



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

**Resolution CM/ResCMN(2007)1
on the implementation of the Framework Convention for the Protection of National Minorities
by Finland**

*(Adopted by the Committee of Ministers on 31 January 2007
at the 985th meeting of the Ministers' Deputies)*

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

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

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

Having regard to the instrument of ratification submitted by Finland on 3 October 1997;

Recalling that the Government of Finland transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 10 December 2004;

Having examined the Advisory Committee's second opinion on Finland, adopted on 2 March 2006, and the written comments of the Government of Finland, dated 22 August 2006;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Finland:

a) Positive developments

Finland has continued to take various commendable measures to implement the Framework Convention. Important legislative developments include the adoption of the new Language Act and of the Sami Language Act, which contain significant guarantees for the protection and promotion, respectively, of the Swedish and Sami languages.

The development of new anti-discrimination legislation, coupled with increased monitoring and awareness-raising in this field, is also to be welcomed. The establishment of the Office of the Ombudsman for Minorities is another significant step that has already contributed to the protection of minorities in Finland. New measures have been taken to promote integration, taking into account the growing diversity of Finnish society.

Finland has expanded further its consultative structures designed to address concerns of national minorities, including by setting up permanent regional advisory boards for Roma affairs. Valuable initiatives have also been started to address the specific challenges faced by the Russian-speaking population in Finland.

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

There is a growing recognition of the importance of various aspects of the Sami culture in Finland and welcome steps have been taken to strengthen Sami language education in the Sami Homeland. New important developments concerning Sami are under way, including the drafting of a Nordic Sami Convention.

Radio programmes in minority languages, while limited in their scope, have become important tools in the promotion and protection of minority cultures.

b) Issues of concern

A range of initiatives has been launched to improve inter-ethnic dialogue, but there are still signs of negative attitudes amongst segments of the population towards minorities, including disconcerting reports about manifestations of intolerance in Finnish schools as well as on Internet.

Disputes over land rights in the Sami Homeland have become increasingly acute as the delays in finding solutions to the open issues have continued in spite of recent efforts to introduce pertinent legislation.

The authorities' efforts to support minority language print media, including in the Sami languages, have limited scope and do not sufficiently meet the needs expressed. There also remains a need to develop further the minority language public service broadcasting in order to accommodate the existing demand, *inter alia*, for children's programmes in the Sami languages.

There are capacity problems and other shortcomings in the implementation of the new language laws covering Swedish and Sami in certain key sectors such as the judiciary. Russian-speakers report linguistic obstacles affecting their access to social services.

Despite some positive initiatives, the availability of education in Russian is limited. This is also the case as regards Sami language education outside the Sami Homeland. For Roma pupils, the limited scope of Roma language education is coupled with other problems, such as their disproportionate presence in special education.

The present participation and consultation arrangements on minority issues need to be developed further, for example, as regards the allocation of cultural support for minority organisations. Proposals to introduce a specific consultation structure for the Russian-speaking population have not been endorsed by the authorities. The Sami Parliament, while frequently consulted, is not satisfied with the way the authorities implement the negotiation obligation.

Despite improved legislative guarantees against discrimination, there are still various shortcomings and practical problems in this domain, including persisting incidents of discrimination of Roma and persons belonging to other minorities in various spheres, including in the provision of services.

A number of questions that have been raised concerning the personal scope of application of the Framework Convention in Finland would benefit from increased dialogue between the authorities and representatives of the groups concerned.

2. Adopts the following recommendations in respect of Finland:

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

- address shortcomings encountered in the implementation of the new language laws, which pertain to Swedish and the Sami languages. Take into account the language situation of the Russian-speakers in the provision of public services;
- take rapid measures to address disputes over the ownership and use of land in the Sami Homeland, through negotiation with the Sami Parliament and others concerned;

- encourage further development of minority language media and review the current subsidy system with a view to ensuring that it takes into account the specific situation of minority language print media;
 - expand the availability of minority language education – including Russian, Roma as well as the Sami languages outside the Sami Homeland – and step up efforts to address various problems faced by Roma in the educational system;
 - improve further the participation and consultation arrangements on minority issues, including with regard to the Russian-speaking population;
 - improve minority participation in the allocation of cultural support for minority organisations;
 - ensure that the authorities' legal obligation to negotiate with the Sami Parliament is strictly honoured in the relevant questions;
 - reinforce action against incidents of discrimination and manifestations of intolerance, including in schools, and counter these phenomena with the tools available;
 - further the dialogue on the personal scope of application of the Framework Convention with those concerned.
3. Invites the Government of Finland, in accordance with Resolution (97) 10:
- a.* to continue the dialogue in progress with the Advisory Committee;
 - b.* to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above.