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**REPORT SUBMITTED BY SWEDEN  
PURSUANT TO ARTICLE 25, PARAGRAPH 1  
OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

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**Swedish Report to the  
Council of Europe  
on  
the Framework Convention for the  
Protection of National Minorities**

**Initial report submitted in accordance with  
Article 25, paragraph 1, of the Framework Convention**

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**REGERINGSKANSLIET**  
Ministry of Industry, Employment  
and Communications

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## Foreword

Sweden's majority and minority populations have a history in common. Long before Sweden became a nation state there were Sami in the country. The first Roma and Jews came to Sweden in the 16<sup>th</sup> and 17<sup>th</sup> centuries respectively, and Finland was in a union with Sweden for seven hundred years. But we do not only have a common history but also a common future. To ensure that it will be a future for everybody, it is required that differences in origin, identity and belonging are respected and valued.

In order for languages to develop and live on, it is required that they are used. In order that cultures should be enriched and contribute to the development of society, it is required that they have the scope to do so. It is my hope that Sweden's minority policy supports such development for the minorities and minority languages and that these are thereby given the status that they deserve.

Sweden hereby submits its initial report on measures that have been implemented up to 31 May 2001 in order to fulfil its obligations in accordance with the Council of Europe Framework Convention for the Protection of National Minorities. On 9 February 2000, Sweden ratified the Framework Convention and on 1 June of the same year, the Convention entered into force as regards Sweden. Minority policy is still a new area in Sweden and further measures can be needed.

The report is arranged and the answers are given in accordance with the instructions specified by the Council of Europe in its explanatory report, adopted by the Committee of Ministers on 30 September 1998 at the 642<sup>nd</sup> Meeting of Ministers. In order to provide the reader with more comprehensive information, answers to some of the questions are elaborated upon in the Appendices.

Stockholm 1 June 2001

Mona Sahlin

Minister responsible for Sweden's policy on national minorities

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A separate leaflet with extracts from statutory texts is enclosed.

*General remark: Whenever possible, accepted English names of Swedish organisations are used in the report. When no established names exist, the Swedish names are merely translated into English.*

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## **Section 1**

### **The goals of minority policy**

The goal of the Swedish minority policy is to provide protection for the national minorities and promote their opportunities for influence and also support their historic minority languages so that they are kept alive.

The basis for minority policies is contained in the Government Bill 1998/99:143 *National Minorities in Sweden*. The proposal contained in the Bill was adopted by the Riksdag in December 1999 (Committee Report 1999/2000:KU6, Government Communication 1999/2000:69). The Government has subsequently ratified the Council of Europe's Framework Convention for Protection of National Minorities and the European Charter for Regional or Minority Languages.

### **Information concerning the status of international law in Sweden**

International agreements, treaties and legal instruments do not automatically become part of the national law of Sweden. Treaties that have been concluded by Sweden must be incorporated into Swedish law in order to apply before Swedish courts and public authorities. A common method to achieve this is to incorporate a treaty into Swedish law by stating in the law or other enactment that the provisions of the treaty apply directly in Sweden. A treaty may also become valid in Sweden by so-called transformation, which either involves the provisions of the treaty being translated into Swedish and included in a Swedish enactment, or that the agreement is rearranged as a Swedish statutory text. If the substantive provisions of a treaty correspond with the content of current Swedish law, the legislator has considered that no special procedure is necessary.

### **Constitutional form**

Sweden is a monarchy and the present Head of State is King Carl XVI Gustav. The Swedish monarch does not have any real power and is separate from the true government of the Realm. Sweden is a democracy with a parliamentary form of government. Sweden has a single chamber parliament (Riksdag) and elections are held every fourth year.

### **Historical outline**

Finland was part of the Realm of Sweden from 1100 to 1809 and Norway was in union with Sweden between 1814 and 1905. At the end of the 19<sup>th</sup> century, Sweden was an agricultural society and one of Europe's poorest countries. During the 20<sup>th</sup> century, particularly in the post-war period and the 1970s, Sweden enjoyed very rapid economic growth.

## **Economic and demographic information**

Populations <sup>1</sup>	8,883,590	(2000)
of which born abroad (corresponds to 10.9 per cent)	969,000	(1998)
GNP per capita (TSEK)	SEK 225.2	(1999)
GNI per capita (TSEK)	SEK 221.3	(1999)
Sweden's national debt <sup>2</sup>	SEK 1,248 billion	(2000)

The national debt corresponds to 59.7 per cent of Sweden's GNP. The rate of inflation was 1.7 per cent in 2000.

Comprehensive information concerning the national minorities, their history and demographic belonging is contained in Appendix 1.

## **Promotion of Swedish minority policy**

In order to emphasise the importance of minority issues in Swedish policy and administration, they have been identified as a distinct policy area in conjunction with the Riksdag's review of the budget. Sweden also has a minister with special responsibility for minority issues.

To ensure that the objective with the minority policy is capable of realisation, it is required that the needs and interests of all national minorities are taken into account in all parts of the country and at all levels in public administration. A fact sheet concerning minority policies has therefore been sent to all municipalities and county councils in Sweden together with a large number of state authorities. Furthermore, some thousands of fact sheets have been distributed upon request. The establishment of a new policy area may take some time and further development can be needed to make the Swedish policy on national minorities better known.

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<sup>1</sup> Information taken from Statistics Sweden and relates to the population figures as of 31 December 2000.

<sup>2</sup> Information taken from the Swedish National Institute of Economic Research, Table 4.17 National Budget Balance and National Debt.

## Section 2

### **FUNDAMENTAL PRINCIPLES, SECTION 1 OF THE FRAMEWORK CONVENTION**

#### **ARTICLE 1**

**The Protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.**

The Swedish State is very interested in promoting international co-operation to protect Sweden's inhabitants from all forms of discrimination and also to promote diversity and tolerance.

Sweden collaborates on these issues within the following international organisations relevant to national minorities:

- UN
- UNESCO
- ILO
- Council of Europe
- Organisation for Security and Cooperation in Europe (OSCE)
- Council of the Baltic Sea States

Sweden is also a member of the European Union and participates actively in the activities of the Union, among other things, within the European Centre for Monitoring of Racism and Xenophobia.

Sweden has, in addition to the Framework Convention for the Protection of National Minorities, ratified the following international instruments of importance for the protection of national minorities:

- International Convention on the Elimination of all Forms of Racial Discrimination, CERD
- International Covenant on Economic, Social and Cultural Rights, ICESCR
- International Covenant on Civil and Political Rights, ICPR.
- Convention on the Elimination of all forms of Discrimination against Women, CEDAW
- Convention on the Rights of the Child, CRC
- European Convention on the Protection of Human Rights and Fundamental Freedoms
- European Social Charter
- European Charter for Regional or Minority Languages

See under Article 18 regarding bilateral treaties.

Sweden has ratified the European Convention on the Protection of Human Rights and Fundamental Freedoms (The European Convention) 1952. The European Convention has applied as Swedish law since 1 January 1995.

## **ARTICLE 2**

**The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.**

## **ARTICLE 3**

**Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.**

**2) Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as community with others.**

There are no limitations in Swedish law regarding the right for persons who belong to a national minority to choose to be treated or not treated as such and nor is such a choice linked to any disadvantages under Swedish law. Nor are there any provisions in Swedish legislation that impede persons belonging to a national minority, either individually or as a group, from enjoying the freedoms stated in this Convention.

### **Definition of national minorities**

The concept of national minority is not defined in Swedish legislation. In the Government Bill 1998/99:143 *National Minorities in Sweden*, it is stated that the following criteria should be satisfied for a group to be regarded as a national minority:

- Groups with a pronounced affinity who, as regards numbers in relation to the remainder of the population, have a non-dominating position in society. The determination of the group cannot only be made according to the numeric number of persons within the group but importance must be attached here to the structure and unity of the group.
- Religious, linguistic, traditional and/or cultural belonging. Only one of the listed characteristic features need exist, but those characteristic features that the group demonstrates must in some essential respect distinguish it from the majority.
- Self-identification. The individual and also the group should have a desire and ambition to retain their identity.
- Historical or long bonds with Sweden. The Government does not consider that it is possible to draw an absolute limit measured in years. Minority groups whose minority culture existed in Sweden prior to the 20<sup>th</sup> century may be said to satisfy the requirement for an historic or long bond.

## **National minorities**

The minority policy decisions of the Government and Riksdag entail the acknowledgement of five groups as national minorities in Sweden. These are the Sami, who are also an indigenous people, Swedish Finns, Tornedalers, Roma and Jews. For further information concerning the respective national minorities, see Appendix 1.

## **Other minority groups**

Sweden is today a country characterised by ethnic and cultural diversity, where every fourth inhabitant was born in another country or has parents who were born abroad. The ethnic groups who in recent times have immigrated to Sweden are, however, not regarded as national minorities as they do not satisfy the criteria for national minorities established by the Government, concerning among other things, a long historic bond with Sweden. For a report on the largest foreign-born populations, see Appendix 2.

## **Statistics**

Official Swedish statistics do not contain information concerning the ethnic background of people. The figures stated in Appendix 1 concerning the number of minority groups are rough estimates as methods do not exist for the computation of ethnic belonging that are both ethically acceptable and scientifically sound. The estimates are based on evaluations by researchers, Government authorities and the minorities themselves.

## **OBLIGATIONS IN ACCORDANCE WITH SECTION II OF THE CONVENTION**

### **ARTICLE 4**

- 1) The Parties undertake to guarantee to persons belonging to national minorities the rights of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.**
- 2) The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.**
- 3) The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.**

### **Equality before the law**

In Sweden there are no provisions that allow discrimination on the grounds of association with a national minority. On the contrary, it is a fundamental principle in the Swedish legal system that discrimination shall not be allowed.

Chapter 1, Article 2 of the Instrument of Government<sup>3</sup> states that public power shall be exercised with respect for the equality of all human beings and for the freedom and dignity of the individual. It is further stated that the possibilities of ethnic, linguistic or religious minorities to preserve and develop a cultural life of their own should be promoted.

The provision comprises programme or objective provision and is not in the nature of legally binding regulations. It states instead the objective of the public activity and is thereby important for policy and moulding of opinion.

According to Chapter 1, Article 9 of the Instrument of Government, courts and public authorities as well as others who carry out functions within the public administration shall in their activities observe the equality of all persons under the law and shall maintain objectivity and impartiality.

Chapter 2 of the Instrument of Government contains rules concerning fundamental liberties and rights, such as the freedom of expression, association and religion. It is prescribed *inter alia*, that no law or other decree may imply the discrimination of any citizen on the grounds of his belonging to a minority on account of his race, skin colour, or of a particular ethnic origin (Chapter 2, Article 15, Instrument of Government).

The European Convention, which applies as law in Sweden, also contains provisions of importance for human rights. It is prescribed by Chapter 2, Article 23 of the Instrument of Government that a law or other decree may not be made in violation of Sweden's obligations pursuant to the European Convention.

It is prescribed by Article 14 of the European Convention that the enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinions, national or social origin, association with a national minority, property, birth or other status.

In conjunction with the incorporation of the European Convention into Swedish law, a more precise definition of the right to property was introduced (Chapter 2, Article 18 of the Instrument of Government). Furthermore, two new fundamental freedoms and rights were introduced - the right to conduct business operations or practise a profession (Chapter 2, Article 20 of the Instrument of Government) and the right to education (Chapter 2, Article 21 of the Instrument of Government).

The provisions of the constitution apply to Swedish nationals. Foreign nationals are however, equated to a large extent with Swedish nationals in accordance with the provisions of Chapter 2, Article 22 of the Instrument of Government.

The provisions concerning fundamental freedoms and rights contained in Chapter 2 of the Instrument of Government are legally binding and apply in the relationship between the individual and "the State".

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<sup>3</sup> Extracts from the Instrument of Government, and also other Acts referred to in this report, are attached as Statutes Appendix.

Sweden has ratified the UN Covenant on Civil and Political Rights. Article 27 of the covenant entails that minorities should not be refused the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

## **Measures to promote equality**

### *Legislation against discrimination*

An important precondition to promote the achievement of a complete and effective equality between persons who belong to the majority population and persons who belong to a national minority is that there are means to counteract discrimination.

There is a provision of Swedish criminal law concerning unlawful discrimination, contained in Chapter 16, Section 9 of the Penal Code, which is directly aimed at various kinds of discrimination. The provision concerning agitation against an ethnic group contained in Chapter 16, Section 8 of the Penal Code is also of interest in this context. A more detailed description of the criminal law provisions that, in various ways, may counteract discrimination is contained in Section 6.

There is also special legislation against discrimination contained in labour law. The Measures to Counteract Discrimination in Working Life Act (1999:130), which entered into force on 1 May 1999, contains a prohibition of direct and indirect discrimination on the grounds of race, colour, nationality or ethnic origin or religious belief. The Act applies throughout the entire labour market and relates to all categories of employees and also job seekers. According to the Act, nor may an employer subject an employee to reprisals on the grounds of the employee having reported the employer for discrimination under the Act. The Act also imposes an obligation on employers to implement measures to impede ethnic harassment of employees. The employer shall also implement active measures to promote ethnic diversity in working life. The legal sanctions for violation of the discrimination prohibition are damages and invalidity.

According to the Ombudsman against Ethnic Discrimination Act (1999:131), the Government shall appoint an Ombudsman who shall work to ensure that ethnic discrimination does not occur in working life or in other areas. The Ombudsman also has the task of enforcing compliance with the Measures to Counteract Discrimination in Working Life Act. The Discrimination Board, which is also a government authority, shall ensure that the Act is complied with. The Board shall, *inter alia*, provide the Ombudsman with advice on issues of importance in principle concerning the application of the Act.

In December 2000, a special Commissioner was appointed for the purpose of providing proposals on how, among other things, the EC Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of race or ethnic origin should be implemented in Sweden. The implementation of the Directive probably calls for certain changes to be made to the Swedish legislation against discrimination. The Government has also recently announced that it also intends to give the Commissioner the assignment of investigating the possibilities of general legislation against discrimination that covers all or the majority of the grounds of discrimination and various areas of society. The intention is that the investigation shall also review the various ombudsmen, including the Ombudsman against Ethnic Discrimination, tasks and

areas of responsibility and deliberate upon the issue of an amalgamation of some or all of the ombudsmen who report directly to the Government.

### *Other measures*

In order to achieve the desirable goal, complete and effective equality between all people in the population, specially targeted work may also be necessary for groups that are disfavoured or under-privileged. Several of Sweden's national minorities have during previous periods been disfavoured as regards speaking and learning their language. This means that a large number of people have not received sufficient training in their own language, as they did not have the opportunity of speaking their language at school. Today the situation is different and the State has implemented several measures, particularly in the areas of language and education, to promote these national minorities. Among other things, two new acts<sup>4</sup> have been passed in conjunction with Sweden ratifying the European Charter for Regional or Minority Languages which provide individuals with the right to use Sami, Finnish and Meänkieli before courts of law and administrative authorities. According to these acts there is also a right to pre-school activities and care of the elderly in these languages.

Sweden is also working in other ways to promote equality between people who belong to the majority and minority populations. Among other things, special, more advantageous rules on mother-tongue education in certain minority languages have been introduced. There are also special advantageous rules for state press support for newspapers that are directed towards linguistic minorities. Furthermore, the Sami have an opportunity of attending a State Sami school, where the teaching is partly conducted in Sami. Special government funds have been appropriated to support this activity. The work in the field of language is reported in detail under Article 10 and, as regards mother-tongue education, under Article 14.

### **Promotion is not discrimination**

The measures that have been taken in accordance with Article 4.2 of this Convention do not comprise discrimination according to Swedish law.

## **ARTICLE 5**

**The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.**

**2) Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation**

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<sup>4</sup> For a more detailed description of the Acts 1999:1175 and 1999:1176, see under Article 10.

## ***Paragraph 1***

### **Religion**

The Church of Sweden was, up to 1 January 2000, part of the Swedish State and its activities were, to a great extent, governed by the rules of administrative law. Following the national church reform, the Church of Sweden left the State. A starting point for the reform was to increase equality between various religious communities, another was that the Church of Sweden should, to the greatest extent possible, be allowed to regulate its own affairs itself.

In accordance with the freedom of religion, Sweden does not have any religion that is acknowledged or not acknowledged respectively. Some religious communities have received a permission to practise certain activities (for example the right to perform marriage ceremonies), they can obtain State grants or assistance with charges, they can conduct their activities as a legal entity “registered religious community” (which was introduced in conjunction with the State church reform). However, it is the individual religious communities that decide whether or not they should apply to become subject to this systems of rules; the circumstance that a religious community elects to remain outside does not mean that it is less “acknowledged” than other communities.

For further information concerning religion and religious communities, see under Article 8.

### **Language**

In Sweden, Swedish is spoken in official contexts and by the vast majority of the population. The Swedish language is not prescribed by law as an official language. The Government has assembled a parliamentary committee, the *Committee for the Swedish Language* (Ku 2000:03), which has been given the assignment of presenting a proposal for a plan of action for the Swedish language. The Committee has, among other things, been given the assignment of considering whether the status of the Swedish language should be regulated by law. The Commission has also been given the assignment to provide proposals on the future function and organisation of language care services. The language situation in Sweden means language care services for the minority groups will be afforded attention. The Commission shall report on its assignment to the Government not later than 30 November 2001.

In addition to this, Sweden has acknowledged five languages as minority languages (Committee Report 1999/2000:KU6, Government Communication 1999/2000:69): Sami (all forms), Finnish, Meänkieli (Tornedal Finnish), Romani Chib (all forms) and Yiddish.

### **Culture**

The national culture support, which is managed by the National Council for Cultural Affairs, has as of 2000 been reinforced in order particularly to be able to take into account national minorities when allocating support. Funds have been appropriated to promote the extension of literature in minority languages and also to promote the issue of national minorities’ cultural periodicals.

These funds relate in the first instance to production support, but may to some extent also be used for various projects or information work aimed at stimulating publication. The Council for Cultural Affairs has also been given the assignment of examining how the culture of national minorities should be afforded sufficient scope in Swedish cultural life. This assignment has recently been reported to the Government in the report *The National Minorities and Cultural Life* (2000:4). The Report describes the various prerequisites and needs felt by these minorities within the field of culture and also draws the attention of the Government to a number of areas where the National Council for Cultural Affairs considers that there is a need for measures. The proposals of the Council for Cultural Affairs are currently being considered within the Government Offices.

Within the framework of cultural policy, special funds are allocated to Sami culture. The aim is to preserve, promote and disseminate knowledge about, among other things, Sami crafts, art and design, music, dramatic art and literature. The funds allocated are at the disposal of the Sami and distributed by the Sami Parliament Culture Council in accordance with criteria methods laid down for the grant of contributions by the Sami Parliament<sup>5</sup>. Contributions are provided to non-profit Sami organisations at local and national level, education and research, and also to projects dealing with Sami culture. Furthermore, special resources are being devoted to the Sami language and culture through the current work with the establishment of a Sami Theatre Institute.

## ***Paragraph2***

### **Integration policy**

#### *No policy aimed at assimilation*

It is the firm view of the Government, that the Swedish State shall not pursue a policy orientated towards assimilation. The Government considers that it is important to allow all groups in society to retain their characteristic features and cultures. This fundamental view is also reflected in the Instrument of Government, Chapter 1, Article 2, where it is stated that the possibilities of ethnic, linguistic and religious minorities to preserve and develop a cultural and social life should be promoted.

The decision by the Swedish Riksdag that Sweden should recognise five groups as national minorities and five languages as minority languages was a historic decision for Sweden as a nation and for the minority groups and those who use these minority languages. This decision gave these languages a special status and was an important step in the work to counter the negative implications of previous periods of 'Swedishisation' and assimilation policy.

#### *Integration policy and minority policy*

Sweden's integration policy is reported in the Government's Integration Policy Bill, *Sweden, the future and diversity - from immigrant policy to integration policy* (Government Bill 1997/98:16). However, the integration policy is not governed by law. By the Government Bill on national minorities, *National Minorities in Sweden*

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<sup>5</sup> The Sami Parliament is described in more detail under Article 6, heading 'Dialogue and collaboration', and also under Article 15

(Government Bill, 1998/99:143), the basis has been laid for a comprehensive minority policy. It is important to emphasise that the national minorities are also subject to the objectives of integration policy, as expressed in the Government Bill, *Sweden, the Future and Diversity*. It is stated in this Bill that Sweden's ethnic and cultural diversity should, for democratic reasons, be used as a starting point for the formulation of the general policy and implementation in all areas and levels of society. The objectives of an integration policy are equal rights, obligations and opportunities for everybody irrespective of ethnic and cultural background, a social community with social diversity as a basis together with social development that is characterised by mutual respect and tolerance, for which everyone, irrespective of background, should participate and be jointly responsible. The integration policy work shall be orientated particularly towards providing support to the personal maintenance and participation in society of individuals, and protecting fundamental democratic values and to work for the equal rights and opportunities of men and women, and also to prevent and counteract discrimination, xenophobia and racism.

Set against the background of the orientation and objectives of the integration policy, the Government has decided on various measures to ensure that an integration perspective should permeate the structure and implementation of public policy. The Public Authority Operations Ordinance (1995:1322) and the Ordinance on the Responsibility of National Authorities for Immigrants and others (1986:856) have been amended with this purpose. All national authorities now have a general responsibility to ensure that the objectives of integration policy shall permeate all areas of society. All authorities shall continuously take into account the ethnic and cultural diversity of society when activities are designed and when they are conducted.

#### *Public authority structures*

The National Integration Office, a central Government authority established in 1998, has the overall responsibility to ensure that the integration policy objectives and approach have an impact in various areas of society. An important task for the authority is to monitor the development of society and increase knowledge concerning the conditions and developments within various areas of society. A report concerning this shall be submitted to the Government annually.

The National Integration Office shall also promote equal rights and opportunities for everyone, irrespective of ethnic and cultural background, and also prevent and counteract racism, xenophobia and discrimination. For the latter activity, the authority allocates support to local development projects and also monitors and reports on successful strategies for such work. The authority has extensive contacts with other authorities, municipalities, organisations and other actors in its activities.

## **ARTICLE 6**

**1) The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and mass media.**

**2) The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.**

### **Dialogue and collaboration**

Activities aimed at increasing respect and understanding between people, irrespective of ethnic, cultural, linguistic or religious association, is a very important matter for the Swedish Government. This is indicated, among other things, by the overall support provided to projects and voluntary activities and Sweden's extensive legislation in the field of discrimination. A fundamental pre-condition for tolerance, mutual respect and understanding is that everyone can feel that they are secure in their country and that they are not exposed to discrimination on the basis of their ethnic background, cultural association, religious beliefs or the like.

The Swedish State is working to promote dialogue, respect and tolerance within all sectors of society. It is ultimately the Government that is responsible. The Ministry of Industry, Employment and Communications, under the guidance of the Minister responsible for integration issues and policy on national minorities, has a co-ordinating function on matters relating to the introduction of immigrants in Sweden, discrimination issues, xenophobia and racism, Swedish nationality, national minorities in Sweden, etc. It is not possible to provide a complete presentation of all actors who work to promote mutual respect and inter-cultural dialogue, but some State actors and initiatives are presented below.

*The National Integration Office* is a central administrative authority with the task of working for the equal rights, obligations and opportunities of everyone and also to counteract racism, xenophobia and discrimination (see under Article 4, paragraph 2).

*The Ombudsman against Ethnic Discrimination* is a State authority that has the function of working to ensure that ethnic discrimination does not occur in working life or in other areas of social life (see under Article 4). The Ombudsman shall take initiatives for measures against ethnic discrimination by deliberations with authorities, companies and organisations and also by moulding opinion, information and in other similar ways. Furthermore, the Ombudsman shall, in contact with employers and employees' organisations affected, promote a good relationship between ethnic groups in working life. The Ombudsman shall also propose amendments to legislation and other measures for the Government that are likely to counteract ethnic discrimination.

*Council for Ethnic Equality and Integration* was established in its current form in 1997. The Council comprises representatives of the Government and of organisations that have been formed for immigrants, other non-governmental organisations, religious communities and the parties to the labour market. The Council has been assembled by the Minister responsible for integration issues and comprises a forum for dialogue and exchange of experience. The Council assembles three to four times per annum in order to discuss current issues relating to integration.

*Stockholm International Forum against Intolerance.* The Prime Minister of Sweden, Göran Persson, together with the Prime Minister of the United Kingdom, Tony Blair, and the President of the USA, Bill Clinton, formed a working group in 1998 to promote education, remembrance and research concerning the Holocaust<sup>6</sup>. The Prime Minister of Sweden made an invitation in 2000 for an international conference on the Holocaust and in 2001 for a conference on intolerance.

*Forum for Living History* is an information project that was created on the initiative of the Government in 1997 to disseminate knowledge concerning the Holocaust. All school pupils in Sweden received a book on the Holocaust "... tell ye your children...". The Committee for Living History proposed on 31 January 2001 in a report that a knowledge centre entitled *Forum for Living History* should be established in 2003. The forum shall deal with issues relating to democracy, tolerance and human rights on the basis of the Holocaust. The forum shall have the overall objective of reinforcing and increasing awareness about the equal value of all people.

In addition to the above-mentioned activities, there are actors and activities that directly affect the national minorities.

*The Sami Parliament*, which was established in 1993, is the Sami popular elected body and a State authority. The Sami Parliament is at liberty to raise and present proposals on those matters that the Parliament considers to be of particular interest having regard to a living Sami culture. For further information about the Sami Parliament, see Article 15.

*The Working Group for Minority Policies* is an inter-ministry working group that co-ordinates issues within the Government Offices that affect national minorities. The Working Group works with, among other things, the co-ordination and measures within the framework of minority policy and in order to ensure that the objectives of minority policy have an impact within various fields.

*Consultative meetings.* Regular consultative meetings are held between representatives of national minorities and representatives of the Government and Government Offices. These should be a forum for dialogue and aimed at increasing participation for national minorities.

*The Roma Working Group* is linked to the Ministry of Industry, Employment and Communications and comprises representatives for Roma organisations, the ministries affected, the National Integration Office and the Swedish Association of Local Authorities. For more comprehensive information concerning the Roma Working Group, see Article 15.

Various non-governmental organisations have an important role in promoting dialogue and participation on the part of the national minorities both within and outside Sweden. All of the national minorities have established organisations with which the Government communicates in issues regarding the policy on national minorities. In May 2001, the largest minority group, the Swedish Finns, set up a new body, the Delegation of the Swedish Finns. The prime task for the Delegation is to safeguard the interests of the

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<sup>6</sup> A Task Force for International Co-operation on Holocaust Education, Remembrance and Research

Swedish Finnish minority in Sweden and act as a representative body for the Swedish Finns in dealings with the Government and public authorities in issues regarding the policy on national minorities.

The following organisations represent the national minorities in dealings with the Government:

- Sametinget (the Sami Parliament)
- Sverigefinländarnas delegation (The Delegation of the Swedish Finns)
- Svenska Tornedalingars Riksförbund-Tornionlaaksolaiset (The Swedish Tornedalian Association)
- Romernas Riksförbund (Roma National Union)
- Judiska centralförbundet (Official Council of Jewish Communities in Sweden)

Special reference may be made to EBLUL (the European Bureau for Lesser Used Languages), which is an independent organisation that works to promote and protect lesser-used languages within Europe. The organisation is mainly financed with EU funding. EBLUL is represented in Sweden by the association the Swedish Bureau for Lesser Used Languages, SWEBLUL. SWEBLUL is composed of the five above-mentioned organisations, each representing a national minorities group in Sweden.

### **The Media Sector**

The mass media in Sweden has in recent times, in various connections, taken special initiatives to examine anti-democratic movements. Attention has also been given to discrimination in the activities of authorities, municipalities or businesses, and also the impact of xenophobia at the local level. Sweden's largest nation-wide media jointly implemented in 1999 a campaign against xenophobia and racism.

Since 1998, the information project Quick Response, which was initiated by the Red Cross Youth Federation, has been conducted and aims to modulate the debate on issues concerning immigration, racism and xenophobia by furnishing the mass media, people who influence public opinion and organisations with facts and background information when incorrect information is disseminated. Quick Response also works with providing information to journalists, students and other individuals.

According to central press ethical rules, the race, sex, nationality, occupation, political affiliation, religious beliefs or sexual disposition of the person affected shall not be revealed if it is of no relevance in the context and is disrespectful.

### **Protection against discriminatory acts, hostility and violence**

#### *Legislation*

Effective legislation is of central importance as regards resolving discrimination and ethnically related violence. The Penal Code contains several penal provisions that are aimed directly or indirectly at acts or expressions that are racist or discriminatory in some other way. In view of the seriousness and importance of the question, Sweden has chosen to provide a comprehensive report on Swedish legislation in the field, see Appendix 3.

Within the field of working life, there is special private law legislation against ethnic discrimination (see under Article 4).

#### *Offences reported to the police*

The Swedish Security Service (SÄPO) collect statistics concerning offences reported to the police that, among other things, involve racist, anti-Semitic and homophobic elements. The statistics are presented annually in an official report (*Criminality linked to the inner security of Sweden, 1999*). These statistics show that offences reported to the police involving xenophobic, racist, anti-Semitic or homophobic elements increased greatly between 1997 and 1999. During 1999, a total of 2,363 offences with racist or xenophobic elements were reported. In 1997 this figure was 1,752. Those offences that were reported most were unlawful threat, assault, molestation, insulting behaviour and agitation against an ethnic group.

It is also indicated by this publication that 210 cases of unlawful discrimination were reported during 1999. Of all these cases, 102 (approximately 49 per cent) related to discrimination in conjunction with restaurant and bar visits. Other reports were directed towards, among other things, shops, housing and property companies and public authorities.

The offence agitation against an ethnic group is one of the offences that reduced in number during 1999 compared with 1998, i.e. 249 compared with 257 reports. However, the level is still high compared with 1997, when 166 cases of agitation against an ethnic group were registered. There are various explanations for the reduction in the number of reported cases during 1999 compared with 1998. According to SÄPO, the great increase in 1998 is partially explained by a number of individual events, for example, concerts and demonstrations, resulting in a large number of reports of offences. Further explanations may be that the police and prosecutors give priority to this kind of criminality and that practice has become clearer on matters concerning punishability and culpability. Agitation against an ethnic group was the most common offence reported involving anti-Semitic elements in 1999. In total, 32 such offences were reported.

#### *Discrimination in and outside working life*

An indicator of the occurrence of ethnic discrimination outside working life is the contacts that individuals have made with the Ombudsman against Ethnic Discrimination (DO). During 1999, 307 reports were made to the DO. These reports primarily relate to the housing sector, education system, the judicial service and social welfare services. The number of reports to the DO on discrimination in working life has increased greatly during recent years. The number of reports was 121 in 1998 and 184 in 1999. Compared with 1997, the number of reports has tripled. The majority of reports are from job-seekers and relate to discrimination in conjunction with employment.

#### *Discrimination amongst Sami*

On the assignment of the Ombudsman against Ethnic Discrimination, a study was conducted concerning experiences of ethnic discrimination among a selection of Sami who were included in the Sami Parliament's electoral register (CEIFO, 1998). It was indicated by the results of the study that almost 75 per cent of those who answered

considered that Sweden is a society that is hostile to the Sami. Every third person said they had been exposed to deprecating comments and every fifth harassed at her/his workplace owing to her/his Sami origin. Sami living in Norrland felt that the problem was greatest. Young Sami people reported more experiences of harassment than elderly people.

*The Government plan of action against racism, xenophobia etc., and for human rights.*

During 2001, the Swedish Government will table two important programmes to promote respect and counteract discrimination; a national plan of action against racism, xenophobia, homophobia and discrimination and a plan of action for human rights.

In the written communication, *A National Plan of Action against Racism, Xenophobia, Homophobia and Discrimination* (2000/2001:59), the Government reports on measures that have been implemented in the field to date together with a national plan of action against racism, xenophobia, homophobia and discrimination. The plan of action shall be viewed as a step in a permanent and continuous process and contains concrete initiatives to combat racism and xenophobia. Such an initiative is that the Government will initiate a long-term strategic work to prevent and counteract discrimination against Roma. The Ombudsman against Ethnic Discrimination will be given a special assignment to counteract and prevent discrimination against Roma and also be given resources to work with the issue over a two-year period.

The plan of action for human rights will be presented during the autumn of 2001. The plan will contain concrete measures to promote the guard for human rights in Sweden. It will view human rights in its entirety and bring up economic, social, and cultural as well as civic and political rights.

## **ARTICLE 7**

**The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of ideas, conscience and religion.**

Chapter 2 of the Instrument of Government contains rules concerning fundamental freedoms and rights. According to Chapter 2, Article 1 of the Instrument of Government, every Swedish national is entitled, in relation to the community, to be guaranteed freedom of assembly, freedom of demonstration and freedom of association. Freedom of assembly relates to the freedom to arrange and attend any meeting for the purpose of information or expression of opinions or for any other similar purpose or for the purpose of presenting artistic work. The freedom of demonstration relates to the freedom to arrange and to participate in demonstrations in public places in any demonstration on public grounds. The freedom of association relates to the freedom to unite with others for public or private purposes.

These freedoms may, in accordance with Chapter 2, Article 12 of the Instrument of Government, be restricted by statute. However, a restriction may only be made to achieve purposes that are acceptable in a democratic society and may not go beyond that

necessary having regard to the purpose that gave rise to the measure. Nor may the restriction go so far that it constitutes a threat to the free formation of opinions and may not be made on the basis of political, religious, cultural or other such ideas. The freedom of assembly and freedom of demonstration may, in accordance with Chapter 2, Article 14 of the Instrument of Government, be restricted only on account of the security of the Realm, of public order and security at the meeting or the demonstration, or of the traffic, or for the purpose of counteracting an epidemic.

The right of association may only be limited as regards such associations the activities of which are of a military or similar nature or which involve the persecution of a national group of a particular race, of a particular skin colour, or of a particular ethnic origin.

A provision concerning freedom to participate in assemblies and the right of association is also contained in Article 11 of the European Convention, which applies as law in Sweden.

Unless otherwise prescribed by law, foreign nationals are equated with Swedish nationals as regards the freedom of assembly, the freedom of demonstration and the freedom of association in accordance with Chapter 2, Article 22, second paragraph, item 1 of the Instrument of Government.

Freedom of ideas, freedom of conscience and freedom of religion are described under Article 8 and freedom of expression under Article 9.

## **ARTICLE 8**

**The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.**

### **Freedom of religion**

Freedom of religion is one of fundamental freedoms and rights that are subject to the catalogue of rights contained in Chapter 2 of the Instrument of Government. This is expressed in Chapter 2, Article 1, item 6 of the Instrument of Government whereby each individual is entitled to, alone or together with others, practice her/his religion.

According to Chapter 2, Article 2, each individual is also protected against compulsion to make known her/his opinion on political, religious, cultural or other such matters and also, in relation to the community, against compulsion to participate in any meeting for the purpose of the formation of opinions or in any demonstration or other expression of opinions or to belong to a political association, a religious community or any other association for such opinions. Furthermore, according to Chapter 2, Article 3, of the Instrument of Government, no recording regarding a citizen in a public register may without his consent be founded on his political opinion.

The freedom of religion and the freedoms and rights contained in Chapter 2, Sections 2 and 3 of the Instrument of Government may not be limited in so far as they apply to Swedish nationals. However, they may be limited for foreign nationals, except as regards

the protection against compulsion to belong to a religious community (Chapter 2, Article 22 of the Instrument of Government).

A provision concerning freedom of religion is also contained in Article 9 of the European Convention, which applies as law in Sweden.

### **Support for religious communities**

State support for religious communities is provided in the form of first assistance with charges, and second State grants. The objectives of the support is to contribute towards the creation of the pre-conditions for the religious community to conduct an active and long-term orientated religious activity in the form of services for worship, pastoral care, education and care.

According to Section 16 of the Religious Communities Act (1998:1593), the Church of Sweden is entitled to assistance with charges, i.e. assistance by the State with the determination, debiting and reporting of charges from those who belong to the Swedish Church and also with collecting the charges. Such assistance, which means that the charges are collected via the tax collection system, may also be granted to other registered religious communities. Decisions concerning this are made by the Government subject to the pre-condition that the religious community contributes to maintaining and reinforcing the fundamental values that society is founded upon and that it is stable and is itself a movement with vitality. The Government may, subject to the same pre-conditions, decide that a religious community shall be entitled to a State grant. The State grants, which are allocated by the Co-operation Board for State Grants to Religious Communities, may be paid in the form of an organisation grant, an activity grant or project grant.

Besides the Church of Sweden there are, at present, seven religious communities that have been granted charges assistance (see Appendix 4). The religious communities and collaborating organs that are entitled to State grant (currently 21) are specified in Section 3 of the State Grants to Religious Communities Ordinance (1999:974).

#### *Other payments*

As of and including 2002, the Church of Sweden is entitled to a special State payment justified expenses for culture history connected with the care and preservation of the Church cultural heritage (Church antiquarian compensation). The Church antiquarian compensation is not a support to the Church of Sweden as a religious community but compensation for additional expenses in conjunction with the administration of, among other things, church buildings and church inventories.

Besides the above-mentioned efforts, which are directly aimed at religious communities, there are opportunities for religious communities, and similarly for other legal subjects - to apply for State grants, for example, in relation to special projects and aims (from the Government and various public authorities).

## **ARTICLE 9**

**1) The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and**

**to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.**

**2) Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.**

**3) The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.**

**4) In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.**

### **Freedom of expression, freedom of ideas and freedom of conscience**

Every Swedish national is, according to Chapter 2, Article 1 of the Instrument of Government, in relation to the community, guaranteed freedom of expression, i.e. freedom to, in speech, written form or pictorial representations or in another way, communicate information and also express ideas, opinions and feelings, and the freedom of information, that is to say the freedom to obtain and receive information and also otherwise to acquaint oneself with the statements of others. These freedoms may be restricted by statute, but the restriction may only be made in order to satisfy purposes that are acceptable in a democratic society.

Unless otherwise prescribed by statute, foreign nationals are equated with Swedish nationals as regards freedom of assembly, freedom of demonstration and freedom of association in accordance with Chapter 2, Article 22, second paragraph, item 1 of the Instrument of Government.

Articles 9 and 10 of the European Convention also contain provisions concerning freedom of ideas, freedom of conscience and freedom of expression, which apply as law in Sweden.

### **Access to mass media**

There is nothing, either in Swedish law or practice that impedes national minorities from presenting or using any forms of mass media. No distinction is made between people in the fundamental laws on freedom of the press, or freedom of expression. Every individual is at liberty to start and operate media undertakings and similarly to use or not use media. In addition to this, the Swedish State has considered that it is important to implement appropriate measures to facilitate entry and access to mass media for people who belong to national minorities.

It is stated in the broadcasting licences for the public service undertakings, Swedish Television, Swedish Radio and Swedish Education Radio, that the undertakings are obligated to take into account the needs of linguistic and ethnic minorities. Sami, Finnish and Meänkieli shall have a particular position in programme activities. The Government has proposed by the Bill, *Radio and TV in the Service of the Public 2002-2005* (2000/2001:94), which relates to the next licence period commencing in 2002, that Romani Chib shall be given the same status in programme activities as is today given to Sami, Finnish and Meänkieli. Furthermore, it is proposed that programme undertakings should take into account the fact Yiddish also has the status of a minority language in Sweden.

## **Media and minority languages**

### *Radio and television broadcasts in minority languages*

Swedish Television (SVT) broadcasts news, current affairs programmes, children's programmes and documentary films in Finnish. In the daily news broadcast *Utiset*, the relationship of Sweden and other countries is dealt with from a Swedish-Finnish perspective. During 2000, SVT broadcast 107 hours for the Swedish-Finnish minority. Nationally broadcast programme activities for the Sami population amounted in 2000 to 17 hours and comprised, among other things, the news magazine *Árran* and the children's programme *Úlda*. During 1999, SVT started to broadcast programmes in Meänkieli. During 2000, three nationally broadcast programmes, subtitled in Swedish, were broadcast. The programmes dealt with the specific features of living in Tornedalen and were produced by Tornedalers.

Swedish Radio broadcasts on *P 7 Finnish* programmes both in Finnish and Meänkieli and 4,487 hours were broadcast in Finnish, Meänkieli during 1999. Swedish Radio produces and broadcasts programmes for the Sami population through Sámi Radio. In 1999, 204 hours were broadcast in Sami.

### *Film production in minority languages*

The Swedish Film Institute has, during the 1990s, established three regional film production centres. Filmpool Nord is the regional resource centre for film and video for the County of Norrbotten. Its work comprises the minority languages Sami and Meänkieli by collaboration with parties at regional and local level. To date, short and documentary films concerning the Sami population have been jointly produced. Film production in Meänkieli is being developed.

The municipality of Kiruna has initiated an investigation in anticipation of the establishment of a resource centre for Sami and Tornedal film. The investigation will examine the way in which film culture and film production promotes development for the minority languages Sami, Finnish and Meänkieli, which by virtue of the Acts 1999:1175 and 1176 have a special status in certain municipalities in the County of Norrbotten.

### *Newspapers in the minority languages*

For the development and preservation of language, it is important that newspapers in the respective language are given sufficient support. As regards the terms of State press

support, there are certain special rules for financial support to daily newspapers that are directed towards linguistic minorities. When allocating State support to cultural periodicals, national minorities shall be particularly taken into account.

## ARTICLE 10

- 1) **Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.**
- 2) **In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.**
- 3) **The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.**

### **Right to use minority languages**

There are no statutory provisions impeding national minorities from using their language. The historic regional and minority languages are a valuable part of the cultural heritage of Sweden and Europe. Language is an important part of the identity and feeling of group belonging of people. It also functions to a large extent as a bearer of culture. It is therefore important to protect the right to be able to use one's language. A number of measures have been implemented in Sweden to support the regional and minority languages.

#### *The European Charter for Regional or Minority Languages*

Sweden ratified the European Charter for Regional or Minority Languages on 9 February 2000 and stated in that connection that Sami, Finnish and Meänkieli are regional or minority languages and that Romani Chib and Yiddish shall be deemed to be non-territorial minority languages when applying the Charter<sup>7</sup>.

In conjunction with Sweden ratifying the European Charter for Regional or Minority Languages, two new Acts were passed which provided the individual with a right to use Sami, Finnish or Meänkieli in contacts with administrative authorities and courts (Act 1999:1175, on the right to use Sami at administrative authorities and courts of law, and Act 1999: 1176 on the right to use Finnish and Meänkieli at administrative authorities and courts of law).

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<sup>7</sup> It is indicated by the Instrument of Ratification, that 46 items or paragraphs in Section III of the Charter shall relate to Sami and Finnish and also 43 items or paragraphs to Meänkieli.

### *Administrative authorities and courts*

The Acts apply at municipal and State regional and local administrative authorities with a geographical area of operation that completely or partially covers the geographical areas (administrative areas) where the languages are used traditionally and are still used to a sufficient extent. As regards Sami, this covers the municipalities of Arjeplog, Gällivare, Jokkmokk and Kiruna, and as regards Finnish and Meänkieli, the municipalities of Gällivare, Haparanda, Kiruna, Pajala and Övertorneå.

The Acts mean that the individual, irrespective of whether he or she speaks Swedish, is entitled to speak Sami, Finnish or Meänkieli at oral hearings before courts. The individual is also entitled to submit written pleadings in these languages and is entitled to have documents orally translated into Sami, Finnish or Meänkieli. In connection with contacts with administrative authorities, the individual is entitled to use her or his minority language in matters that relate to the exercise of official power in relation to her or him. The authority shall provide verbal answers in Sami, Finnish and Meänkieli and also generally endeavour to deal with the individual in the respective language.

### *Pre-school activities and care of the elderly*

Pre-school activities in one's own language are very important, as the learning of language by children is most intensive during the years preceding the start of school. It is also important within the care of the elderly services that individuals can receive nursing by staff who speak their own language. It occurs that older people, in connection with illness, lose skills in languages that they have learnt after childhood, but retain knowledge in their mother tongue.

By the two above-mentioned Acts, requirements are imposed on the municipalities in the administrative areas for Sami and areas for Finnish and Meänkieli respectively to provide parents with an opportunity of placing their children in pre-school activities where the whole or parts of the activity are conducted in these languages. The municipalities within the respective administrative areas shall also offer care of the elderly services where the whole or parts of the activity are conducted in Sami, Finnish or Meänkieli.

### **Interpreters**

It is a general principle of Swedish law that trials shall be held in Swedish. As regards the administrative authorities and courts that are not subject to the two laws on the right to use Sami and use Finnish and Meänkieli at administrative authorities and courts, there is no absolute right to have an interpreter. However, Chapter 33, Section 9 of the Code of Judicial Procedure contains a provision that the court may if necessary have documents that are received or issued by the court translated. This provision means that a pleading in another language than Swedish shall be translated to Swedish if it may be assumed to be of importance for the case. It is stated in Chapter 5, Section 6 that an interpreter may be engaged if a person who is to be questioned at court does not speak Swedish. The assessment of whether an interpreter is needed is made by the court. A provision with the corresponding content, covering both written translation and oral interpretation, is contained in the Administrative Judicial Procedure Act (1971:29). Section 8 of the Administrative Procedure Act (896:223) prescribes that administrative authorities should,

whenever necessary, engage interpreters in connection with contacts with persons who do not speak Swedish. This applies to both written and oral processing.

It is indicated by the explanatory report of the Council of Europe that the measures contained in Article 10, paragraph 3, are based on parts of the Articles 5 and 6 of the European Convention on Human Rights, and provide persons suspected of having committed an offence associated with national minorities with the right to communicate in a language that he or she understands in connection with contacts with the police or courts. Sweden has ratified and incorporated the European Convention in Swedish law and satisfies the requirements contained in Article 10, paragraph 3.

A considerable number of Sweden's national minorities are bilingual. There are also people who have lost their minority language. Others, for example relatively recently arrived Roma from the former Yugoslavia, have learnt Swedish during the 1990s. Moreover, there may be individual persons, particularly older persons, who have inadequate knowledge in Swedish.

### **Other**

The Government has in the Bill, *National Minorities in Sweden* (1998/99:143), declared that enactments that have a particular effect on the national minorities rights should be translated into minority languages. For examples of texts that have been translated into minority languages, see Appendix 5.

## **ARTICLE 11**

**1) The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.**

**2) The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.**

**3) In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.**

### **The Names Act**

There is nothing contained in Swedish legislation impeding individuals from retaining their first name or surname.

The Names Act (1982:670) contains provisions on how surnames may be acquired. Section 12, item 1, states that a newly formed surname must have a pronunciation and spelling and such linguistic form that it is appropriate as a surname in Sweden. The Swedish Patent and Registration Office, which is the executive agency, deals with applications for alterations to names and changes of name. When conducting such an assessment of suitability, Sami and Finnish linguistic usage is considered to comprise part of the national linguistic usage. However, practice developed through decisions made by the Patent Appeals Court afford immigrants and other national minorities an opportunity to amend or revert to their former name forms and the requirement concerning pronunciation and spelling according to the Swedish model has been cast off. Matters are considered on a case-to-case basis. For example, it may be mentioned that Assyrians/Syrians have been granted permission to adopt Assyrian/Syrian family names of which they were deprived in Turkey around the year 1917.

### **District names**

The Riksdag has decided (Government Bill 1984/85:100) that greater regard must be taken to the Sami and Finnish minorities in northern Sweden when determining names on maps and in conjunction with signposting of roads, etc. When names of places in multi-lingual areas are determined, they shall be given in those languages that are spoken in the area. The way of writing used by the minority should also be used.

The National Land Survey maps also state names of places in Sami and Finnish. The National Road Administration commenced work in 1995 with gradually supplementing place name signs in Norrbotten and Västerbotten with the Sami and Finnish names.

## **ARTICLE 12**

- 1) The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.**
- 2) In this context the Parties shall *inter alia* provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.**
- 3) The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.**

### ***Paragraph 1***

#### **Promote knowledge concerning national minorities**

##### ***Compulsory school***

The Government considers that it is important that all children in Sweden, whether they belong to a minority or majority, already learn in school about the history of the national minorities in Sweden and their culture, language and religion, and also their part in society. In order that all pupils in the Swedish school, from children to adult students,

should learn about the national minorities, the school curricula (Lpo 94 and Lpf 94) have been amended so that it is indicated that knowledge shall be provided about the national minorities and minority languages. Also, when reviewing the course syllabi of the schools, the national minorities and minority languages have been given attention. Extracts from the education curricula and course syllabi are contained in Appendix 6.

### *Upper Secondary school*

The National Agency for Education offers information about the national minorities on the Agency's web-site and has in conjunction with the national minorities produced inspirational material primarily aimed at upper secondary school pupils. The material is also available in printed form.

### *Higher education and research*

In the Government Bill on Research Policy (Government Bill 2000/2001:3), the Government laid down that it is important that university education and research in minority languages and concerning national minorities continues and can be developed. The Government has also taken up the issue of so-called minor subjects and assigned the Council for Scientific Affairs the national responsibility for achieving a holistic view as regards resources for such subjects.

### *Finnish-Swedish Education Council*

The Finnish-Swedish Education Council works, in line with the aims of Article 12, paragraph 1, to promote knowledge concerning national minorities. Its task is to promote in Sweden the educational situation for the Swedish-Finnish minority and work to ensure increased knowledge and understanding of our joint Finnish-Swedish history and our common cultural heritage.

## ***Paragraph 2***

### **Teacher training**

The Technical University of Luleå has the special assignment of offering compulsory school teacher training in Sami, Finnish and Meänkieli.

The Higher Education Ordinance (1993:100) examination provides scope for the universities to teach teacher training students about minority languages and about national minorities. Furthermore, the provisions of the examination rules ensure that graduate teachers have the knowledge necessary to realise the goals of education in accordance with the curricula decided by the Government. It is indicated by the curricula (Lpo 94 and Lpf 94) that knowledge shall be provided about the national minorities and minority languages.

### **Teaching aids**

In order to produce teaching material and dictionaries in languages where the existing material is inadequate, the National Agency for Education is conducting a several-year project. Romani Chib is one of the languages that is covered by the project. Among other

things, the rapid production of a dictionary in Swedish and various forms of Romani Chib (Arli and Swedish Romani) is the so-called Lexin Project.

### ***Paragraph3***

#### **Access to higher education**

In order to promote equal opportunities for access to education, the Government is working purposefully towards counteracting distorted recruitment to universities. In May, the Diversity Commission reported its proposal *Diversity in Universities. Reflections and proposals on social and ethnic diversity in universities* (Official Government Report SOU 2000:47). The Government intends to submit during 2001 a Bill which, among other things, deals with measures to broaden the recruitment base for universities and also counteract ethnic and social distorted recruitment.

#### ***Adult education***

Sweden has a long tradition of adult education and, by purposeful efforts by the Government for a generous study system, people have good opportunities of having a second chance with their studies. The folk high schools (independent adult education colleges) and study associations are important actors for the dissemination of knowledge. The Swedish National Council for Popular Adult Education has been given the assignment by the Government of reporting on the range of courses existing within popular adult education for national minorities and the extent to which these minority groups participate in these activities.<sup>8</sup> Sami, Swedish Finns, Tornedalers and Roma are offered all teaching directed towards their own group at least one folk high school. The Sami have a broad range of courses and education within the Sami Education Centre. The National Association of Finns in Sweden is the formal manager of the Swedish Finnish Folk High School and is also closely affiliated with two other folk high schools and the Swedish Tornedalian Association has close collaboration with the Tornedal Folk High School. Roma are offered specially orientated courses at a number of folk high schools. All five minority groups are offered short courses under the auspices of the study association which are orientated towards the minority group. In the report of the National Council it is stated that minority groups who have access to their own folk high schools or which are member organisations of study associations, appear to have a significantly greater prospects of satisfying their educational needs than those groups who are not permanently co-operating with any folk high school or study association.

### **ARTICLE 13**

**Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.**

**2) The exercise of this right shall not entail any financial obligation for the Parties.**

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<sup>8</sup> *A Report on the Participation of National Minorities in Popular Adult Education*, Swedish National Council for Popular Adult Education (2001).

## **Independent schools**

According to Chapter 9 of the Education Act (1985:1100), compulsory school attendance obligations may be satisfied in independent schools provided the school is approved by the National Agency for Education. The home municipality of pupils is normally liable to provide a contribution to approved independent compulsory schools. There are a number of independent schools with minority ethnic orientation, among other things, eight Swedish-Finnish schools, one Jewish and one Tornedalian school.

The National Agency for Education is entitled to grant a federation or other association the right to offer a school education if it satisfies certain specified requirements. Financial support is given in the form of a so-called education grant.

For pupils of Sami origin, there are State financed Sami schools where education is conducted from year course 1 to 6. See under Article 14.

## **ARTICLE 14**

- 1) The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.**
- 2) In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.**
- 3) Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.**

## **Education in mother tongue**

Education in mother tongue and bilingual education is of great importance as regards supporting and reinforcing minority languages. The rules<sup>9</sup> concerning the right to mother-tongue education apply throughout Sweden and for all other languages than Swedish. Mother-tongue education is an optional subject for pupils, but the municipalities are obligated to arrange such education if there are at least five pupils in the municipality who wish to have education in the same language. There are special rules on mother-tongue education relating to children belonging to the Sami, Tornedal-Finnish or Roma minorities. They are entitled to tuition even if the number of pupils is less than five or if the language is not the language in daily use. The municipality is not obligated to arrange teaching if there are no suitable teachers available. In broad terms, the same rules also apply for the upper secondary school.

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<sup>9</sup> Compulsory School Ordinance, Chapter 2, Sections 9-14 and the Upper Secondary School Ordinance, Chapter 5, Sections 9-15.

Roma pupils with foreign backgrounds are the only group entitled to mother-tongue education in two languages, if they need it; for example a pupil with Finnish-Roma background will obtain mother-tongue language tuition in Finnish and so-called Finnish Romani. The Roma Working Group at the Ministry of Industry, Employment and Communications concluded in 1997 that few pupils participate in education in Romani Chib. It has been difficult to employ teachers with Roma as a mother tongue, as there is not formal training for mother-tongue teachers in Romani Chib. The National Education Agency states that work with the planning of efforts for training of staff for the Roma minority has commenced.

There is not mother-tongue education in Yiddish within the framework of the schools.<sup>10</sup> The National Agency for Education, which has concluded that knowledge of Yiddish in Swedish society is limited, is collaborating with the Jewish Central Council concerning inspirational material concerning the national minorities intended for upper secondary school pupils and intend to publish an article about Yiddish on the National Agency for Education's website.

The National Agency for Education shall, within the framework of its supervision function, monitor in particular the development of mother-tongue education and bilingual education for the national minorities. The National Agency for Education has recently, in a report to the Government, described the development of mother-tongue education and bilingual education regarding the national minority languages. It is indicated by the report, *Education in and on the national minority languages - survey of the situation* (2001:3438), that development of education is in progress for all national minorities, both in municipal schools and pre-schools, Sami schools, at independent schools and within local authority administered adult education. The report also indicates that the conditions for the five national minorities, for historical and geographical reasons, are very different. On the basis of its survey, the National Agency for Education proposed to the Government, among other things, that the scope of the Sami schools' teaching responsibility should be extended to also comprise mother-tongue education in Sami in basic and upper secondary schools and that it should also be possible to use funds controlled by the National Agency for Education for support to development of Finnish language education for Meänkieli. Furthermore, the National Agency for Education proposes that the minimum requirement of five pupils in order that a municipality should need to provide mother-tongue education should be removed for Finnish and Yiddish, so that the rules are the same for all minority groups. The proposals are currently being worked on in within the Government Offices.

### **Pre-school activities in mother tongue**

As indicated by Article 10, parents who live in the administrative areas for Sami, and Finnish and Meänkieli, respectively, are afforded an opportunity to place their children in pre-school activities where the entire or part of the activity is conducted in these languages.

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<sup>10</sup> The Jewish profiling of the junior and intermediate level at Hillelskolan School and the upper level of Vasa Real School, both in Stockholm, have chosen to have Hebrew, not Yiddish, on the schedule.

## **Sami school**

According to Chapter 8 of the Education Act (1985:1100), the children of Sami may fulfil their six first year courses within the national school form Sami school. Education is provided in Sami and Swedish. Special provisions for the Sami school are contained in the Sami Education Ordinance (1995:205). According to the curriculum Lpo 94, the Sami school shall, in addition to the objectives of the compulsory school, be responsible for ensuring that every pupil after completing the Sami school is familiar with the Sami cultural heritage and can also speak, read and write Sami. There are Sami schools in Karesuando, Lannavara, Gällivare, Jokkmokk, Tärnaby and Kiruna.

According to Chapter 8 of the Sami Education Ordinance, a municipality may arrange Sami education - Sami integrated education - for Sami pupils at its compulsory school.

## **ARTICLE 15**

**The parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.**

### **Participation in public life**

Influence and participation for national minorities is of great importance within the minority policy. Special measures have been implemented to support the opportunities of minorities to have influence. Among other things, regular consultative meetings are held with the representatives of the Government and the minorities' organisations. Special funds have been allocated to organisations that represent national minorities in order to increase their opportunities for influence on matters concerning them.

One possibility for the national minorities to be included and influence matters that affect them is to take part as a consultative body. The system of committees and consultancy procedures comprise a characteristic and important element of the Swedish political decision-making process. Through this system, interested organisations gain an insight in and are invited to present their standpoints on political decision-making processes. The national minorities' national organisations are consultative bodies and included in decision-making processes that affect them, for example, in the preparation of Government bills for the Riksdag<sup>11</sup>. The principle that Government matters should undergo the consultative procedure has been laid down by Chapter 7, Article 2 of the Instrument of Government.

One objective is that representatives of the national minorities should, to the greatest extent possible, be included in studies, evaluation and decision-making processes that have consequences for them. As examples of participation mention may be made of the working groups within the County Administrative Board in Norrbotten which is

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<sup>11</sup> The pronouncements on this report from minority organisations are enclosed the Swedish version in a separate leaflet. The texts are only available in Swedish.

responsible for the follow-up of the regional work, the evaluation and the production of information material about minorities by the National Agency for Education, and also the assignment of the National Council for Cultural Affairs to investigate how minority cultures should gain sufficient scope in Swedish cultural life.

### *The Sami Parliament*

The Sami Parliament is a national administrative authority and, at the same time, a representative popular elected organ that represents the Sami. The Sami Parliament, which was established in 1993, was formed to ensure that international law provides support for the Sami to themselves be allowed to decide about their cultural and also to some extent their commercial development. An investigation concerning the future form and assignment of the Sami Parliament has been under way since the autumn of 2000.

### *Activities within the Government Offices linked to national minority groups:*

#### *i) Roma Working Group*

The Government appointed a working group in 1996 with the task of submitting proposals for work that can promote the situation of the Roma in Swedish society.

The Roma Working Group consists of representatives for a number of ministries and Roma representatives, the National Integration Office and also from the local government sector, among others. A unanimous Working Group presented in 1997 the report *Roma in Sweden - together in change* (Ministry Report 1997:49). The activities of the Working Group develop continuously were characterised and adapted increasingly to Sweden's policy for national minorities. The basis for the Working Group is that work to improve the situation of the Roma people must take place together with Roma people.

#### *ii) The Delegation for Indigenous People*

The Delegation for Indigenous People consists of individual Sami and experts from cultural life, the research world and the Government Offices and reports to the Ministry of Agriculture, Food and Fisheries. The objectives of the Delegation for Indigenous People are, among other things, to follow up those objectives affecting Sweden contained in the Decade of Indigenous People declared by the UN. The objectives are also to contribute to increased Sami self-determination and the participation of Sami in political life increasing, promote Sami culture and contribute to increasing the awareness of the general public concerning the Sami cultural heritage.

#### *iii) Information efforts concerning Sami*

The Government decided in December 2000 on a national information effort concerning Sami in Sweden and Sami culture. This information effort is intended to stretch over five years and is aimed, among other things, at increasing knowledge about and an understanding of Sami and Sami culture on the part of the majority population.

### *Political participation*

There are no political national parties in Sweden that specially represent the national minorities. Politically active nationals with belonging to minorities are included in parties according to their political residence. No places in the Riksdag are reserved for national minorities, but there are a number of Riksdag members with minority backgrounds.

### **Political elections to the Sami Parliament**

Those Sami who are listed in the Sami electoral register are entitled to vote in elections to the Sami Parliament. (For a description of electoral register and voting rules, see Appendix 6). The Sami Parliament has the task of protecting the interests of the Sami, among other things, as regards Sami culture, Sami businesses and the work with the Sami language. The Sami Parliament decision-making assembly comprises 31 popular elected members, who represent eleven Sami Parliament parties. The first Sami Parliament election was held in 1993. The parties represent various interests and groups, for example reindeer owners, forestry owners and hunting and fishing.

### **Voting rights**

Every Swedish national over the age of 18 is entitled to vote at elections for the Riksdag, municipality and county council. Nationals of the European Union and also nationals of Iceland and Norway are entitled to vote in municipal and county council elections subject to the same pre-conditions of Swedish nationals. Other persons, who are not Swedish nationals but are registered as resident in Sweden, are entitled to vote at municipal and county council elections after having been resident in Sweden for three years.

People who belong to the national minority groups in Sweden are, to a great extent, Swedish nationals. In an international comparison, it is relatively easy to attain Swedish nationality. In the spring of 2001, the Riksdag passed a new Swedish Citizenship Act (2001:82), which, among other things, means that dual citizenship is allowed and also that it is made easier for children and young people to become Swedish nationals. The new Act enters into force on 1 July 2001.

### **Participation in economic life**

#### *The economic assignment of the Sami Parliament*

According to the Sami Parliament Act, the Sami Parliament shall allocate the funds that have been appropriated by the national budget for Sami culture and also funds for Sami culture and Sami organisations that are payable from the Sami Fund. The Sami Parliament is also the authority responsible for the payment of compensation for damage caused by predatory animals to the Sami villages as regards damage caused by wolves, wolverines, lynx, bears and golden eagles. Following Sweden's entry into the EU, the Sami Parliament is responsible for the Sami programme included in the EU's structural fund programme for the development of Sami culture and reindeer industry, and is the decision-making authority for structural fund resources. The Sami Parliament in Sweden is also responsible for the joint secretariat that will handle the EU's support to the Sami

inter-regional programme (Interreg II), which is a joint programme for the Sami Parliaments in Finland, Norway and Sweden.

### **Participation in cultural life**

The national minorities have a rich culture, which among other things, is manifested in various forms of artistic activity. This contributes to preserving and developing the minority cultures in Sweden, at the same as it enriches the cultural life in general.

When distributing the State support to literature and culture periodicals, the national minorities shall be taken into account in particular. In order to facilitate this, the support has been increased by one million kronor as of year 2000. The National Council for Cultural Affairs has recently reported its assignment to investigate how Sami, Finnish, Tornedal, Roma and also Jewish culture should be afforded sufficient scope in Swedish cultural life (cf. under Article 5). This work was conducted in consultation with representatives for the national minorities.

The Sami Parliament has an important role as the distributor of financial funds for Sami cultural activities. According to the Sami Parliament Act, the Sami Parliament allocates the funds that are appropriated via the national budget for Sami culture and also the funds to Sami culture and Sami organisations that are payable from the Sami Fund. Among the recipients, mention may be made of the Sami Theatre, the Sami Handicraft Foundation and the Sami Library.

### **Participation in social life**

The Roma in Sweden, as in many other countries, find themselves in a situation of exclusion that is characterised by an inadequacy regarding participation in society. There are many factors that have contributed to the current situation. Discrimination, low levels of education and previous pressures for assimilation are some of these. In recent years, a large number of Roma local associations have been newly formed, which have demonstrated to have increased the participation of the Roma in community life. The majority of associations are affiliated with the umbrella organisation, the Roma National Union. A substantial proportion of the Roma in Sweden are also engaged in church activities, particularly within the Pentecostal Church where they have their own parishes and priests.

The spread of drug abuse is also increasing among Roma youth. After initiatives by young Roma, the State has provided financial support to the drama documentary *Grofo* (The Count), which is about a young drug addict. The actors are Roma and the language Roma. The film has been translated into Russian and Czechoslovakian. Furthermore, it may be mentioned that the Government has provided financial support to a project that has been initiated and led by Roma for information and dialogue in connection with police and journalist training.

## **ARTICLE 16**

**The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are**

**aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.**

The Government considers that the administrative division of the country does not constitute an impediment to promoting regional or minority languages. In the assessment of the Government, the current division does not constitute such an impediment. Provisions concerning the pre-conditions for amendments to the municipal division contained in the Swedish Municipalities and County Council Boundaries Act (1979:411) is, in the opinion of the Government, sufficient to be able to satisfy the requirements of the framework Convention. Chapter 1, Section 1 of the Act prescribes that an amendment to the division of Sweden into municipalities can be made if such an amendment can be assumed to involve lasting advantages for a municipality or part of a municipality or other advantages from the public viewpoint. Special regard should be taken to the, or those, municipalities that are most immediately affected by the division. If such a municipality opposes an amendment to the division, a decision to implement an amendment may only be made if there are extraordinary reasons. Particularly regard should also be taken to the wishes and views of the population. It is stated in Chapter 1, Section 22, that an investigation concerning an amendment to the municipal boundaries should comprise all circumstances involved in the matter. In connection with the investigation, there shall be consultation with all those municipalities that have an interest in the matter.

## **ARTICLE 17**

**1) The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.**

**2) The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels.**

Sweden has a long history of the involvement of citizens in non-governmental organisations. The Swedish Government values and encourages the work conducted on a voluntary basis at both the national and international level.

For many years there has been co-operation between Sami organisations in Sweden and other Nordic countries as regards Sami issues. The Sami Council activity is financed by the Nordic Council of Ministers. This is a joint body for Sami in Finland, Norway, Russia and Sweden which has the task of protecting the economic, social and cultural interests of the Sami, which also includes language.

The minority groups arrange and participate in international exchanges and collaboration. The European Bureau for Lesser Used Languages (EBLUL), and the Swedish branch

called the Swedish Bureau for Lesser Used Languages (SWEBLUL)<sup>12</sup>, work with the development and promotion of exchange between groups who speak minority languages in various regions in Europe.

## ARTICLE 18

**1. The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned.**

**2. Where relevant, the Parties shall take measures to encourage transfrontier co-operation.**

Sweden is collaborating with other countries in the Nordic Council and the Nordic Council of Ministers on several issues. Through the Helsinki Agreement (Sweden's Agreements with Foreign Powers - SÖ 1962:14), Sweden has established collaboration with the other Nordic countries, which affects, among other things, culture and education. The Nordic Sami Institute has the task of, through research and information, improving the status of the Sami minority socially, legally and economically. The Nordic countries have concluded a contract concerning radio broadcasts and production of television programmes in Sami.

Through the Barents Sea Council and Regional Council, Finland, Norway, Russia and Sweden together with regions in these countries are working together on, among other things, indigenous peoples' issues.

In Tornedalen, collaboration is being conducted, among other ways, through the Tornedal Council and between the neighbouring cities of Torneå and Haparanda. International collaboration is conducted in accordance with the Frontier Rivers Agreement on the Administration of Torne River.

Sweden has initiated contacts with both Norway and Finland concerning collaboration and exchange of experience on matters concerning national minorities. In addition to this, discussions have been commenced concerning a more detailed collaboration between Sweden and Finland concerning minority policies in the form of a special working group. Such a working group should be orientated towards issues concerning the position of Finnish in Sweden and the position of Swedish in Finland, together with other joint minority policy issues.

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<sup>12</sup> The members of SWEBLUL are: the Sami Parliament, the Delegation for Finns in Sweden, Swedish Tornedalian Association (*Tornionlaaksolaiset*), Jewish Central Council and the Roma National Union.

## **Appendices**

### **Appendix 1 : Sweden's five national minorities**

*Information about Sweden's five minority groups. These texts concerning the national minorities are extracted from the Government Bill 1998/99:143 National Minorities in Sweden. They are somewhat shortened in this presentation.*

#### **The Sami**

The Sami are an indigenous people who are found in the northern parts of the present Norway, Sweden, Finland and the Kola Peninsula in Russia. Important elements of the Sami culture are the Sami language, the reindeer, Sami handicrafts, the traditional costume, the chant and food culture. Many years ago, the Sami also had their own religion. The modern Sami cultural life also includes Sami theatre, art and literature.

An important element of the Sami identity is the Sami language. Sami is a Finno-Ugric language which, like other languages, has changed over the years. There has never been any absolute border for the various Sami language varieties that exist in Sweden, namely North Sami, Lule Sami and South Sami. Within the area of the traditional places of settlement, the mutual understanding is greatest between varieties that are spoken in geographical areas bordering upon each other. Another central basis for the identity of the Sami is their status as an indigenous people. The Riksdag also confirmed this in 1977, when it was concluded that the Sami are an indigenous people in Sweden and that as such they have a special status.

The Sami population in Sweden amounts to approximately 15,000-20,000 persons. They mostly live in the traditional areas of settlement from Idre in Dalarna to Kiruna in Norrbotten. Approximately 2,500 of those Sami who live in this area are occupied with reindeer husbandry. Many Sami are nowadays also resident in the coastal areas in northern and central Sweden and also in the Stockholm area.

The Sami have over the years organised themselves in different ways. In ancient times, there was among the Sami the *siida* system, an own organisation within the framework of which, among other things, common decisions were made and law administered. In contemporary times, there are other forms of organisations that vary from Sami villages to various Sami associations and Sami parties. There are several Sami national organisations. Within the Church of Sweden there is a Church of Sweden Sami Council. Two diocesan curate posts have also been established for activities among the Sami.

#### ***The Swedish Finns***

The Finnish language has been spoken in Sweden for a very long time. For approximately 600 years, up to 1809, Sweden and Finland were a united nation. During this period, there was active mobility among the population. Finnish-speaking citizens were for a short or long time in the western part (now Sweden) where Swedish dominated. Swedish-speaking citizens were in the eastern part (now Finland) where Finnish dominated. It is indicated by sources from the 16<sup>th</sup> century that Finnish was spoken in Stockholm and in the Mälär

Valley at that time. The first Finnish parish was founded in Stockholm in 1533. The Finnish parish is a non-territorial parish within the Swedish Church.

Finnish has also been spoken in other parts of Sweden during various periods. Towards the end of the 16<sup>th</sup> century, the so-called Forest Finns came from the Finnish Savolax to Dalarna, Värmland, Medelpad, Hälsingland, Gästrikland and Ångermanland in order to conduct burn-beating. The Forest Finns spoke Finnish and they may also be said to have had a special culture surrounding the burn-beating. However, the Finnish language almost completely fell into disuse in Finnmark during the 19<sup>th</sup> century and the first half of the 20<sup>th</sup> century. However, Finnish continued to be spoken in Stockholm together with the regions around the Mälars Valley where newly arrived citizens from the eastern half of the Realm moved due to war during the 1720s and around the year 1808. During the period from the turn of the century until the Second World War, the majority of Finnish-speaking people continued to reside in the City and County of Stockholm and also in Norrbotten.

Swedish Finns differ from the majority population in Sweden, both by their language and by their culture. The cultural expression is visible within a number of different areas. There is a great interest on the part of Swedish Finns to preserve their language and their cultural distinctiveness in Sweden.

Today, approximately 450,000 first and second generation Swedish Finns live in Sweden (Statistics Sweden, 31 December 1994), of which about half use Finnish. The majority moved to Sweden after the Second World War. The peak for moving to Sweden came about 1970 and has since then reduced. Swedish Finns have for many years been a well-organised group in Sweden. One example is the Stockholm Finnish Association which was formed in the 1830s. Another is the Stockholm Finnish Federation, which celebrated its 105<sup>th</sup> jubilee 1998. In 1957 the National Association of Finns in Sweden was formed, which today works, among other things, for the establishment of activities in the Finnish languages within all areas of interest for Swedish Finns.

### *The Tornedalers*

A Finnish-speaking settlement probably existed in the area around the Torne River already before the Middle Ages. At that time, the Tornedalen was a meeting and trading centre which made the area a multi-linguistic region. From the Middle Ages, Finnish dominated among the peasantry in Tornedalen. When Sweden, following the war with Russia in the years 1808-1809, had to cede its eastern half of the Realm to Russia, this was done by a frontier being drawn through the Tornedalen, so that the western part of the Tornedalen remained Swedish territory. Notwithstanding this, the Tornedalers on both sides of the frontier, which is formed by the Könkämä, Muonio and Torne Rivers, have preserved both their language and their cultural heritage up to this day. The Tornedalers distinguish themselves from the Swedish majority population primarily by their language. The Tornedalers' language, which has previously often been referred to as Tornedal-Finnish, is nowadays called Meänkieli ('our language'). The characteristic feature of Meänkieli is, among other things, that a number of Swedish words have been received into the vocabulary.

The Tornedalers have also their own food culture, craft and building style. As with the Sami, middle-aged and older Tornedalers can describe what they have suffered because they were not allowed to speak their language in school when they were children.

Nowadays, the situation is different, and during recent years there has been increased activity to preserve their own language.

Today, there are approximately 50,000 Tornedalers in, above all else, the municipalities of Haparanda, Övertorneå and Pajala and also in parts of the municipalities of Kiruna and Gällivare. In addition to this, approximately 16,000 people live in the area who speak standard Finnish and who have recently moved into the area. In recent years, interest for their own distinctive character and identity has grown among Tornedalers. An expression of this is the formation in 1981 of the Swedish Tornedalian Association – *Tornionlaaksolaiset* (STR-T). The Association aims to protect the linguistic and cultural interests of these Tornedalers, among other things by preparing educational material and a dictionary in Meänkieli in order to develop the written form of the language.

Meänkieli has existed since 1993 as an obligatory teaching subject for the year courses 1-9. In the same year, a Tornedaler Theatre was also established and, in recent years, increasing literature in Meänkieli has been published. Organised collaboration between municipalities in Swedish and Finnish Tornedalen has been in progress since 1987, with support from the Nordic Council of Ministers, in order to promote tourism and commercial activities and also contribute to preserving the Tornedalers' cultural heritage.

## **The Roma**

The first Roma came to Sweden during the 16<sup>th</sup> century. Ever since that time, Roma from different countries in Europe have come to Sweden at different periods of time. When the first Roma arrived, both the secular and church authorities in Sweden issued a large number of decrees and laws with the purpose of expelling the Roma from Sweden or, later in history, assimilating them compulsorily. The Roma who came to Sweden during the 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> centuries primarily lived in the eastern half of the Realm (now Finland). During the second half of the 19<sup>th</sup> century and for some years into the 20<sup>th</sup> century, a second migration wave of Roma came to Sweden via Russia from Valakiet. The Roma often lived a life moving around, not least due to the fact that they found it difficult to obtain permanent alternatives. It was only during the last century that the Roma and the travellers became permanently settled in a number of different areas of the country.

The Roma have their own language, Romani Chib, their own culture and own traditions that differ from those of the majority population. Romani Chib comprises a number of different varieties (Finnish Romani, Kelderash, Lovari, Tjurari, Sinto, Arli, Bugurji, Gurbet and Swedish Romani). The Roma originally came from Northwest India and parts of present Pakistan and arrived in Europe during the 13<sup>th</sup> century. Their language therefore traces roots to Sanskrit. The Roma population is not homogenous but comprises different groups that originally immigrated from different countries. Although the Roma in Sweden belong to various “tribes” with various traditions and with various varieties of Romani Chib, they state that they are and feel that they are a cohesive people. The traditions of the Roma have not always been accepted by the surrounding society, which has meant that many Roma felt that they are discriminated against. Examples of this are the many complaints the Ombudsman against Ethnic Discrimination receives from Roma who have been denied access to public premises or treated less favourably than the majority population in various ways.

Today there are approximately 35,000-40,000 Roma resident in Sweden. In Sweden, one usually divides the Roma into various groups. This relates to the approximately 2,500 so-called Swedish Roma who started to immigrate to Sweden at the end of the 19<sup>th</sup> century, the 3,200 Finnish Roma who arrived in Sweden already in the 16<sup>th</sup> century and who were later directed to the former eastern part of the Realm of Sweden, which today is Finland, and also the approximately 10,000 non-Nordic Roma who came to Sweden from, among other places, Poland and other countries in Eastern Europe first in the 1960s and the early 1970s. A further group comprises the recently arrived Roma from the former Yugoslavia. In addition to this, there are also travellers. They speak a variety of Romani Chib called Swedish Romani. It is estimated today that travellers amount to approximately 20,000 people.

Through various Roma organisations, the Roma seek to protect their culture and their traditions. At the beginning of 1973, the Nordic Gypsy Council was formed, which became an umbrella organisation for the some fifteen various Roma associations in Sweden and the Nordic countries. The organisation changed its name to the Roma National Union (in Swedish: Romernas Riksförbund, RR) in 1999.

## **The Jews**

The first Jews came to Sweden towards the end of the 17<sup>th</sup> century. In 1775, Jews could settle in Sweden without having to be christened and they were allowed to form a Jewish community in Stockholm with the right to establish burial places, a synagogue and also bring in a Rabbi. During the time that has passed since the first Jews came to Sweden, new groups of Jews have come to Sweden, often as a result of persecution of the Jewish population in various parts of Europe. Many Jews came to Sweden at the turn of the century, primarily from the pogroms of tsarist Russia. Between the years 1860 and 1914, approximately 4,000 Jews came to Sweden from North Eastern Europe. The majority were strictly orthodox in the practice of their religion and spoke Yiddish. Between the years 1933 and 1941, approximately 2,000 Jews received entry permits for Sweden. During the months June – July 1945, more than 10,000 Jews were saved and came to Sweden with the assistance of the Red Cross. A few thousand of these remained. In the latter part of the 1940s, a group of Jews came who were fleeing from anti-Semitism in Poland. Hungarian Jews also came during the middle of the 1950s, fleeing the Soviet invasion of Hungary. A further waive of Polish Jews came to Sweden between the years 1968 and 1970 as a consequence of anti-Semitism and during the 1990s a group also came from the former Soviet Union.

Jews have their own religion, Judaism, their own culture, own languages and ancient traditions, which differ from the Swedish majority population. Yiddish was spoken by those Jews who first came to Sweden and then it was not until the end of the 19<sup>th</sup> century before the next group of Yiddish-speaking people came to Sweden. With the inflow of refugees after the Second World War, Yiddish was revitalised. The importance of this as a part of the Jewish culture has, in recent time, prompted renewed interest. The Jewish population in Sweden has, to a great extent, preserved their religion, their traditions and their languages. Even Jews who do not consider themselves to live an orthodox life, participate for example in Shabbas services, celebrate Jewish weekends and observe kosher, i.e. respect Jewish dietary laws.

Approximately 25,000 Jews live in Sweden today, if one includes both those who have two parents of Jewish descent and those who have a mother or father who is of Jewish descent. The majority of the Jewish population lives in Stockholm, Gothenburg and Malmö. There are also independent communities in these cities. In addition to these, there are a number of places such as Borås, Västerås, Helsingborg, Lund and Norrköping with small communities that are linked to the three previously mentioned.

## Appendix 2: Sweden's largest immigrant groups

The largest groups of persons born outside the frontiers of Sweden are (31 December 1998)<sup>13</sup>:

Country of birth	Number	Length of stay in Sweden	
		< 5 years	10 years and more
Finland	196 543	3 %	94 %
Yugoslavia	69 739	11 %	49 %
Bosnia- Herzegovina	49 459	19 %	1 %
Iran	48 376	9 %	64 %
Norway	40 742	8 %	82 %
Poland	38 616	7 %	77 %
Denmark	37 247	7 %	87 %
Iraq	37 049	41 %	19 %
Germany	35 239	9 %	86 %
Turkey	30 112	11 %	71 %

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<sup>13</sup> Source: National Integration Office, 2001

### **Appendix 3: Penal provisions that are aimed directly or indirectly at acts or expressions that are racist or discriminatory, etc.**

The provision concerning *unlawful discrimination* contained in Chapter 16, Section 9 of the Penal Code is aimed directly at various kinds of discrimination. According to this provision, it is punishable to in business operations or when arranging public assemblies or public exhibitions discriminate against anyone on the grounds, among other things, of race, skin colour, national or ethnic origin or religious creed or homosexual orientation. The provision also applies to a person who is employed in public service or holds a public office. The penalty is a fine or imprisonment of at most one year.

The provision concerning *agitation against an ethnic group* contained in Chapter 16, Section 8 of the Penal Code is of interest in this connection. The criminal act comprises someone in statements or other communications that are disseminated, threatening or expressing contempt for an ethnic group or other such group of persons with allusion to race, skin colour, national or ethnic origin or religious creed. The penalty is imprisonment for at most two years or, in cases that are not serious, a fine.

According to the provisions contained in Chapter 5, Section 3 of the Penal Code concerning *insulting behaviour*, it is punishable to by an insulting epithet or accusation or other outrageous conduct vilify another, for example with allusion to race or ethnic origin. Prosecutions for the offence of *defamation* may normally only be brought by an aggrieved party. However, special prosecutions apply as regards insults with reference to, among other things, race, skin colour or national or ethnic origin. Insults are also punishable when the act is committed through written periodicals, films, sound recordings and other such means as are subject to the Freedom of the Press Act and the Fundamental Law on the Freedom of Expression. This provision also applies when the act is committed on the Internet, for example through a website.

Protection against racist acts is also contained in the provisions on *inciting rebellion* contained in Chapter 16, Section 5 of the Penal Code. According to this provision, it is punishable to orally before a crowd or congregation of people, or in a publication distributed or released for distribution, or in other message to the public, urge or otherwise attempt to entice people to commit a criminal act. Incitement is punishable even when the act is committed through printed periodicals, films, sound recordings or other such means as are subject to the Freedom of the Press Act and Fundamental Law on the Freedom of Expression. The provisions also apply when the Act is committed on the Internet, for example through a website.

There are also other provisions contained in the Penal Code which, without particularly relating to the conduct of racist or similar character, may be used to protect individuals against molestation and violations of a racist nature. For example, reference may be made to the provisions concerning *assault* (Chapter 3, Section 5 of the Penal Code), *unlawful threat* (Chapter 4, Section 5 of the Penal Code), *molestation* (Chapter 4, Section 7 of the Penal Code) and *criminal damage* (Chapter 12, Section 1 of the Penal Code).

When assessing the culpability of an offence, the motive behind the offence shall be taken into account. When the motive for the offence was to violate a person or a group of persons on the ground of race, skin colour, national or ethnic origin, religious creed or

other similar circumstance, this shall be deemed to constitute an aggravating circumstance according to Chapter 29, Section 7 of the Penal Code.

Agitation against an ethnic group is punishable even if the dissemination of the agitation takes place via the Internet, e.g. on a website. Agitation against an ethnic group is also punishable when the dissemination is effected through printed material, films, sound recordings or other media that is subject to the Freedom of the Press Act and the Fundamental Law on the Freedom of Expression.

The provision concerning agitation against an ethnic group means that it is unlawful, except within the completely private context, to disseminate statements that express a threat or disrespect towards an ethnic group or another group of people. Furthermore, dissemination within an association or other limited group is penalised. The provision does not only cover verbal and written presentations but also, for example, presentations in the form of images and gestures.

The Supreme Court laid down in a judgment of 1996 that the wearing/bearing of symbols that can be linked to the persecution by the Nazis of Jewish people and other ethnic groups before and during the Second World War may constitute agitation against an ethnic group. Following the judgment of the Supreme Court, a number of prosecutions for agitation against an ethnic group have been instituted for wearing/bearing, for example, Swastikas and also for so-called Heil Hitler salutes and cries of Sieg Heil. The judgment comprises a welcome clarification for, not least, the police service, but also for example in the education service.

## **Other penal provisions**

### *Unlawful military activities*

There is a special provision concerning criminal liability regarding associations that must be considered to constitute or, in view of their character and the purpose for which they have been organised, are easily capable of developing into an instrument of force, such as a military troop or a police force. This does not apply to associations that, in accordance with the appropriate licence, strengthen the Swedish defence establishment or police forces. According to Chapter 18, Section 4 of the Penal Code, a sentence of imprisonment of at most two years shall be imposed for unlawful military activities on a person who organises or participates in such an association or who, for such an association, possesses weapons, ammunition or other similar equipment, allows the use of premises or land for its activities or supports it with money or in another way.

### *Amendment of provision concerning 'leading your astray'*

According to Chapter 16, Section 12 of the Penal Code, it is also now possible (since 1 January 1999) for a person who disseminates among children and young people, among other things, CDs that by their content "may coarsen or otherwise involve serious risk for the moral nurture of the young" shall be sentenced for leading youth astray to a fine or imprisonment of at most six months. These provisions may, notwithstanding the provisions of the Fundamental Law on the Freedom of Expression, be applied among other times when racist propaganda on CDs has been disseminated to young people. As regards intervention before any dissemination has taken place, i.e. before the disc is

published, the provisions of the Swedish constitutional laws apply concerning the prohibition of censorship in Sweden. However, when it is actually issued there is no longer any sole liability. A disseminator can then be sentenced for leading youth astray without it needing to be investigated whether there is any responsible publisher and irrespective of other rules relating to time limitations, except those generally applicable according to the Penal Code.

#### **Appendix 4: Religious communities**

Besides the Church of Sweden, there are at present seven religious communities that have been granted assistance with charges. These are:

- the Swedish Mission Federation
- Swedish Alliance Mission
- Swedish Baptist Federation
- the Roman Catholic Church
- the New Builders – Christian Collaboration
- the Methodist Church in Sweden
- the Salvation Army.

## **Appendix 5 Publications translated into minority languages**

Examples of documents/publications that have been translated into minority language:

- Laws on the right to use Sami, Finnish and Meänkieli in administrative authorities and courts of law. (1999:1175 and 1999:1176) [translated into those languages affected: Sami (North, Lule and South Sami), Finnish and Meänkieli].
- Fact sheets on national minorities in Sweden [translated into Sami, (North, Lule and South Sami), Finnish, Meänkieli, Romani Chib (Kalderash and Arli) and Yiddish].
- Publications relevant to the northern administrative areas, for example material from the Social Insurance Office in the County of Norrbotten.

## **Appendix 6 : Sami electoral register and voting rights**

### *Sami electoral register*

Those who feel that they are Sami and have or have had Sami as a language at home are, according to Chapter 1, Section 2 Sami Parliament Act (1992:1433), entitled to be included in the electoral register and thereby are entitled to vote. This right also applies if one's parents, paternal or maternal grandparents have or have had Sami as a language at home, or if one has a parent who is listed in the electoral register.

### *Voting rights in the Sami Parliament election*

Voting rights in the Sami Parliament election has, according to Chapter 3, Section 3 Sami Parliament Act(1992:1433), those who are included in the Sami electoral register. In order to be allowed to vote in the Sami Parliament election, a person must, have attained the age of 18 on the date of the election and be a Swedish national. If the person is not a Swedish national he or she must have been registered as resident in Sweden for the last three years.