfdalian were discussed. The Swedish authorities intend to give “further consideration [to the status of Elfdalian] in the Government’s ongoing process of reforming the Swedish policy on national minorities.” During its on-the-spot visit, the Committee of Experts met again with representatives of the Elfdalian-speakers who pointed out that a grammar has been developed. In addition, children’s books have been translated into Elfdalian and are used in the local kindergarten. Considering the precarious situation of Elfdalian, the Committee of Experts urges the Swedish authorities to intensify their dialogue with the Elfdalian-speakers and inform about the results in the next periodical report.

The Committee of Experts urges the Swedish authorities to clarify the status of Elfdalian in co-operation with the speakers.

¹⁰ 3rd Periodical Report, p. 14-19

¹¹ 2nd Report by the Committee of Experts, paragraph 26

1.4.4 Status and promotion of Ume Sami

21. The Committee of Experts has been informed about a revitalisation movement reacting to the precarious situation of the Ume Sami language. It encourages the Swedish authorities to provide more information about the status and promotion of that language in their next periodical report.

Chapter 2 - The Committee of Experts' evaluation in respect of Part II and Part III of the Charter

2.1 Evaluation in respect of Part II of the Charter

22. The Committee of Experts will focus on the provisions of Part II which were singled out in the 2nd evaluation report as raising particular problems. It will therefore not comment in the present report on provisions about which no major issues were raised in the 2nd evaluation report and for which the Committee of Experts has not received any new information requiring it to reassess their implementation. These provisions are Article 7, paragraph 1.b, g and i, and paragraph 2.

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;

23. The Swedish Government decided in 2007 to appoint a special investigator to look into the possibility of drafting a language law. This law would declare Swedish the official language of Sweden and Finnish, Meänkieli, Romani, Sami and Yiddish as the country's minority languages. The Committee of Experts welcomes these plans which could represent an additional recognition of Sweden's regional or minority languages and contribute to raising awareness of Sweden's linguistic diversity.

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

24. Resolute action to promote regional or minority languages in order to safeguard them covers several aspects, including the creation of a legal framework for the promotion of regional or minority languages, the establishment of bodies which have responsibility in this field and provision of adequate financial resources.¹²

25. The Committee of Experts has dealt with the legislative framework and the establishment of dedicated bodies under 1.4.1 and 1.4.2 above. With regard to the provision of adequate financial resources, the Committee of Experts encouraged the Swedish authorities in the 2nd evaluation report to look into the funding system for regional or minority languages with the possibility of revising it in the light of the concerns expressed by the speakers (insufficient involvement of the speakers in decision-making, absence of earmarked funding in relation to each language).

26. The Committee of Experts has been informed that the Government plans to increase the funding for the protection and promotion of the national minority languages in Sweden annually until 2012. It commends the Swedish authorities on this additional step in their policy on regional or minority languages and requests them to provide further information about the implementation in the next periodical report.

Finnish

27. The absence of earmarked funding has particularly negative repercussions for Finnish. With the recognition of the Sweden Finns as a national minority, Finland decided to reduce its support to the Finnish organisations in Sweden. In the 2nd evaluation report, the Committee of Experts "encourage[d] the Swedish authorities to reverse the trend of diminishing support for the associations of Finnish-speakers". In particular, the Swedish authorities were encouraged to earmark funds for Sweden-Finnish organisations or introduce some flexibility in the allocation of funds to regional or minority language organisations from general support schemes, including in the area of healthcare.¹³

28. In the 3rd periodical report, the Swedish authorities state that the Sweden Finnish Language Council has been integrated into the Language Council, which are both subordinate to the Institute for Dialectology, Onomastics and Folklore Research and receive increased funding from the authorities.

¹² See for example the 2nd Report of the Committee of Experts on Germany, paragraph 24

¹³ 2nd Report by the Committee of Experts, paragraph 37

However, the Committee of Experts has not received any information with regard to the allocation of funds and requests the Swedish authorities to provide more information in the next periodical report. In addition, regarding the associations of the Finnish-speakers, the Committee of Experts has been informed that the Swedish authorities have reduced their support and consequently these associations have economic problems. The Committee of Experts requests the Swedish authorities to comment on this. Furthermore, there seems to exist a structural problem regarding youth organisations of the Finnish-speakers competing for funding with mainstream youth organisations. The Committee of Experts requests the Swedish authorities to provide more information in their next periodical report.

Meänkieli, Romani, Sami and Yiddish

29. According to the information that the Committee of Experts has at its disposal, the funding system for Meänkieli, Romani, Sami and Yiddish has not been revised. There exists no earmarked funding in relation to each language.

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

30. In the 2nd evaluation report, the Committee of Experts underlined that the obligations of public service broadcasters with respect to regional or minority languages should not be lowered. It encouraged the Swedish authorities "to take into account fully the interests of regional or minority languages and [Sweden's] undertakings under the Charter when deciding on the contents of the new broadcasting licence."¹⁴

31. According to the 3rd periodical report, the broadcasting licence for the period 2007-2009 confirms the special position of Finnish, Sami, Meänkieli and Romani in public broadcasting (regarding Yiddish, see below).¹⁵ The Committee of Experts welcomes this decision.

32. In the 2nd evaluation report, the Committee of Experts also noted a lack of a structured approach to the provision of healthcare in regional or minority languages, in particular in Finnish. It encouraged the Swedish authorities "to take measures to improve the situation."¹⁶

33. In the 3rd monitoring cycle, the Swedish authorities informed the Committee of Experts that the Swedish National Institute of Public Health will be given the task to analyse the current health situation of the national minorities, in co-operation with representatives of the national minorities, and propose improvements. The Committee of Experts encourages the Swedish authorities to take due account of the needs of the regional or minority language speakers during this examination and report about the measures taken in the next periodical report.

34. Furthermore, it seems that the authorities and representatives of the speakers see the use of regional or minority languages within health care and the care of the elderly as an acutely growing need. The Committee of Experts asks the authorities to investigate, in co-operation with the speakers, whether undertakings concerning these areas could be part of an extended ratification instrument.

Romani

35. During the 3rd monitoring cycle, there were no television broadcasts in Romani on Sveriges Television. However, Sveriges Radio broadcast 165 hours in Romani (2006), which represented an increase compared to 2005. The Swedish Arts Council assisted a journal published in Romani and, in the field of culture, supported the Roma Cultural Centre in Stockholm and the Roma Library in Malmö. According to the periodical report, care and healthcare in Romani is available in seven municipalities.¹⁷

¹⁴ 2nd Report by the Committee of Experts, paragraph 38

¹⁵ 3rd Periodical Report, p. 38

¹⁶ 2nd Report by the Committee of Experts, paragraph 40

¹⁷ 3rd Periodical Report, p. 29, 38-39

Yiddish

36. In the 2nd evaluation report, the Committee of Experts encouraged the Swedish authorities to present information regarding the presence of Yiddish in broadcasting or otherwise in public life.¹⁸

37. According to the 3rd periodical report, the new public broadcasting licence for the period 2007-2009 (see above) does not grant Yiddish the same special position in programming as Finnish, Sami, Meänkieli and Romani as the number of Yiddish-speakers was considered too low. The Committee of Experts was informed during the on-the-spot visit that the Yiddish-speakers would welcome at least radio broadcasts in Yiddish. So far, Sveriges Radio broadcasts programmes about Yiddish, but not in the language. As regards print media, the Swedish Arts Council has, as part of its general support of the Yiddish-speakers, assisted a journal published in Yiddish. According to the periodical report, care and healthcare in Yiddish is available in three municipalities.¹⁹

38. With regard to the presence of Yiddish in the broadcast media, the Committee of Experts considers that the relatively low number of Yiddish-speakers should not lead to the complete exclusion of this regional or minority language from public broadcasting. The Committee of Experts encourages the Swedish authorities to investigate possibilities to provide radio broadcasts in Yiddish.

- 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;*

39. In the 2nd evaluation report, the Committee of Experts “encourage[d] the Swedish authorities to take steps to maintain and to develop links between groups using different regional or minority languages in Sweden.”²⁰

40. In the 3rd periodical report, the Swedish authorities stated that meetings between the national umbrella organisations of the national minorities are assisted by local and national authorities.²¹ Furthermore, they also informed the Committee of Experts that the financial support by the Swedish authorities to the Swedish National Committee for the European Bureau for Lesser-Used Languages (SWEBLUL) increased to SEK 100,000 (about €10,000) in 2006. However, according to recent information, SWEBLUL is no longer funded by the Swedish authorities. The Committee of Experts asks the Swedish authorities to provide more information in this respect 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;*

41. The teaching of regional or minority languages is almost exclusively carried out in accordance with the mother-tongue education model as developed in Sweden. In practice, this means that the language is taught outside the regular curriculum and only between 20 minutes and 2 hours per week. Bilingual education (up to 50% teaching in the language) plays only a marginal role. In the 2nd evaluation report, the Committee of Experts “encourage[d] the Swedish authorities to improve and increase mother-tongue education, so that it becomes an effective method of promoting and maintaining regional or minority languages.” In addition, it requested information about the teaching of regional or minority languages at *förskoleklass* level (intermediate stage between pre-school and primary school).²²

42. According to the 3rd periodical report, the Government proposed in 2008 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 respectively requests it and the language concerned is not in daily use at home.²³ In the light of its aforementioned recommendation, the Committee of Experts welcomes this change as a considerable improvement of mother-tongue education of Finnish and Yiddish. As far as the second part of its recommendation is concerned, the Committee of Experts notes nonetheless that there are

¹⁸ 2nd Report by the Committee of Experts, paragraph 44

¹⁹ 3rd Periodical Report, p. 29, 38-39

²⁰ 2nd Report by the Committee of Experts, paragraph 46

²¹ 3rd Periodical Report, p. 40

²² 2nd Report by the Committee of Experts, paragraphs 48, 53

²³ 3rd periodical report, p. 40-42

no indications that mother-tongue education has been increased during the period under review. In particular, it has no updated statistics on the numbers of pupils enrolled in mother-tongue education.

43. For Sami-speaking children, there is the option of Sami schools (six in total), out of which one is in the South Sami area. In the municipal schools, there is also “integrated Sami teaching”. According to information received from representatives of the Sami-speakers, integrated Sami teaching would be discontinued due to budgetary deficits at the Sami School Board. This would worsen the situation of Sami in the educational system in general and even more so for South Sami. The Committee of Experts encourages the Swedish authorities to take proactive measures to increase the amount of teaching of/in Sami and in particular to prevent negative repercussions on South Sami.

44. The Committee of Experts has not received the requested information about the teaching of regional or minority languages at *förskoleklass* level and requests the Swedish authorities to inform about this aspect in the next periodical report.

45. The Committee of Experts is not aware of any detailed information regarding the extent of mother-tongue support in all regional or minority languages at pre-school level. It therefore requests the Swedish authorities to provide such information in their next periodical report.

Romani

46. In the 2nd evaluation report, the Committee of Experts “urge[d] the Swedish authorities to devise innovative solutions to the lack of Romani teachers in co-operation with the speakers and to ensure adequate and sufficient teaching materials.”²⁴

47. The Committee of Experts commends the Swedish authorities on offering the possibility of instruction of two mother tongues (Romani and Finnish or other language of the country of origin) for Roma children and looks forward to receiving additional information about the implementation. As far as the *lack of teachers* is concerned, the National Agency for School Improvement invited applications for an incentive allowance for municipalities that provide mother-tongue tuition. According to the 3rd periodical report, this is *inter alia* expected to increase the number of Romani-teachers. However, a teacher-training course for Roma, which is offered at the Malmö University College, has not produced any results so far as there were no applications. The Committee of Experts considers that more resolute action is needed to solve the structural problem of teacher training.

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

48. As regards the *lack of teaching materials*, the National Agency for School Improvement supported the compiling of teaching materials and dictionaries for different age groups in 5 varieties of Romani. Fairy-tale books have been translated into one variety and are used in mother-tongue tuition with a CD. Moreover, a textbook has been produced. The National Agency for School Improvement has also developed internet-based courses for pupils in grades 6-9 of the compulsory nine-year school in three varieties of Romani. The Committee of Experts acknowledges the progress that has been made with regard to the development of teaching materials.

49. The Swedish authorities have mandated the Institute for Dialectology, Onomastics and Folklore Research to catalogue the varieties of Romani used in Sweden, investigate the level of standardisation and codification and submit proposals on the future Romani language policy. A new pre-school for (currently 15) Romani-speaking children opened in Malmö in 2006 and provides a general knowledge of Romani and its culture.²⁵ The Committee of Experts is looking forward to receiving additional information about these developments in the next periodical report.

Yiddish

50. In the 2nd evaluation report, the Committee of Experts encouraged the Swedish authorities to increase, in co-operation with Yiddish-speakers, the availability of teaching in or of Yiddish in Gothenburg and elsewhere, in particular in Stockholm and in Malmö.²⁶

²⁴ 2nd Report by the Committee of Experts, paragraph 56

²⁵ 3rd periodical report, p. 31-32, 41-42, 46-50

²⁶ 2nd Report by the Committee of Experts, paragraph 58

51. In the 3rd monitoring cycle, the National Agency for School Improvement has developed internet-based courses in Yiddish for pupils in grades 6-9.²⁷ The availability of teaching in or of Yiddish has, however, not increased.

The Committee of Experts 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;

52. The promotion of study and research on Sami, Finnish and Meänkieli at universities is examined in detail in the section dealing with the Part III undertakings.

53. The basic problem for all regional or minority languages in higher education is the lack of a structured policy and long-term planning. This has a negative impact on both the study of and research on all regional or minority languages as well as on teacher training for them. For example, the two chairs which cover Sami are not filled presently and the teaching in and of Finnish has been cancelled at Lund University and Gothenburg University since the entry into force of the Charter. Furthermore, the chair of Finnish at Umeå University has been cancelled and there are no full academic positions for Meänkieli. A problem regarding the provision of higher education in Sami, Finnish and Meänkieli, which has been pointed out by Umeå University, is that the break-even point for organising a course is not reached until there are 30-35 students.

54. Furthermore, there are problems with the permanent support to institutions that have recently been founded for the study of the Roma, Yiddish and Finnish cultures and languages. The funding of these institutions after their initial three-year period is not guaranteed (cf. paragraphs below).

55. The Committee of Experts encourages 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.

Romani

56. In the 2nd evaluation report, the Committee of Experts “encourage[d] the Swedish authorities to create incentives for universities to offer opportunities for the study of and research into Romani, for example by creating a special task for Romani studies, as has been done for Sami and Finnish, or by earmarking funds for research into Romani.”²⁸

57. In the 3rd monitoring cycle, the Swedish authorities charged Linköping University with the introduction of Romani as a subject and granted an annual SEK 1.5 million (about € 150,000) over a three-year period. The recruitment of teachers and researchers as well as the development of curricula are underway.²⁹ The Committee of Experts welcomes this development and reiterates that the promotion of the study of Romani is a strategic priority in view of the lack of Romani-teachers and the corresponding problems in the provision of Romani education. It encourages the Swedish authorities to secure continuity of that programme of study and research on Romani at Linköping University.

Yiddish

58. In the 2nd evaluation report, the Committee of Experts requested information about the scope and contents of the Yiddish courses offered at Uppsala University since 2002.³⁰

59. The 3rd periodical report does not contain the requested information. During the on-the-spot visit, the Committee of Experts was informed of a growing interest for studying Yiddish at Uppsala University although it is uncertain whether the current offer of Yiddish-courses in Uppsala can be maintained. Furthermore, the Swedish authorities charged Lund University with the introduction of Yiddish as a subject and granted an annual SEK 1.5 million (about € 150,000) over a three-year period.³¹ The Committee of Experts welcomes this development. It encourages the Swedish

²⁷ 3rd periodical report, p. 46-47

²⁸ 2nd Report by the Committee of Experts, paragraph 61

²⁹ 3rd periodical report, p. 53

³⁰ 2nd Report by the Committee of Experts, paragraph 62

³¹ 3rd periodical report, p. 53

authorities to secure continuity of that programme of study and research on Yiddish at Lund University.

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.

60. In the 2nd evaluation report, the Committee of Experts “encourage[d] the Swedish authorities to take measures to improve the awareness and understanding of regional or minority languages in Swedish society at large, notably by ensuring the implementation of the relevant sections of school curricula, by addressing the shortage of adequate teaching materials and by giving attention to regional or minority languages in mainstream teacher training.”³²

61. In the 3rd periodical report, the Swedish authorities state that the choice of teaching materials depends on the individual teacher who may rely on teaching material available on the Mother Tongue Theme website.³³ There is no information about the presence of regional or minority languages in mainstream teacher training. The Committee of Experts recalls that the extent to which a minority language is protected or promoted is a reflection of the majority language speakers’ perception and that awareness-raising within the majority is therefore of the utmost importance.³⁴ It therefore considers that the Swedish authorities should adopt a more structured approach to ensure that teachers implement the relevant sections of school curricula.

The Committee of Experts urges 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.

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.

62. Representatives of all regional or minority languages reported during the on-the-spot visit that deficits in the consultation of the speakers’ representatives persist, including with regard to major political changes affecting the regional or minority languages. For example, the Sweden Finnish delegation referred to the restructuring of the national education boards into three new authorities. The representatives of the speakers have not been consulted during this process.

Romani

63. In the 2nd evaluation report, the Committee of Experts requested further information about the activities of the Council on Roma Issues.³⁵

64. According to the 3rd periodical report, the Council on Roma Issues has been replaced by the Delegation for Roma Issues whose task it is to disseminate information about the Roma in Sweden and to advise the Government on how to improve their situation. Half of the Delegation’s members are Roma.³⁶ While the Delegation for Roma Issues deals with education, culture and media, it is unclear to what extent this covers aspects related to the promotion of Romani. The Committee of Experts requests the Swedish authorities to clarify this aspect in the next periodical report.

³² 2nd Report by the Committee of Experts, paragraph 66

³³ 3rd periodical report, p. 57

³⁴ Cf. 1st evaluation report on Spain, paragraph 182

³⁵ 2nd Report by the Committee of Experts, paragraph 70

³⁶ 3rd Periodical Report, p. 9, 63

Paragraph 5

The Parties undertake to apply, mutatis mutandis, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.

65. In its appreciation of the situation of Romani and Yiddish vis-à-vis Article 7.1-4, the Committee of Experts has kept in mind that those principles should be applied *mutatis mutandis*.

2.2 Evaluation in respect of Part III of the Charter

2.2.1. Sami

66. For the purposes of the present report, the Committee of Experts will not comment on provisions in relation to which no major issues were raised in the first and second reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. In the case of Sami, these provisions are:

- Article 8, paragraph 1.b.iv; f.iii; g;
- Article 9, paragraph 1.a.iii; b.iii; c.iii; d; paragraph 2.a;
- Article 10, paragraph 1.a.v; paragraph 5;
- Article 11, paragraph 1.a; 2;
- Article 12, paragraph 1.a; b; c; d; e; f; h; paragraph 2;
- Article 13, paragraph 1.a;
- Article 14.a; b.

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

Article 8 – Education

General issues

68. In the 2nd evaluation report, the Committee of Experts urged the Swedish authorities “to take concrete measures to raise awareness of the right to education in Sami and to ensure that the municipalities are aware of and comply with their obligations”.³⁷

69. According to the 3rd periodical report, the Swedish Government, the National Agency for Education, the National Agency for School Improvement and the Norrbotten County Administrative Board have taken measures to increase knowledge and awareness of the rights and obligations associated with mother tongue education for the national minorities. Relevant information is available on specialised websites of the Norrbotten County Administrative Board and the Government as well as on the Sami web-portal (samer.se). The National Agency for Education has produced an information package on the rights of national minorities in schools which has been distributed to schools. Also, the National Agency for School Improvement has published a folder about mother-tongue education.

70. In the 2nd evaluation report, the Committee of Experts encouraged the Swedish authorities “to take urgent measures in the field of education to maintain the [particularly endangered] South Sami language”.³⁸

71. According to the information that the Committee of Experts has received, there exists no structured policy for South Sami-education which would take account of the precarious situation of this language. The Committee of Experts also refers to its observations made above (cf. Article 7.1.f).

The Committee of Experts urges the Swedish authorities to take resolute action in the field of education to maintain South Sami.

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;*

³⁷ 2nd Report by the Committee of Experts, paragraph 81

³⁸ 2nd Report by the Committee of Experts, paragraph 83

72. In the 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and “urge[d] the Swedish authorities to take action to promote Sami pre-school education.”³⁹

73. According to the 3rd periodical report, the number of children attending Sami pre-school education has increased from 91 to 107.⁴⁰ In addition, there are now two pre-schools in Kiruna that teach in Sami. The Committee of Experts welcomes the progress that has been made but encourages the Swedish authorities to strengthen the offer of Sami pre-school education.

74. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts strongly urges the Swedish authorities to take action to promote Sami pre-school 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;*

75. In the 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and “encouraged the Swedish authorities to provide secondary education in Sami” also in other municipalities than Jokkmokk.⁴¹

76. According to the information that the Committee of Experts has at its disposal, Bokenskolan in Jokkmokk remains the only secondary school where Sami is taught. There is no Sami-medium secondary education. In addition, the Sami Education Centre can offer distance learning in Sami for pupils of compulsory and upper secondary school, but the Swedish authorities lack data about the number of pupils benefiting from this option. No progress has been made with regard to the lack of teaching materials for secondary education. In order to increase the co-ordination in Sami education, it has been proposed to accommodate the Sami Education Board within the Sami Parliament.⁴² In sum, the Committee of Experts reiterates that secondary education is a critical prerequisite for teacher-training and considers that more resolute action must be taken to provide secondary education in Sami. The Committee of Experts encourages the Swedish authorities to investigate the possibilities of introducing Sami in secondary education in other municipalities where Sami is used.

77. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts encourages 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;*

³⁹ 2nd Report by the Committee of Experts, paragraph 87

⁴⁰ 3rd Periodical Report, p. 69

⁴¹ 2nd Report by the Committee of Experts, paragraph 90

⁴² 3rd Periodical Report, p. 71

78. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled as there were no technical or vocational education programmes which included the teaching of Sami.⁴³

79. According to the 3rd periodical report, Sami vocational education is provided at Bokenskolan in Jokkmokk.⁴⁴ However, in the view of the Committee of Experts, this offer is insufficient.

80. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Swedish authorities to increase the offer of Sami in technical or 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;**

81. In its 2nd evaluation report, the Committee of Experts considered this undertaking fulfilled.

82. According to the 3rd periodical report, Umeå University has been charged by the Government to offer courses in Sami every academic year. For this purpose, Umeå University receives the amount of SEK 420,000 (about € 42,000) from the Swedish authorities. Representatives of the university consider this amount “painfully insufficient.”⁴⁵ Umeå University offers courses in South Sami (currently 25 students), Lule Sami (20 students) and North Sami⁴⁶ and will introduce a postgraduate course in Sami Language Revitalisation. The Committee of Experts was informed during the on-the-spot visit that the incumbent of the Sami chair in Umeå left Sweden in 2008 to teach Sami in Tromsø (Norway). There are three doctoral students in Sami languages at present who may need to follow their supervisor to Norway. At Uppsala University, eight students are attending Sami courses. As the break-even point of required number of students to organise a course is high (30-35), the teaching of Sami at Uppsala University is threatened. However, the Swedish authorities granted the Nordic Sami Institute a special grant of SEK 880,000 (about € 88,000) for studies and research in Sami.⁴⁷

83. During the on-the-spot visit, the Committee of Experts received complaints from speakers of Sami and other regional or minority languages that there is no earmarked funding available for higher education in such languages. Funding of higher education in Sweden (at the undergraduate and graduate levels) is based on the number of registered students, with arts subjects (including languages) receiving the lowest funding. In order to amortise the costs, about 30 students need to be registered for a course. The Committee of Experts considers this demand-driven funding system ill-adapted to regional or minority languages.

84. The decreased number of staff at Umeå and Uppsala universities does not suffice to provide teaching in the different Sami languages. The Committee of Experts therefore encourages 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. The Committee of Experts is concerned about the negative trends concerning the offer of Sami in higher education and considers this undertaking 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;**

85. In the 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled and “urge[d] the Swedish authorities to take proactive measures to overcome the shortage of trained Sami teachers, for instance, by providing incentives to students to become Sami teachers.”⁴⁸

⁴³ 2nd Report by the Committee of Experts, paragraph 93

⁴⁴ 3rd Periodical Report, p. 71-72

⁴⁵ Statement submitted to the Committee of Experts, May 2008

⁴⁶ no data available for North Sami

⁴⁷ 3rd Periodical Report, p. 72

⁴⁸ 2nd Report by the Committee of Experts, paragraph 99

86. According to the additional information that the Committee of Experts has received from the Swedish authorities, Luleå Technical University is obliged to offer teacher training for Sami language teaching in primary and secondary school. The training is carried out as a specialisation within the ordinary teacher training programme and not as a principal subject. In 2007, there was only one applicant for this programme. The usually very low number is to some extent compensated by the fact that teacher training students at Umeå University also follow Sami language courses. Furthermore, the Swedish authorities commissioned a teacher education inquiry in 2007 which will propose new degree requirements for teachers of regional or minority languages and measures for making the teacher training programme for regional or minority languages more attractive to students. On the whole, however, the Committee of Experts notes that the structural problems of teacher training for regional or minority languages (insufficient teaching of these languages in primary schools in accordance with the mother-tongue model, limited availability of secondary education in such languages, lack of incentives for teacher candidates to specialise in regional or minority languages) persist. The shortage of teachers remains particularly acute for Lule and South Sami.

87. The Committee of Experts revises its previous assessment and considers this undertaking partly fulfilled.

The Committee of Experts strongly urges 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.

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.

88. In the 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and encouraged the Swedish authorities to entrust the National Agency for Education with the task of producing reports on the educational situation of national minorities on a regular basis.⁴⁹

89. According to the 3rd periodical report, the National Agency for Education is reviewing its methods of statistics collection with a view to covering the number of regional or minority language speakers following mother-tongue education.⁵⁰ The Committee of Experts welcomes this development and requests the Swedish authorities to inform about the results of the review in the next periodical report. However, the Committee of Experts also notes that the collection of statistics is not sufficient to implement the present undertaking. Rather, the National Agency for Education should also be entrusted to monitor the teaching of regional or minority languages comprehensively and draw up public periodic reports of its findings.

90. The Committee of Experts considers this undertaking 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.

91. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled. 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.⁵¹

92. The Committee of Experts has dealt with the issue of awareness-raising vis-à-vis parents, schools and local authorities under 1.4.2 and in paragraph 68 above. As regards alternative models of language teaching for Sami, the Swedish authorities stated in the 3rd periodical report that distance

⁴⁹ 2nd Report by the Committee of Experts, paragraph 102

⁵⁰ 3rd periodical report, p. 40-42

⁵¹ 2nd Report by the Committee of Experts, paragraphs 106-107

mother-tongue learning is offered via the Mother Tongue Theme website.⁵² The Committee of Experts has also been informed that the funding for the development of teaching materials in regional or minority languages, including Sami, will be increased. While commending the promising development of the Mother Tongue Theme website and the additional funding, the Committee of Experts notes nevertheless that the reliance on online teaching materials alone is insufficient to fulfil the present undertaking.

93. The Committee of Experts considers this undertaking 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;

94. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled and urged the Swedish authorities to take practical and organisational measures to ensure that Sami can be used in criminal proceedings. In addition, the Committee of Experts requested clarification of the precise interpretation of the term “improper purpose” contained in Article 6.2 of the Act concerning the right to use the Sami language in dealings with public authorities and courts.⁵³ In accordance with that term, the judge may refuse a request by an accused to use Sami during the proceedings if he considers that the request has been made for an “improper purpose”.

95. In the 3rd monitoring cycle, the practical and organisational obstacles to the exercise of the right to use Sami in criminal proceedings, such as the lack of Sami-speaking judicial personnel, have persisted. Job advertisements for clerks or judges do not require the knowledge of a regional or minority language because such a qualification is considered to be of “marginal significance”. The Public Prosecutor’s Office in Luleå has no Sami-speaking staff, which may discourage Sami-speakers from using their language. The National Courts Administration has been allocated funds by the Government to provide for interpretation “if needed”. However, there are no statistics about how often interpretation into Sami has been provided during the reporting period. According to a survey carried out in 2008, only 4% of the Sami-speakers use Sami in relations with courts and administrative authorities. There are also no indications that Sami-speakers have been actively encouraged to use their language. In the view of the Committee of Experts, judicial staff should actively encourage citizens to use Sami in courts, for example through bi- or multilingual notices and signs in/on court buildings, and information in public announcements or court forms.

96. As regards the clause on “improper use”, the Swedish authorities state that it shall only be applied very restrictively, for example when it is obvious that a request has been made in order to delay the court proceedings.

97. The Committee of Experts considers this undertaking formally fulfilled.

⁵² 3rd Periodical Report, p. 14, 19, 75

⁵³ 2nd Report by the Committee of Experts, paragraph 110 in conjunction with the 1st Report by the Committee of Experts, paragraphs 101/105

- 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;

98. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled as there was no legal obligation for the authorities to produce written documents in Sami.

99. In the 3rd monitoring cycle, the situation has not changed. Courts assess on an ad hoc-basis whether a document has to be translated and will do so “unless this is quite obviously unnecessary.” According to the periodical report, no party has ever invoked any of the minority language acts before courts.⁵⁴ Representatives of judicial authorities confirmed this during the on-the-spot visit.

100. The Committee of Experts considers this undertaking 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;

101. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled and urged the Swedish authorities to take practical and organisational measures to ensure that Sami can be used in civil proceedings.⁵⁵

102. According to the information that the Committee of Experts has at its disposal, no such measures have been taken.⁵⁶

103. The Committee of Experts considers this undertaking 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;

104. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled and urged the Swedish authorities to take practical and organisational measures to ensure that Sami can be used in administrative proceedings.⁵⁷

105. In the 3rd monitoring cycle, no such measures seem to have been taken.⁵⁸

106. The Committee of Experts considers this undertaking formally fulfilled.

The Committee of Experts strongly urges the Swedish authorities to take practical and organisational measures to ensure that Sami can be used in criminal, civil and administrative proceedings.

⁵⁴ 3rd Periodical Report, p. 77

⁵⁵ 2nd Report by the Committee of Experts, paragraph 113 in conjunction with the 1st Report by the Committee of Experts, paragraph 105

⁵⁶ 3rd Periodical Report, p. 76-79

⁵⁷ 2nd Report by the Committee of Experts, paragraph 115 in conjunction with the 1st Report by the Committee of Experts, paragraph 105

⁵⁸ 3rd Periodical Report, p. 76-79

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.

107. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and “encourage[d] 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.”⁵⁹

108. According to the periodical report, no additional statutory texts have been translated into Sami during the 3rd monitoring cycle. The Act concerning the right to use the Sami language in dealings with public authorities and courts remains the only statutory text that has been translated into Sami.⁶⁰

109. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts urges 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.

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.*

110. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It “encourage[d] 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 existing staff members to improve their Sami-language skills.”⁶¹

111. According to the 3rd periodical report, the Public Employment Service in Norrbotten requires, when advertising its own job vacancies, a good command of Sami. The periodical report also states that the Norrbotten County Administrative Board has recruited a temporary staff member to work on national minority issues.⁶² There is no information about in-house further training and the provision of incentives for staff to improve their Sami-language skills. On the whole, it appears that the structural shortcomings identified in the previous monitoring cycles persist (lack of Sami-speaking staff and of a specific human resources policy, lack of in-house interpreters, delays in treating applications in Sami) and that the use of Sami in relations with the branches of State administration has not increased. In addition, State authorities do not draft documents in Sami. The Committee of Experts considers that the aforementioned problems may discourage Sami-speakers from using their language in dealings with the State authorities.

112. The Committee of Experts considers this undertaking formally fulfilled.

⁵⁹ 2nd Report by the Committee of Experts, paragraph 119

⁶⁰ 3rd Periodical Report, p. 78

⁶¹ 2nd Report by the Committee of Experts, paragraph 125

⁶² 3rd Periodical Report, p. 81-82

The Committee of Experts urges 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.

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;*

113. In its 2nd evaluation report, the Committee of Experts considered Article 10.2.c and d not fulfilled whereas Article 10.2.b was partly fulfilled. It “urge[d] the authorities to take concrete steps to ensure the fulfilment of these undertakings, [which] could include continuing support for co-operation between municipalities.” In particular, the Committee of Experts encouraged the Swedish authorities to earmark funds to ensure the future of inter-municipal co-operation.⁶³

114. In the 3rd monitoring cycle, the municipalities of Arjeplog, Gällivare, Övertorneå and Haparanda have adopted minority policy action plans with a view to encouraging the oral and written use of Sami, Finnish and Meänkieli. In addition, the municipalities of Jokkmokk and Kiruna have set up working groups to develop proposals on how to implement the legislation on regional or minority languages. The Kommunförbundet Norrbotten (association of local authorities) has launched a project on improving and exchanging knowledge on the language legislation. Kiruna municipality intends to make forms available in Sami, Finnish and Meänkieli and to take practical measures (multilingual switchboard) to encourage the oral use of these regional or minority languages in relations with the local authority.⁶⁴ The Committee of Experts is pleased to learn that the co-operation between municipalities on the promotion of the regional or minority languages has been strengthened, but the Swedish authorities do not seem to have earmarked funds for this. In addition, the Committee of Experts welcomes that local authorities prepare to translate their official documents into Sami.

115. The Committee of Experts considers Article 10.2.b partly fulfilled and Article 10.2.c and d not fulfilled.

The Committee of Experts strongly urges the Swedish authorities to take further concrete steps to ensure the fulfilment of these undertakings in co-operation with the speakers.

- 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.*

116. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

117. According to the 3rd periodical report, place-names in North, Lule and South Sami are being used on signs and in road maps.⁶⁵ It is, however, not clear in how many places/municipalities toponyms are used in regional or minority languages as well.

118. The Committee of Experts would welcome such information in the next periodical report.

⁶³ 2nd Report by the Committee of Experts, paragraphs 129-130

⁶⁴ 3rd Periodical Report, p. 82; Statement by the Kommunförbundet Norrbotten to the Committee of Experts, 15 May 2008

⁶⁵ 3rd Periodical Report, p. 83

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;

119. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled as translators and interpreters were not systematically available.

120. According to the information that the Committee of Experts has received, administrative authorities have no in-house translators and interpreters for Sami and have to hire them on an ad-hoc basis.

121. The Committee of Experts considers this undertaking partly fulfilled.

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;

122. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled as no specific measures had been taken to encourage and/or facilitate the production and distribution of audio and audiovisual works in Sami.

123. According to the 3rd periodical report, the situation has not changed.⁶⁶ Filmpool Nord, which has been assigned the task of being a regional actor to co-produce regional films, does not have a specific remit in respect of producing and/or distributing works in any regional or minority language. The Committee of Experts reiterates that this provision necessitates pro-active measures by the Swedish authorities, for example technical and financial support (acquisition of works in Sami by schools, public libraries or cultural institutions etc.).⁶⁷

124. The Committee of Experts considers this undertaking not fulfilled. It urges the Swedish authorities to encourage and/or facilitate the production and distribution of audio and audiovisual works in Sami.

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

125. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled and “urge[d] the Swedish authorities to take concrete measures to encourage and/or facilitate the creation of a newspaper in Sami.”⁶⁸

126. As noted in the 2nd evaluation report, a parliamentary committee submitted a report in 2006 about the situation of the daily press in Sweden. This report proposed to lower the required minimum number of subscriptions for press subsidies from 2,000 to 1,500 and consider daily newspapers for the purposes of subsidies. It proposed in particular that the Government should explore the possibility of transfrontier co-operation with Norway and Finland in order to facilitate the publication of a daily newspaper in Sami and Meänkieli. These proposals are still being discussed within the Swedish

⁶⁶ 3rd Periodical Report, p. 85-86

⁶⁷ Cf. 2nd Report of the Committee of Experts on Germany, paragraph 74

⁶⁸ 2nd Report by the Committee of Experts, paragraphs 148

Government and are subject to a review by the European Commission which examines the compatibility of the press subsidy system with the internal market.⁶⁹

127. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts strongly urges the Swedish authorities to take concrete measures to encourage and/or facilitate the creation of a newspaper in Sami.

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

128. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

129. According to the 3rd periodical report, no financial assistance for the production of television programmes and other audiovisual products in Sami has been granted.⁷⁰

130. The Committee of Experts considers this undertaking 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;

131. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and requested further information from the Swedish authorities.⁷¹

132. Following a Government Bill on archiving, the Swedish authorities commissioned the National Archives to start co-operation with similar institutions and representatives of the national minorities to facilitate the preservation of archive material from the national minorities. At present, a Sami Library in Jokkmokk has a collection of literature and dictionaries in Sami. There are also archives which collect material in Sami and about Sami-related topics.⁷²

133. The Committee of Experts considers this undertaking fulfilled.

⁶⁹ 3rd Periodical Report, p. 86

⁷⁰ 3rd Periodical Report, p. 86

⁷¹ 2nd Report by the Committee of Experts, paragraphs 154

⁷² 3rd Periodical Report, p. 32, 90

2.2.2. Finnish

134. For the purposes of the present report, the Committee of Experts will not comment on provisions in relation to which no major issues were raised in the first and second reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. For Finnish, these provisions are:

- Article 8, paragraph 1.f.iii;
- In relation to the Finnish administrative area:
 - Article 9, paragraph 1.a.ii; a.iii; b.ii; b.iii; c.ii; c.iii; d; paragraph 2.a;
 - Article 10, paragraph 1.a.v; paragraph 2.b; paragraph 4; paragraph 5;
- Article 11, paragraph 2;
- Article 12, paragraph 1.a; b; c; d; f; h; paragraph 2;
- Article 13, paragraph 1.a;
- Article 14.a; b.

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

136. While the Committee of Experts' examination below is confined to the Finnish administrative area, this should not be taken as an indication that the Committee of Experts disregards the situation in other areas where Finnish has a traditional presence, which it expects the Swedish authorities to address.

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;

137. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and “urge[d] the Swedish authorities to take action to promote Finnish pre-school education.”⁷³

138. In the 3rd monitoring cycle, representatives of the Finnish-speakers criticized the fact that there is neither a statutory right, nor earmarked funding for mother-tongue pre-school education. This has led to the closure of many Finnish-speaking pre-schools and Finnish-speaking groups within mainstream pre-schools. The periodical report provides no statistics on the present number of pre-schools that teach wholly or partly in Finnish.⁷⁴ Lacking a complete picture, the Committee of Experts is not in a position to evaluate the implementation of this undertaking. It requests the Swedish authorities to provide specific information in the next periodical report, including information about special training for Finnish-speaking pre-school personnel.

139. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts strongly urges the Swedish authorities to take action to promote Finnish 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

⁷³ 2nd Report by the Committee of Experts, paragraph 163

⁷⁴ 3rd Periodical Report, p. 96, 167

- 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;*

140. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

141. According to the 3rd periodical report, eight Sweden Finnish independent primary schools provide Finnish-medium education. Only one new bilingual primary school, a special school in Upplands-Väsby, has been opened during the reporting period.⁷⁵ Finnish-language education continues to rely mainly on mother-tongue education. This model is, however, insufficient to guarantee the fulfilment of even the weakest option (iii) provided for by this undertaking. Furthermore, there are still no teaching materials produced specifically for the teaching of/in Finnish as a regional or minority language.

142. The Committee of Experts considers this undertaking 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;*

143. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “urge[d] the Swedish authorities to take action, both at primary and secondary level, with a view to:

- ensuring that municipalities are aware of their obligations to offer teaching in or of Finnish and to inform parents of this possibility;
- ensuring that compliance with these obligations is adequately monitored;
- removing the requirement that Finnish must be in daily use at home before mother-tongue instruction in Finnish is available;
- developing bilingual education as an alternative to mother-tongue education, which in its current form is too limited to ensure compliance with these undertakings.”⁷⁶

144. The Committee of Experts has dealt with the issues of awareness-raising vis-à-vis municipalities and compliance monitoring under 1.4.2 above and with the requirement of daily use under Article 7.1.f. Furthermore, no steps have been taken by the Swedish authorities in the 3rd monitoring cycle to develop bilingual secondary education as an alternative to mother-tongue education. Neither does the periodical report provide updated statistics concerning Finnish-language education at the secondary level.

145. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts strongly urges 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.

- 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*

⁷⁵ 3rd Periodical Report, p. 96

⁷⁶ 2nd Report by the Committee of Experts, paragraph 171

- 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;*

146. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled because it had received no evidence of technical and vocational education taking place in Finnish.

147. According to the 3rd periodical report, there are technical and vocational education programmes for school recreation leaders and bilingual staff assistants carried out at Axevalla Folk High School.⁷⁷ The Committee of Experts has not received any specific information about the nature of these programmes and the number of persons enrolled and requests the Swedish authorities to submit information on that aspect, as well as regarding the extent to which teaching takes place in Finnish in the next periodical report.

148. The Committee of Experts considers this undertaking 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;

149. In its 2nd evaluation report, the Committee of Experts considered this undertaking fulfilled.

150. On the whole, there is still provision in Sweden for the study of Finnish. According to the 3rd periodical report, studies in Finnish are offered at the universities of Uppsala, Lund, Umeå and Stockholm.⁷⁸ According to information that the Committee of Experts received during the on-the-spot visit, there is no provision for Finnish at Lund University but some at Mälardalen University, which is located in the region where the majority of the speakers reside. The teaching at Uppsala University no longer targets Finnish-speakers but beginners. The Committee of Experts also notes that the problems created by the demand-based funding system which were outlined with regard to Sami above also apply to Finnish. The possibility to offer adequate teacher training for Finnish has been drastically decreased (cf. Article 8.1.h below).

151. Due to the range of study in Finnish offered at the Stockholm, Umeå and Mälardalen Universities, the Committee of Experts still considers this undertaking fulfilled. However, it encourages the Swedish authorities to develop and apply a structured policy for higher education in Finnish and report about the further development in the next periodical report.

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

152. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

153. The teaching of the history and culture which is reflected by a regional or minority language depends on the initiative of individual teachers and is not systematically ensured (cf. Article 7.3).

154. The Committee of Experts considers this undertaking partly fulfilled. Nevertheless, it requests the Swedish authorities to provide further information on the practical implementation of this undertaking in their next periodical report.

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

155. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

⁷⁷ 3rd Periodical Report, p. 97

⁷⁸ 3rd Periodical Report, p. 97

156. Although the number of students enrolled in the teacher training programme for Finnish at Luleå Technical University has increased to a certain degree, the possibility to offer adequate teacher training for Finnish has been decreased due to drastic cuts in staffing. The Committee of Experts notes that the basic training of teachers for Finnish is inadequate and that there seems to be no systematic further training for teachers of Finnish.

157. The Committee of Experts nevertheless considers this undertaking partly fulfilled. It requests the Swedish authorities to take measures to create a structured policy regarding teacher training in/of Finnish in co-operation with the speakers.

- 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.**

158. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and encouraged the Swedish authorities to entrust the National Agency for Education with the task of producing periodic reports on a regular basis.⁷⁹

159. As regards the 3rd monitoring cycle, the Committee of Experts refers to its respective evaluation with regard to Sami.

160. The Committee of Experts considers this undertaking 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.

161. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

162. According to the 3rd periodical report, Finnish mother-tongue education is provided in areas outside the administrative districts. It is also possible to study Finnish at the folk high schools in Axevalla and Gothenburg.⁸⁰ The Committee of Experts observes that its concerns with regard to the limited effectiveness of mother-tongue education and the almost complete absence of bilingual education in Finnish (cf. Articles 8.1.b.iv and c.iv above) also apply in respect of territories other than those in which Finnish is traditionally used. Swedish legislation has established an individual right for pupils to receive tuition in Finnish. However, the infrastructure needed to implement this right seems not to be in place. The Committee of Experts has been informed of examples where demands for tuition in Finnish have not been met, due to the lack of competent teachers. There seems to be a need for a structured approach to ensure that this legal right to tuition in Finnish can be exercised in practice. The Committee of Experts encourages the Swedish authorities to develop a system by which this right to education can be fulfilled in practice, and to report about the results in the next periodical report.

163. The Committee of Experts considers this undertaking partly fulfilled. It requests the Swedish authorities to provide further information in the next periodical report.

⁷⁹ 2nd Report by the Committee of Experts, paragraph 185

⁸⁰ 3rd Periodical Report, p. 99

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:*

...

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;

164. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled and “urge[d] the Swedish authorities to ensure fulfilment of this undertaking, including, if necessary, by modifying the relevant legislation.”⁸¹

165. In the 3rd monitoring cycle, the situation has not changed. There is no obligation for the authorities to produce written documents in Finnish under the existing legislation, which only requires an oral translation on request.

166. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts strongly urges 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.

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.

167. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and “encourage[d] 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 are made available in Finnish too.”⁸²

168. No additional statutory texts have been translated into Finnish during the 3rd monitoring cycle (cf. the respective evaluation in respect of Sami).

169. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts urges 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 are made available in Finnish too.

⁸¹ 2nd Report by the Committee of Experts, paragraph 188

⁸² 2nd Report by the Committee of Experts, paragraph 191

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.

170. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled in the Finnish administrative area.

171. According to the 3rd periodical report, State administrative authorities such as the employment agencies in Norrbotten County have a high number of staff with a command of Finnish who can provide all services in Finnish. With regard to other State administrative authorities, the Committee of Experts has not received sufficient information about the use of Finnish, in particular in writing.

172. The Committee of Experts considers this undertaking 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;

173. In its 2nd evaluation report, the Committee of Experts considered Article 10.2.c and 10.2.d not fulfilled. It “urge[d] the authorities to take concrete steps to ensure the fulfilment of these undertakings”, which could include continuing support for co-operation between municipalities. In particular, it encouraged the Swedish authorities to earmark funds to ensure the future of inter-municipal co-operation.⁸³

174. With regard to the 3rd monitoring cycle, the Committee of Experts refers to its evaluation of Articles 10.2.c-d in respect of Sami, which applies accordingly.

175. The Committee of Experts considers Article 10.2.c and 10.2.d not fulfilled.

The Committee of Experts strongly urges the Swedish authorities to take further concrete steps to ensure the fulfilment of these undertakings.

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.

176. In its 2nd evaluation report, the Committee of Experts considered this undertaking only partly fulfilled as the presence of Finnish place names was not yet satisfactory.

⁸³ 2nd Report by the Committee of Experts, paragraphs 199-200

177. With regard to the 3rd monitoring cycle⁸⁴, the Committee of Experts refers to its evaluation of Article 10.2.g in respect of Sami, which applies accordingly, and would welcome further 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:

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;*

178. In its 2nd evaluation report, the Committee of Experts considered this undertaking fulfilled. Still, it encouraged the Swedish authorities to resolve the problems of receiving SR Sisuradio in Northern Sweden.⁸⁵

179. The 3rd periodical report does not contain information about how the problems of receiving SR Sisuradio in Northern Sweden have been addressed. As regards the general situation, Sveriges Television (SVT) broadcast 131 hours in Finnish in 2006. The number of hours devoted to Finnish programmes on SR Sisuradio decreased to 7,225⁸⁶ in 2006 (7,318 hours in 2004) despite the preferential treatment of Finnish under the public broadcasting licence. While the overall situation of Sisuradio has been positive, changes of the structure of the public service companies might negatively affect the extension of its broadcasting.

180. The Committee of Experts considers this undertaking fulfilled. It encourages the Swedish authorities to provide information regarding the position of Sisuradio as part of the public broadcasting in Finnish in the next periodical report.

c i *to encourage and/or facilitate the creation of at least one television channel in the regional or minority languages;*

181. In its 2nd evaluation report, the Committee of Experts considered this undertaking fulfilled. It requested the Swedish authorities to clarify whether or not the existing offer would be continued or changed and whether the creation of a television channel in Finnish was encouraged or facilitated.⁸⁷

182. According to the 3rd periodical report, a Finnish channel has been distributed in the Swedish digital terrestrial network in Stockholm, Västerås and Uppsala since 2007. As a result of the extension of the broadcasting area to Mälardalen, the number of Finnish-speakers who can watch the channel has considerably increased. The channel is also distributed in the digital cable network to a large number of municipalities.⁸⁸ The Committee of Experts welcomes this development.

183. The Committee of Experts considers this undertaking fulfilled.

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

184. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled.

⁸⁴ 3rd Periodical Report, p. 104, 83

⁸⁵ 2nd Report by the Committee of Experts, paragraph 204

⁸⁶ 3rd Periodical Report, p. 105

⁸⁷ 2nd Report by the Committee of Experts, paragraph 206

⁸⁸ 3rd Periodical Report, p. 106

185. With regard to the 3rd monitoring cycle, the Committee of Experts refers to the evaluation of this undertaking in respect of Sami.⁸⁹

186. The Committee of Experts considers this undertaking not fulfilled. It urges the Swedish authorities to encourage and/or facilitate the production and distribution of audio and audiovisual works in Finnish.

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

187. In its 2nd evaluation report, the Committee of Experts considered this undertaking fulfilled.

188. While the overall situation has not changed during the 3rd monitoring cycle⁹⁰, the Committee of Experts was informed during the on-the-spot visit that the newspapers published in Finnish face difficulties in recruiting linguistically skilled journalists. According to the information received by the Committee of Experts, there is one weekly newspaper published in Finnish and one trilingual weekly which is mainly published in Swedish and to a lesser extent in Finnish and Meänkieli.

189. The Committee of Experts nevertheless considers this undertaking fulfilled.

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

190. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

191. The 3rd periodical report does not provide any example of assistance to audiovisual productions in Finnish. There is also no evidence that the existing measures of financial assistance are designed in such a way that audiovisual productions in Finnish could qualify for them in practice.⁹¹

192. The Committee of Experts considers this undertaking formally fulfilled. It encourages 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.

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;*

193. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

194. According to the 3rd periodical report, the Sweden Finnish Archives receive between SEK 175,000 and SEK 200,000 (about € 17,500-20,000) per year. However, this funding neither enables the archives to offer their services according to the needs of the speakers, nor to adapt the archives materials to necessary new technologies.

195. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Swedish authorities to provide the Sweden Finnish Archives with the necessary funding to carry out its tasks in accordance with this undertaking.

⁸⁹ 3rd Periodical Report, p. 106

⁹⁰ 3rd Periodical Report, p. 107

⁹¹ 3rd Periodical Report, p. 107

2.2.3. Meänkieli

196. For the purposes of the present report, the Committee of Experts will not comment on provisions in relation to which no major issues were raised in the first and second reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. In the case of Meänkieli, these provisions are:

- Article 8, paragraph 1.f.iii;
- Article 9, paragraph 1.a.iii; b.iii; d; paragraph 2.a;
- Article 10, paragraph 1.a.v; paragraph 2.g; 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.

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

General issues

198. Codification and standardisation of Meänkieli are necessary for the implementation of several undertakings entered into by Sweden with respect to this language, in particular under Articles 9 and 10. Unfortunately, the 3rd periodical report contains no information about how the Swedish authorities have supported initiatives by speakers to standardise the language and plans to establish a Meänkieli Language Board. The Committee of Experts encourages the Swedish authorities to provide such information in the next periodical report. Moreover, it would like to receive information on the implementation of the language plan on Meänkieli.

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* / *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;*

199. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and “encourage[d] the Swedish authorities to maintain and improve the offering of pre-school education in Meänkieli throughout the area where the language has been traditionally spoken.”⁹²

200. According to the 3rd periodical report, the Norrbotten County Administrative Board has allocated special funding to the municipality of Pajala to enable the dissemination of Pajala’s experience with Meänkieli-language pre-school education to other municipalities in Norrbotten.⁹³ However, it appears that there is still no systematic provision of Meänkieli pre-school education in the other municipalities of the Meänkieli administrative area (Gällivare, Haparanda, Kiruna and Övertorneå).

201. The Committee of Experts considers this undertaking partly fulfilled. It requests 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.

⁹² 2nd Report by the Committee of Experts, paragraph 232

⁹³ 3rd Periodical Report, p. 114

The Committee of Experts 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;*

202. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “urge[d] the Swedish authorities to take action with a view to:
- ensuring that municipalities are aware of their obligations to offer teaching in or of Meänkieli and to inform parents of this possibility;
- ensuring that compliance with these obligations is adequately monitored;
- developing bilingual education as an alternative to mother-tongue education, which in its current form is too limited to ensure compliance with this undertaking.”⁹⁴

203. The Committee of Experts has dealt with the issues of awareness-raising vis-à-vis municipalities and parents as well as with compliance monitoring under 1.4.2. above. With regard to the third recommendation mentioned in para. 202 above, the 3rd periodical report states that mother-tongue education in Meänkieli is offered in 3 of the 5 municipalities in the administrative district for Meänkieli.⁹⁵ No steps seem to have been taken by the Swedish authorities to develop bilingual primary education as an alternative to mother-tongue education. However, there exists one independent primary school in Pajala which provides limited Meänkieli-medium instruction. The Committee of Experts was informed during the on-the-spot visit that Pajala municipality has also developed teaching materials for Meänkieli. Similar steps are envisaged by Kiruna municipality. The Committee of Experts welcomes the progress that has been made in this field and hopes that the three other municipalities of the administrative area will follow these examples.

204. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts strongly urges 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.

- 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;*

205. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled and “encourage[d] the Swedish authorities to develop strategies, in collaboration with the Meänkieli speakers, to strengthen the offer of Meänkieli secondary education.”⁹⁶

206. The Swedish authorities informed the Committee of Experts that Meänkieli secondary education has not been strengthened in the 3rd monitoring cycle because of a lack of teachers. According to the 3rd periodical report, only one pupil has completed mother-tongue education in Meänkieli at the upper secondary level in 2007.⁹⁷ There are no indications that any pupil at the secondary level is receiving Meänkieli teaching at present. In addition, no teaching materials for the

⁹⁴ 2nd Report by the Committee of Experts, paragraph 236

⁹⁵ 3rd Periodical Report, p. 114

⁹⁶ 2nd Report by the Committee of Experts, paragraph 239

⁹⁷ 3rd Periodical Report, p. 114

secondary level have been developed. The Committee of Experts notes with concern that there is no structured policy for the implementation of this undertaking.

207. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts 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;*

208. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled as no education was provided in Meänkieli in technical and vocational education.

209. The 3rd periodical report does not provide any information about technical and vocational education in Meänkieli. The Committee of Experts requests the Swedish authorities to inform about the implementation of this undertaking in the next periodical report.

210. The Committee of Experts considers this undertaking 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;*

211. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

212. The teaching of the history and culture which is reflected by a regional or minority language depends on the initiative of individual teachers and is not systematically ensured (cf. Article 7.3). According to the information received, such teaching is implemented in Pajala.

213. The Committee of Experts considers this undertaking partly fulfilled. It requests the Swedish authorities to provide information on the extent of implementation in the other municipalities of the administrative area.

- 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;*

214. In its 1st and 2nd evaluation reports, the Committee of Experts considered this undertaking fulfilled.

215. Several universities that offer tuition in Finnish also teach in Meänkieli as an integral part of their Finnish programmes.⁹⁸ However, the Committee of Experts was informed during the on-the-spot visit that the teaching in/of Meänkieli at the universities of Luleå and Stockholm is not secured. Furthermore, according to information received by the Committee of Experts, there is no full academic position for the teaching of Meänkieli in higher education.

⁹⁸ 3rd Periodical Report, p. 116

216. The Committee of Experts considers this undertaking partly fulfilled, and invites the Swedish authorities to provide information on the development of Meänkieli in higher education in the next periodical report.

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

217. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and “encourage[d] the Swedish authorities to introduce training of teachers as part of its strategy to strengthen secondary education in Meänkieli.”⁹⁹

218. According to the 3rd periodical report, two students applied for the teacher training programme for Meänkieli at Luleå Technical University in 2006 and one in 2007. In addition, teachers from the municipality of Övertorneå have undergone a ten-week course in Meänkieli at Luleå Technical University.¹⁰⁰ The lack of a structured policy for the study of and research on Meänkieli in higher education (cf. Article 8.1.eiii) is also detrimental to the teacher training for Meänkieli. The Committee of Experts underlines the importance of a more structured approach in the field of teacher training, especially since many teachers feel that their ability to use Meänkieli, especially in writing, is not satisfactory.

219. The Committee of Experts considers this undertaking partly fulfilled. It requests the Swedish authorities to provide more specific information about teacher training for Meänkieli.

The Committee of Experts urges the Swedish authorities to adopt and implement a structured policy for basic and further training of teachers in/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.**

220. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and encouraged the Swedish authorities to entrust the National Agency for Education with the task of producing periodic reports on a regular basis.¹⁰¹

221. As regards the 3rd monitoring cycle, the Committee of Experts refers to its respective evaluation in respect of Sami.

222. The Committee of Experts considers this undertaking 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.

223. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and encouraged the authorities to provide information regarding the demand and measures taken to meet demands for mother-tongue education in Meänkieli.¹⁰²

224. According to the 3rd periodical report, there is little demand for mother-tongue education in Meänkieli outside the administrative area. Mother-tongue distance learning in Meänkieli is possible via the Mother Tongue Theme website. Also, adult education associations occasionally arrange courses in Meänkieli outside the administrative area.

225. The Committee of Experts considers this undertaking partly fulfilled. It urges the Swedish authorities to provide information regarding the demand, and measures taken, to meet requests for education in Meänkieli.

⁹⁹ 2nd Report by the Committee of Experts, paragraph 248

¹⁰⁰ 3rd Periodical Report, p. 116

¹⁰¹ 2nd Report by the Committee of Experts, paragraph 251

¹⁰² 2nd Report by the Committee of Experts, paragraph 254

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;

226. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled and urged the Swedish authorities to take practical and organisational measures to ensure that Meänkieli can be used in criminal proceedings.¹⁰³

227. In the 3rd monitoring cycle, the practical and organisational obstacles to the exercise of the right to use Meänkieli in criminal proceedings, such as the lack of Meänkieli-speaking judicial personnel, have persisted. In particular, there are no indications that Meänkieli-speakers have been actively encouraged to use their language. In addition, there does not seem to exist a structured policy for the training of translators and interpreters in Meänkieli.

228. The Committee of Experts considers this undertaking formally fulfilled.

The Committee of Experts strongly urges the Swedish authorities to take practical and organisational measures to ensure that Meänkieli can be used 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;

229. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled as there was no legal obligation for the authorities to produce written documents in Meänkieli.

230. In the 3rd monitoring cycle, the situation has not changed. Courts would in theory assess on an ad hoc-basis whether documents need to be translated, but no party has ever requested this so far.¹⁰⁴

231. The Committee of Experts considers this undertaking 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;

232. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

233. As regards the 3rd monitoring cycle, the considerations with regard to Article 9.1.a.ii (above) also apply to the present undertaking.

¹⁰³ 2nd Report by the Committee of Experts, paragraph 257 in conjunction with the 1st Report by the Committee of Experts, paragraph 331

¹⁰⁴ 3rd Periodical Report, p. 118

234. The Committee of Experts considers this undertaking 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;

235. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

236. As regards the 3rd monitoring cycle, the considerations with regard to Article 9.1.a.ii (above) also apply to the present undertaking.

237. The Committee of Experts considers this undertaking 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.

238. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled and “encourage[d] 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.”¹⁰⁵

239. No additional statutory texts have been translated into Meänkieli during the 3rd monitoring cycle (cf. the respective evaluation in respect of Sami).

240. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts urges 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.

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.

241. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

242. According to the 3rd periodical report, the employment agencies of Norrbotten can offer services in Meänkieli, but the Meänkieli-speakers seem to use only Swedish in practice. Therefore, no

¹⁰⁵ 2nd Report by the Committee of Experts, paragraph 266

documents in Meänkieli have been drafted so far.¹⁰⁶ The Committee of Experts is of the view that the State administrative authorities should actively encourage Meänkieli-speakers to submit oral or written applications and receive a reply in their language.

243. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Swedish authorities to ensure in practice that users of Meänkieli may submit oral or written applications and receive a reply in Meänkieli.

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;*

244. In its 2nd evaluation report, the Committee of Experts considered the undertakings under Article 10.2.c and 10.2.d not fulfilled, whereas Article 10.2.b was considered partly fulfilled. It urged the authorities to take concrete steps to ensure the fulfilment of these undertakings, which could include continuing support for co-operation between municipalities.¹⁰⁷

245. According to the Swedish authorities, it is very unusual for a Meänkieli-speaker to submit a written application in Meänkieli. This language is only used in oral communication. So far, local and regional authorities have 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 have increased their co-operation with a view to implementing the language legislation. In this context, the Committee of Experts refers to its evaluation of Articles 10.2.b-d in respect of Sami.

246. The Committee of Experts considers Article 10.2.b partly fulfilled, whereas it considers Articles 10.2.c and 2.d not fulfilled. It strongly urges the Swedish authorities to take further concrete steps to ensure the fulfilment of these undertakings.

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;*

247. In its 2nd evaluation report, the Committee of Experts considered this undertaking fulfilled with respect to the radio provision and partly fulfilled with respect to television.

¹⁰⁶ 3rd Periodical Report, p. 120; additional information submitted to the Committee of Experts

¹⁰⁷ 2nd Report by the Committee of Experts, paragraph 275

248. According to the 3rd periodical report, the broadcasting time of Meänkieli programmes on Sveriges Television increased to 10 hours in 2006 (6 in 2005) and to 834 hours (827 in 2005) on SR Sisuradio.¹⁰⁸ During the on-the-spot visit, representatives of the Meänkieli-speakers stated that the broadcasting time is nonetheless very limited. They also expressed their dissatisfaction with the fact that the programmes in Meänkieli are not produced by an editorial department that is independent of the Finnish department, which reveals that the awareness of Meänkieli being a language in its own right is limited. According to information received during the on-the-spot visit, there is also the danger of having no competent journalists when the present ones retire.

249. The Committee of Experts nevertheless considers this undertaking fulfilled. It encourages the Swedish authorities to solve the issues raised by the speakers in co-operation with them.

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

250. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled.

251. The 3rd periodical report does not provide any example of specific measures intended to encourage and/or facilitate the production and distribution of audio and audiovisual works in Meänkieli. The Committee of Experts reiterates that this provision necessitates pro-active measures by the Swedish authorities, for example technical and financial support (acquisition of works in Meänkieli by schools, public libraries or cultural institutions etc.).

252. The Committee of Experts considers this undertaking not fulfilled. It urges the Swedish authorities to encourage and/or facilitate the production and distribution of audio and audiovisual works in Meänkieli.

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 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled and “urge[d] the Swedish authorities to encourage and/or facilitate the creation of a newspaper in Meänkieli.”¹⁰⁹

254. As regards the 3rd monitoring cycle, the Committee of Experts notes that there is still no newspaper in Meänkieli and refers to its evaluation of this undertaking in respect of Sami.¹¹⁰

255. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts strongly urges the Swedish authorities to encourage and/or facilitate the creation of a newspaper in Meänkieli.

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

256. In its 2nd evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

257. The 3rd periodical report does not provide any examples of financial assistance for the production of television programmes in Meänkieli.¹¹¹

258. The Committee of Experts considers this undertaking formally fulfilled.

¹⁰⁸ 3rd Periodical Report, p. 121, 169

¹⁰⁹ 2nd Report by the Committee of Experts, paragraph 287

¹¹⁰ 3rd Periodical Report, p. 122

¹¹¹ 3rd Periodical Report, p. 86

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;*

259. In its 2nd evaluation report, the Committee of Experts considered this undertaking not fulfilled as no information had been provided as to whether the authorities supported translation, dubbing, post-synchronisation and subtitling activities from Meänkieli into Swedish.

260. According to the 3rd periodical report, the Swedish Arts Council has assisted a number of publishing companies with a view to supporting the publication of books in Meänkieli.¹¹² However, the Committee of Experts lacks information with regard to other activities that are relevant under this undertaking, such as dubbing, post-synchronisation and subtitling. The Swedish authorities are requested to specify this in the next periodical report.

261. The Committee of Experts considers this undertaking partly fulfilled.

- 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;*

262. In its 2nd evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

263. According to the 3rd periodical report, the Swedish Arts Council grants annual support (SEK 250,000/about € 25,000) to the North Scandinavian Library to set up a centre for Meänkieli which will be responsible for collecting printed material in Meänkieli.¹¹³ Audio or audiovisual works are collected by the Institute for Language and Folklore and the Swedish National Archive of Recorded Sound and Moving Images. These bodies have, however, no specific responsibility for Meänkieli.

264. The Committee of Experts nevertheless considers this undertaking fulfilled. It requests the Swedish authorities to provide information on the progress of the Centre for Meänkieli at the North Scandinavian Library.

¹¹² 3rd Periodical Report, p. 124

¹¹³ 3rd Periodical Report, p. 125

Chapter 3. Findings

3.1. Conclusions of the Committee of Experts on how the Swedish authorities reacted to the recommendations of the Committee of Ministers in the second monitoring round

Recommendation no. 1:

“implement the proposals of the Government Commission for the Finnish and South Sami Languages, in respect of extending the administrative areas for Finnish and Sami, as well as adopting specific legislation on regional or minority languages and establishing a national agency responsible for supervising its implementation”

265. The Swedish authorities have commissioned an additional report (“National Minority Languages in Courts and Agencies – An Alternative”) which recommends notably not to expand the administrative area for Finnish and to expand the administrative area for Sami by only two municipalities. The implementation of these proposals would not ensure the use of Finnish and Sami in the entire areas where these languages are traditionally present and where they are consequently covered by the Charter.

266. No specific legislation on regional or minority languages has been adopted by Sweden during the 3rd monitoring cycle. In addition, the newly-established Institute for Language and Folklore cannot be considered a national agency with supervisory competences. Supervision at national level is in practice only partly covered by the Ministry of Integration and Gender Equality, which is also in charge of coordination of activities concerning the protection and promotion of the regional or minority languages.

267. The Committee of Experts has been informed that the Ombudsman against Ethnic Discrimination has launched projects against the discrimination of the national minorities, including the discrimination of the Roma, the Sami and of all regional or minority languages in the educational field. The latter initiative was based on a new Law against discrimination or humiliating treatment of children and pupils (2006/67).

Recommendation no. 2:

“take practical measures to strengthen access to education in regional or minority languages by tackling the existing structural and resourcing problems, and in particular, develop strategies to increase the availability of teachers and provide secondary education in regional or minority languages”

268. Sweden has continued to develop distance learning as a means to strengthen access to education in regional or minority languages. In general, the shortage of trained teachers for regional or minority languages remains the main bottleneck in the provision of education in these languages. This deficit is largely responsible for the marginal provision of Finnish secondary education and the near-absence of Sami and Meänkieli at the secondary level. At present, the Swedish authorities are considering measures to make the teacher training programme for regional or minority languages more attractive to students, but these attempts are hampered by the lack of earmarked funding for such programmes.

Recommendation no. 3:

“adapt the existing models for education in regional or minority languages to Sweden’s undertakings under the Charter, including improving the quality and availability of “mother-tongue” education and making appropriate provision for bilingual education”

269. The Swedish Government proposed in 2008 that the rules for mother-tongue tuition in Finnish and Yiddish shall be the same as for Sami, Meänkieli and Romani, which means that Finnish and Yiddish mother-tongue education can be provided even if only one pupil respectively requests it and the language concerned is not in daily use at home. The new rules would contribute to improving the quality and availability of mother-tongue education. The Swedish authorities have also taken measures to increase knowledge and awareness of mother-tongue education. The form of mother tongue education that is in place, however, cannot be seen as an integral part of the curriculum, and frequently consists of 20-40 minutes per week, outside regular school hours. Bilingual education within the public educational system remains marginal in Sweden. The financial situation of the Sami School Board has deteriorated since the last monitoring cycle, which has a negative impact on the possibilities to offer integrated Sami instruction.

Recommendation no. 4:

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

270. In the 3rd monitoring cycle, the Committee of Experts has not been informed of any new measures designed to maintain the South Sami language. In general, there exists no structured policy for South Sami-education which would take account of the precarious situation of this language.

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”

271. The practical and organisational obstacles to exercise the right to use regional or minority languages before judicial authorities, such as the lack of linguistically qualified personnel, persist. Job advertisements for clerks or judges do not require the knowledge of a regional or minority language. In addition, regional or minority language speakers have not been actively encouraged to use their languages.

272. The use of regional or minority languages in relations with the branches of State administration has not increased either. It remains very rare that citizens submit a written application in such a language. Only oral communication takes place in regional or minority languages. There are no indications of a structured policy to address shortcomings such as the lack of linguistically skilled staff or the absence of further training and the availability of qualified interpreters.

273. However, there has been some progress at regional and local level. The municipalities in the administrative areas have strengthened their co-operation concerning the encouragement of the oral and written use of Sami, Finnish and Meänkieli. Local authorities are also preparing the translation of their official documents into regional or minority languages.

Recommendation no. 6

“encourage and/or facilitate the creation and/or maintenance of at least one newspaper in Sami and Meänkieli”

274. There is currently no newspaper in Sami or Meänkieli. However, a parliamentary committee submitted a report in 2006 whose findings would, if implemented, facilitate the publication of a daily newspaper in Sami and Meänkieli. These proposals are still being discussed within the Swedish Government and are subject to a competition review by the European Commission. Since the last monitoring cycle, also the funding for the Meänkieli periodical has been decreased.

Recommendation no. 7

“take steps to increase awareness and understanding concerning regional or minority languages in Swedish society at large”

275. The Swedish Government decided in 2007 to appoint a special investigator to look into the possibility of drafting a language law. This law would declare Swedish the official language of Sweden and confirm the recognition of Finnish, Meänkieli, Romani, Sami and Yiddish as the country's minority languages, thereby raising awareness of Sweden's linguistic diversity. Moreover, the Swedish authorities have taken a number of initiatives to inform municipalities of their obligations under the Charter. According to the results of a questionnaire drawn up by the Swedish authorities in 2007, the overall awareness and understanding regarding regional or minority languages among the municipalities remain poor.

276. In education, however, there exists no structured approach to ensure that teachers implement the sections of the school curricula related to regional or minority languages. The choice of the respective teaching materials depends on the individual teacher. Regional or minority languages are also absent from mainstream teacher training.

3.2. Findings of the Committee of Experts in the third monitoring round

- A. The Committee of Experts commends Sweden for its continued support for regional or minority languages and appreciates the excellent co-operation it enjoyed with the authorities in the organisation of its on-the-spot visit.
- B. The overall development in the regional or minority language policy in Sweden is positive. The Swedish authorities have also answered many of the requests made by the Committee of Experts. However, several of the earlier detected shortcomings in the implementation prevail. In addition, some new issues have been reported by representatives of the speakers.
- C. In general, the lack of the necessary statistical information regarding the number of regional or minority language speakers and their distribution hampers the effective implementation of the Charter. In principle, it seems that it would be possible to obtain such statistical information from the Statistical Bureau as well as from the speakers. Among the relevant municipalities, the awareness and knowledge of their obligations under the Charter remain poor, which is another obstacle to an effective implementation of the Charter.
- D. The implementation of the Charter is impeded by the fact that the representatives of the speakers are not systematically consulted on issues regarding regional or minority languages. This problem also extends to the planning process and funding of activities performed by the organisations representing the speakers. Representatives of the speakers reported that their needs are not adequately considered. For example, Meänkieli and Sweden Finnish organisations reported that the present level of funding, which for the Sweden Finns has even decreased, is inadequate to fulfil their extensive tasks for the promotion of the languages.
- E. The Charter is not applied in the entire areas where the regional or minority languages are traditionally used. This affects in particular South Sami and Finnish. South Sami remains in an extremely vulnerable situation.
- F. The provision of mother-tongue education at pre-school level for all regional or minority languages suffers from a lack of a long-term structured planning. For Finnish, the offer has even decreased during the present monitoring cycle.
- G. According to a new regulation, children with a regional or minority language background have an individual right to request mother-tongue instruction in primary school. In practice, this right is occasionally denied since competent teachers are not available. In addition, since the time allotted for mother-tongue instruction is regularly less than one hour per week, the offer is not sufficient for fulfilling the undertakings chosen under Part III.
- H. The provision of mother-tongue instruction at secondary level for all regional or minority languages suffers from a lack of a long-term structured planning. The offer for all regional or minority languages remains marginal.
- I. In the field of education, one general problem remains for teacher training for regional or minority languages. At present, the existing limited training only concerns mother-tongue teachers which makes it difficult to establish an appropriate offer of the teaching of regional or minority languages and makes it impossible to implement the bilingual education option.
- J. Another major problem is the present higher education funding system, which means that the break-even point for organising a course is reached with 30-35 students. This normally implies that few, if any, of the regional or minority languages could qualify for long-term higher education. Neither is there a structured policy with regard to regional or minority languages in higher education. This means that higher education in Sami and Finnish has constantly been weakened. Meänkieli is not represented by any full position at higher education level. Despite the positive measure taken by the authorities to grant three-year funds for teaching Finnish at Mälardalen University, Romani at Linköping University and Yiddish at Lund University, there are likely to be future funding problems due to the lack of a long-term structured policy.

K. The Swedish authorities have attempted to solve some of the problems of implementation by commissioning a handbook for municipalities on how to deal with regional or minority languages. The Sami Parliament has produced a similar handbook regarding Sami and its maintenance. A language plan has also been produced for Meänkieli. Thus far, similar projects have not been launched for the other regional or minority languages.

L. For the protection and promotion of Sami, the Sami School Board plays a crucial role since it is central for the teaching in/of Sami and Sami culture. Its present funding is insufficient to meet the needs of the speakers. Indirectly, this also affects the extent to which Sami mother-tongue instruction will be provided in the municipal schools.

M. The practical and organisational obstacles to exercise the right to use regional or minority languages before judicial and administrative authorities still persist. There exists in particular a shortage of qualified interpreters and translators within judicial and administrative authorities, affecting mainly Sami and Meänkieli. The use of regional or minority languages in relations with the branches of State administration has not increased. It remains very rare that citizens submit a written application in regional or minority languages. Only oral communication takes place in these languages. There are no indications of a structured policy to address shortcomings such as the lack of linguistically skilled staff or the absence of further training and the availability of qualified interpreters.

N. The situation of Sami and Meänkieli in the print media, in particular regarding the publication of newspapers, has not improved. Most notably, there is neither a newspaper in Meänkieli, nor in Sami.

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 1056th meeting on 6 May 2009, 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 II: Comments by the Swedish authorities



REGERINGSKANSLIET

IJ2009/385/DISK
11 February 2009

Ministry of Integration and
Gender Equality Sweden

Directorate General IV
Directorate of education and languages
The Director

Comments from Sweden on the third report of the Committee of Experts of the European Charter for Regional or Minority Languages

Sweden has received the third report of the Committee of Experts of the European Charter for Regional or Minority Languages and hereby takes the opportunity to submit comments to Article 16 paragraph 3 of the Charter.

General comments

The government would like to add that the Swedish minority rights policy is currently being reformed. On Jan. 29th, 2009 an upcoming government proposal was referred to the Council on Legislation (Lagrådet) to ensure that it does not conflict with existing legislation.

The new government bill will be presented to Parliament in March 2009. The bill "*Från erkännande till egenmakt - regeringens strategi för de nationella minoriteterna*" ("From Recognition to Empowerment - the Governments Strategy for the National Minorities") contains numerous important proposals to improve the situation of national minorities in Sweden, inter alia:

- A new *Act on National Minorities and Minority Languages* is proposed. New national legislation will replace the current geographically restricted Acts on the Right to Use Saami, Finnish and Meänkieli. The new act regulates all five national minorities and their languages.
- The proposed regulations obligate the authorities to inform the national minorities of their rights, The authorities are also to promote the national minorities possibilities to maintain and develop their culture and language, The national minorities are to be given influence in issues of importance to them.
- The current administrative areas for the Saami and Finnish languages are to be extended to additional municipalities. For Saami in an additional 13 municipalities and for Finnish in an additional 18 municipalities. The right to use Saami, Finnish and Meänkieli with the authorities is also strengthened.
- The government agency structure is strengthened in order to improve the implementation of the new act. The Saami Parliament and the County Administrative Board in Stockholm are given special tasks to study and promote the implementation of the new act.
- The new government strategy also contains proposals on improving the national minorities participation in decision making processes, proposals in the field of education, proposals to strengthen the revitalization of national minority languages and to improve the use of national minority place names.

The proposal is available in Swedish on the Government's homepage.

Specific comments

Media

p. 126

According to the report a proposal to lower the required minimum number of subscriptions for press subsidies from 2, 000 to 1, 500 is still being discussed within the Swedish government. This change as well as a number of other changes in the decree of press subsidies was decided by the parliament in June 2006 and came into force 1 January 2007.

The European Commission is not examining the aforementioned proposals nor the possibilities of transfrontier co-operation; the European Commission is examining the compatibility of the press subsidies with the internal market.

p. 191

Audiovisual productions in other languages than Swedish may qualify for assistance providing that the production has a Swedish producer. The definition of Swedish producer includes a person living in the country, a company, a foreign company or other person registered in the country. A film that has no Swedish producer is still considered Swedish providing that the Swedish financial contribution is at least 20% of the production costs, and if the Swedish contribution of artistic workers is of considerable significance.

p. 254 & p. 274

The report states on page 40 that there is still no newspaper in Meänkieli. However, on page 32, the Committee of Experts acknowledges that there is a trilingual weekly which is published mainly in Swedish and to a lesser extent in Finnish and Meänkieli (Haparandabladet).

The press subsidy of Haparandabladet was increased in 2001 to 2 035 thousand kronor. This sum has remained unchanged until 1 January 2009 when the subsidy was increased to 2 239 thousand kronor.

Judicial authorities

The National Courts Administration and the Swedish Prosecution Authority have in their respective letters of regulation for 2009 been commissioned to translate fundamental information about court procedures and prosecution activities to the territorial national minority languages Sami, Finnish and Meänkieli. The National Courts Administration and the Swedish Prosecution Authority have also been commissioned to consider and propose further material that should be translated in order to remove practical obstacles for individual people to use these minority languages in court and in contact with the Swedish Prosecution Authority. The National Courts Administration and the Swedish Prosecution Authority should coordinate the implementation of this work, that should be presented on 15 May 2009 at the latest.

3.2 Findings of the Committee of Experts in the third monitoring round /J/

The Swedish funding system for higher education is based on the number of full-time students and the number of full-time students who pass their examinations. Both parts are multiplied by the unit revenue for different field of study. Since the introduction of this funding system in 1993, the Government has stressed that the universities have a responsibility for prioritizing as well as re-allocating resources to handle courses with few participants, and since the universities are free to decide on the internal funding system, there is no uniform break-even point for organizing a course.

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

COUNCIL OF EUROPE COMMITTEE OF MINISTERS

Recommendation RecChL(2009)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 6 May 2009
at the 1056th 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 instrument of ratification submitted 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 third periodical report, supplementary information given by the Swedish authorities, information submitted by bodies and associations legally established in Sweden and the 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 Swedish authorities take account of all the observations of the Committee of Experts and, as a matter of priority:

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;
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;
3. establish a structured policy to encourage the provision of university or other forms of higher education in Sami, Finnish and Meänkieli;
4. adopt, as a matter of urgency, flexible and innovative measures to maintain the South Sami language;
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;
6. facilitate the creation of newspapers in Sami and Meänkieli.