



# FIFTH OPINION ON SWEDEN



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

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## SUMMARY OF THE FINDINGS

**Scope of application**

1. Sweden continues to apply the Framework Convention to five national minorities (Jews, Roma, Sámi, Sweden Finns and Tornedalians). The rights of persons belonging to these minorities are protected through a specific legislation on national minorities and minority languages, as well as through legislation on education and non-discrimination. The Sámi are also recognised as an indigenous people in Sweden and enjoy a certain degree of cultural autonomy.

2. Diversity within each recognised national minority, whilst being acknowledged and promoted from a linguistic perspective notably as regards the Sámi and the Roma, requires to be taken more into consideration by the authorities. Forest Finns, usually covered by policy measures for Sweden Finns, would like their community to be recognised as a distinct national minority.

**Institutional and policy frameworks for the protection of national minorities and Roma inclusion**

3. Sweden's minority policy is built around three priority areas: protecting national minorities; strengthening their opportunities to exert influence; and supporting the minority languages so as to keep them alive. In 2019, the Act on National Minorities and National Minority Languages was amended with a view to clarifying and strengthening the use of minority languages in preschools and elderly care establishments, as well as strengthening the influence of national minorities through consultations. However, clarifications provided in the amended Act remain unclear and implementation of national minority legislation at local and regional levels remains insufficient and varies significantly depending on the municipality and the minority language administrative area. This raises the question of equal treatment. A strengthened oversight mechanism and clearer guidance to municipalities would be welcome.

4. The Long-term strategy for Roma inclusion 2012–2032 has started to produce positive results but further efforts across the country are needed to ensure equal access to rights for persons belonging to this minority. The Roma minority would like to see stronger commitment of the authorities regarding its implementation, as well as to benefit from the system of administrative areas for Romani. This system is so far only applied to Finnish, Meänkieli and Sámi languages. Sweden has a restrictive approach to collecting ethnicity-based data. The lack of disaggregated data on the situation of different national minorities in Sweden, despite some progress observed in the health sector, makes it difficult to monitor and evaluate national policies and strategies.

**Institutional and legal frameworks for combating discrimination**

5. A positive development has been the setting up of the Swedish Institute for Human Rights which now complements the work of the Equality Ombudsperson. Language is still not recognised as a specific ground protected against discrimination. The Equality Ombudsperson cannot effectively investigate all discrimination complaints against public bodies and does not have the possibility to litigate in the absence of an individual victim's complaint. An inquiry has recommended amendments of the Discrimination Act that may address these issues. Persons belonging to national minorities suffer from certain forms of discrimination by social services, as well as private employers and property owners. They are sometimes denied access to restaurants or the right to use their minority language at work or during school breaks.

**Support for the preservation and development of minority identities, languages and cultures**

6. Sweden increased its funding for the preservation and promotion of minority languages and cultures. The number of minority language centres has been extended. This has been overall welcomed, but fears exist regarding long-term financial support to these centres. The Sámi and Tornedalian theatres require also more sustainable and pluri-annual support to ensure long-term planning of activities. Support measures should be better tailored to the specific needs and priorities of different national minorities, as well as the diversity that exists within each minority. Child and other social welfare services are not always culturally sensitive. The right of the Sámi people to maintain and develop their culture, which is closely connected to their traditionally inhabited land, is not sufficiently taken into account and respected.

**Promoting intercultural dialogue and combating hostility and forms of racism and hate speech**

7. Legislation and policies to combat racism, hate speech and hate crime are in place but are not always effective. The longstanding climate of tolerance that prevailed in the Swedish society in the last monitoring cycle has deteriorated, notably for migrants. Antisemitism, antigypsyism and anti-Sámi racism are also on the rise. A more polarised political discourse appears to impact persons belonging to national minorities, in particular those belonging to the Jewish, Roma and Sámi communities. This climate of increasing intolerance needs to be urgently addressed.

8. Also, interethnic tensions between the Sámi people on the one hand, and the majority population and some other national minorities on the other hand, are growing, notably following the 2020 Supreme Court Judgment on the Girjas case. Whilst the rights of the Sámi as an indigenous people should be protected and preserved, more transparent and inclusive consultation approaches on matters that affect more than one national minority need to be put in place to ensure that all concerns are heard and taken into consideration when decisions are made.

9. Knowledge about national minority cultures, languages and traditions, despite some improvement notably among the youth, remains limited. Some minorities, notably Sweden Finns and Tornedalians/Kvens/Lantalaiset, remain particularly invisible. More efforts are needed in terms of promoting such knowledge in education and teacher training. A new school curriculum introduced in July 2022 aims at increasing knowledge about the history and present-day situation of the Sámi people and other national minorities and is a welcome development, provided it is combined with adequate teacher training. The setting-up of a 'Truth and Reconciliation Commission for Tornedalians, Kvens and Lantalaiset', of a 'Truth Commission for the Sámi People', as well as an 'Inquiry into Jewish Cultural Life' are all positive developments. Minorities concerned expect such processes to rebuild trust, increase knowledge about their respective minority cultures and traditions, as well as about their historical experiences in Sweden and their present-day situation. Sweden Finns are calling for the creation of a similar truth and reconciliation commission.

#### **Access to and presence of national minorities in the media**

10. Under the new 2020-2025 licence period, the stronger focus given to the quality and originality of public radio and television programming and on the availability of minority news programmes is welcome, as well as the expected significant increase of programming in Yiddish. Some national minorities would like to be even more visible in the media, and their cultures and traditions more positively explained and portrayed. The development of educational minority programmes by the Swedish Educational Broadcasting Company is a good practice and generally speaking, Sweden's public media minority policy would be worth promoting through international and cross-border initiatives.

#### **Use of minority languages in relation to administration, personal names and topographical signs**

11. The use of minority languages, whilst being largely promoted and recently reinforced, remains in practice limited due to the lack of staff speaking minority languages in public administration and in elderly care establishments. Solutions need to be developed to remedy this situation and ensure that the minority legal and policy frameworks are

effectively implemented. The new Personal Names Act strengthens the possibility for persons belonging to national minorities to reclaim their surname in minority languages. Any remaining obstacles to doing so in practice should be lifted. Whilst the display of topographical signs is overall satisfactory, plurilingual street signs and signs on buildings should be further ensured. The display of all existing languages in a given traditional area should be promoted.

#### **Access to education and teaching in and of minority languages**

12. Whilst the education system overall is favourable to teaching in and of minority languages, such teaching is limited in practice. One important reason for that is the limited number of teachers with minority language competences at all school levels. School dropouts and absenteeism remain an issue, notably among the Roma minority, and to a lesser extent among the Sámi people. The number of teaching and learning material for the Sámi has increased; however, the availability of pedagogical materials in Finnish, Yiddish and Hebrew remains an issue. Bilingual education is not sufficiently developed in Sweden and too limited to independent schools. The closing of bilingual schools remains a concern, notably for the Sweden Finnish minority. The Covid-19 pandemic had a limited impact on school attendance and performance of minority children, but the situation of some schools teaching in Finnish and Meänkieli at the border with Finland remains worrisome after a drop of pupils and students following Covid-19 restrictions.

#### **Effective participation in public affairs and decision-making process**

13. The number of inquiries and consultations on matters of concern to national minorities is impressive and responds to Sweden's minority policy to ensure participation and influence; however, representatives of all national minorities highlighted the ineffectiveness of the consultation process because national minority organisations are consulted too often at the very last moment when decisions have already been made. Some feel they lack the capacity and resources to respond to the many demands for consultation addressed indistinctly to all national minorities and therefore prioritise their contributions, whilst others complained about not being systematically invited to participate in consultations on matters that are of importance to them, such as the Tornedalians/Kvens/Lantalaiset regarding the revision of the Reindeer Husbandry Act. Despite the welcome adoption of a new Sámi Consultation Act, the Sámi are overall dissatisfied that their views and preferred options are not taken on board and that decisions taken on the exploitation of mines, forestry and windmill projects continue to negatively affect their right to use traditional Sámi lands.

## RECOMMENDATIONS

14. The Advisory Committee considers that the present concluding remarks and recommendations could serve as the basis for the resolution to be adopted by the Committee of Ministers with respect to the implementation of the Framework Convention by Sweden.

15. The authorities are invited to take account of the detailed observations and recommendations contained in the present Opinion of the Advisory Committee. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

### Recommendations for immediate action

16. The Advisory Committee urges the authorities to ensure, in close consultation with the Sámi indigenous people, that decisions at municipal, county and national levels on the use of traditional Sámi lands do not negatively affect the possibility for the Sámi to maintain and develop their culture, languages and identity. The authorities should ensure that regional public authorities and governmental agencies, before making decisions on exploitation of traditional Sámi lands, apply fully the Sámi Consultation Act and the consultation provisions of the Act on National Minorities and National Minority Languages.

17. The Advisory Committee urges the authorities to foster intercultural dialogue and mutual respect between the population at large and persons belonging to different national minorities by taking concrete steps to promote the knowledge about national minorities, minority rights and the needs of national minorities, and by opting for a more inclusive and transparent approach on matters that affect persons belonging to more than one national minority.

18. The Advisory Committee urges the authorities to step up their efforts to prevent and combat racism, hate crimes and hate speech, including on social media, in particular against the Jewish, Roma and Sámi minorities. To this end, the authorities should take appropriate measures targeting the entire population, such as awareness-raising and information campaigns, and evaluate them in close consultation with minority representatives. They should also record, investigate and sanction all cases of such offences and collect disaggregated data.

19. The Advisory Committee urges the authorities at all levels to improve the effectiveness of consultation processes, making them timely, inclusive, and meaningful, and to ensure that persons belonging to the Sámi people and other national minorities are systematically consulted and able to participate effectively in decision-making processes on policy and legislative matters that are relevant for minority rights.

### Further recommendations<sup>1</sup>

20. The Advisory Committee calls on the authorities at all levels to better acknowledge and respect the diversity that exists within and among national minorities by adapting, in close consultation with a range of members of each national minority, relevant legislation, policies and initiatives so that the outcomes reflect their actual needs and address their specific concerns.

21. The Advisory Committee reiterates its call on the authorities to further strengthen the oversight mechanisms of the Act on National Minorities and National Minority Languages and to consider measures that could ensure the enforcement of the law and strengthen the accountability of municipalities and state agencies in the implementation of their obligations, notably by providing for remedies in case of non-compliance. The authorities should provide further guidance to municipalities and state agencies on the implementation of this Act when shortcomings originate from them being given too wide a margin of appreciation.

22. The Advisory Committee calls on the authorities to expand the Discrimination Act to explicitly include 'language' as a protected ground against discrimination and to cover all actions of public authorities.

23. The Advisory Committee calls on the authorities to raise awareness among child and social welfare personnel of the rights and cultural specificities of national minorities and to ensure that national minority family ties and cultural identities are preserved in the work of the child and social welfare services.

24. The Advisory Committee calls on the authorities to ensure that teaching according to the new school curricula is made possible through education materials adequately reflecting the ethnic and linguistic diversity of Swedish society, including relevant and up-to-date information about the past and present situation of national minorities. The authorities should ensure that teachers in all schools are adequately trained in the fields of intercultural education to accommodate diversity in the classroom and have sufficient knowledge about national minorities to be able to teach about national minority cultures, traditions and histories.

25. The Advisory Committee reiterates its call on the authorities at all levels to provide all necessary support to "independent schools" catering for national minority children. At the same time, the authorities should ensure that availability of bilingual education shall not rely on independent schools only and should consider providing bilingual education in regular

<sup>1</sup> The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

public schools in administrative areas if there is such a request.

26. The Advisory Committee calls on the authorities to increase the number of teaching hours in minority languages, provide additional financial support for the recruitment and training of teachers speaking minority languages and make the profession of minority language teacher more sustainable and attractive career-wise. The authorities should also consider including in compulsory education “mother tongue” classes in regular schooling hours, and not as extra-curricular activities as is too often the case.

27. The Advisory Committee calls on the authorities to harmonise and facilitate the referral procedures for Sámi patients seeking specialist mental health care support from the Norway-based Sámi competence national service for mental health care and intoxication (SANKS).

28. The Advisory Committee calls on the authorities to continue to seek consensus on the ratification of the ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries so as to secure the rights of the Sámi as an indigenous people.

### Follow-up to these recommendations

29. The Advisory Committee encourages the authorities to organise a follow-up event after the publication of this fifth-cycle Opinion. It considers that a follow-up dialogue to review the observations and recommendations made in this Opinion would be beneficial. Furthermore, the Advisory Committee stands ready to support the authorities in identifying the most efficient ways of implementing the recommendations contained in the present Opinion.<sup>2</sup>

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<sup>2</sup> The Swedish authorities already indicated their intention to pursue with the practice of holding a follow-up dialogue meeting after the conclusion of the fifth monitoring cycle. See the [fifth state report](#), p. 4.

## MONITORING PROCEDURE

**Follow-up activities related to the recommendations of the Fourth Opinion of the Advisory Committee**

30. Sweden's fourth state report and the Advisory Committee's Fourth Opinion have been published on the government's website,<sup>3</sup> both in Swedish and English. Short versions of the fourth state report were also translated into Sweden's minority languages and published. In November 2018, a follow up dialogue meeting took place to discuss the conclusions, assessments and recommendations of the Fourth Opinion, focusing *inter alia* on the institutional and legal framework, languages, education and culture, as well as effective participation and influence in decision-making processes.

**Preparation of the state report for the fifth cycle**

31. The fifth state report was received by the deadline on 1 June 2021. No gender-related aspects of minority rights were addressed in the state report. As part of the preparations for the report, a joint consultation with the national organisations representing the national minorities in Sweden was held in February 2021 to address concrete aspects that the minority organisations felt important to be highlighted in the fifth state report.<sup>4</sup>

**Country visit and adoption of the Fifth Opinion**

32. This fifth-cycle Opinion on the implementation of the Framework Convention for the Protection of National Minorities (hereinafter "the Framework Convention") by Sweden was adopted in accordance with Article 26(1) of the Framework Convention and Rule 25 of Resolution (2019)49 of the Committee of Ministers. The findings are based on information contained in the fifth state report and additional information submitted by the authorities, other written sources, as well as information obtained by the Advisory Committee from governmental and non-governmental sources during its visit to Gothenburg, Pajala, Kiruna and Stockholm from 6 to 10 March 2023, as well as through several online meetings organised with additional minority, municipal and political interlocutors on 17-18 April 2023. The Advisory Committee expresses its gratitude to the authorities for their excellent co-operation before, during and after the visit, and to the other interlocutors it met during the visit or online for their valuable contributions. The draft opinion, as approved by the Advisory Committee on 9 June 2023, was transmitted to the Swedish authorities on 13 June 2023 for observations, according to Rule 37 of Resolution (2019)49. The Advisory Committee welcomes the observations received from the Swedish authorities on 14 August 2023.

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33. A number of articles of the Framework Convention are not covered in the present Opinion. Based on the information currently at its disposal, the Advisory Committee considers that the implementation of these articles does not give rise to any specific observations. This statement is not to be understood as signalling that adequate measures have now been taken and that efforts in this respect may be diminished or even halted. Rather, the Advisory Committee considers that the obligations of the Framework Convention require a sustained effort by the authorities. Furthermore, a certain state of affairs which may be considered acceptable at this stage may not necessarily be so in further cycles of monitoring. Finally, it may be that issues which appear at this stage to be of relatively minor concern prove over time to have been underestimated.

<sup>3</sup> See the minorities-dedicated [government website](#) (in Swedish).

<sup>4</sup> During this consultation, concerns were expressed about the low level of knowledge about national minorities among the general population, and expressions of racism experienced by persons belonging to several minorities. Many of the minority representatives emphasised the key importance of working with language revitalisation as a matter of urgency and expressed the view that progress in this regard was too slow. Challenges in terms of co-ordination and follow-up of Sweden's minority policy also emerged from the discussion.



## ARTICLE-BY-ARTICLE FINDINGS

**Personal scope of application (Article 3)**

34. Sweden continues to apply the Framework Convention to five national minorities: the Jews, the Roma, the Sámi, the Sweden Finns, and the Tornedalians.<sup>5</sup> The Sámi are, furthermore, officially recognised as an indigenous people.<sup>6</sup> Ethnicity-based data is not collected in Sweden and the fifth state report, as the previous ones, does not provide any information on the estimated number of persons belonging to national minorities.<sup>7</sup>

35. Interlocutors of the Advisory Committee highlighted that, in practice, minority languages are the main focus of Sweden's minority policies whereas the possibility for national minorities to maintain and develop other aspects of their cultures and identities is not promoted in the same way. They emphasised that the five national minorities have diverse needs and priorities<sup>8</sup> and that diversity exists within and among these minorities. It is an aspect which is seldom reflected when implementing minority legislation, policies or initiatives, with the notable exception of the promotion of the linguistic diversity within the Sámi and the Roma minorities. The Sámi people<sup>9</sup> speak different Sámi languages, pursue different occupations and live within and outside Sápmi.<sup>10</sup> The Roma minority includes various Roma sub-groups speaking different variants of "romani čhib" (hereinafter "Romani" or "Romani language").<sup>11</sup>

36. Representatives of the Jewish minority insist on their multi-faceted identity (ethnic, religious, linguistic, etc.), whilst maintaining their culture and traditions is a common concern for all members of the Jewish communities.<sup>12</sup>

37. While Meänkieli is the language spoken by persons belonging to the Tornedalian national minority,<sup>13</sup> not all speakers of Meänkieli identify themselves as Tornedalians. Some Meänkieli speakers living outside the Torne River area, notably but not exclusively in the municipalities of Gällivare and Kiruna, identify themselves as Kvens or as Lantalaïset.<sup>14</sup> In this respect, the authorities stated that "one does not need to identify as Tornedalian to enjoy the rights linked to Meänkieli".<sup>15</sup> Nevertheless, a broad consensus emerged from minority organisations that the term Tornedalians risks excluding in practice Meänkieli speakers living outside the Torne River geographical area. All these organisations agreed that referring to 'Tornedalians, Kvens and Lantalaïset' would be more appropriate and noted with satisfaction that this inclusive terminological approach had already been *de facto* accepted by the government when appointing a 'Truth and Reconciliation Commission for Tornedalians, Kvens and Lantalaïset' in 2020.<sup>16</sup>

38. Diversity also exists among Sweden Finns since this minority may include persons who speak Finnish and others who are associated with Sweden Finns

<sup>5</sup> See the [fifth state report](#), p. 13, as regards Sweden's approach to Article 3 of the Framework Convention.

<sup>6</sup> Since 2011, the Sámi are recognised as a 'people' under Chapter 1, Article 2, of the [Instrument of Government](#).

<sup>7</sup> Information on national minorities and their estimated numbers are, however, provided on the government-run website [minoritet.se](#) (in Swedish). Estimates in the following footnotes are extracted from this website.

<sup>8</sup> For instance, whilst for the Sweden Finnish minority, language is the most important, for the Jewish minority this is the preservation of their traditions and for the Sámi people, the traditional use of land.

<sup>9</sup> Between 20 000 and 40 000 Sámi live in Sweden, of whom 40-45% speak one of the five Sámi languages: 5 000 to 6 000 speak North Sámi; about 500 persons speak Lule Sámi; and almost as many speak South Sámi. Pite Sámi and Ume Sámi are critically endangered with about 40 and 10 speakers respectively.

<sup>10</sup> Sápmi is the term in the North Sámi language designating Lapland. Its use should not be understood as derogatory to the equally valid terms (Sábme, Sábme, Saepmie) used in other Sámi languages.

<sup>11</sup> Between 50 000 and 100 000 Roma live in Sweden with no figures as to the number of speakers of the different variants of romani čhib spoken in Sweden (which includes Arli, Gurbeti, Kalderash, Lovari, Polish Romani, Sinto, and Kaalo). The now sedentarised Sweden's Travellers (*resande* or *romanisæl*) speak, however, Scandoromani.

<sup>12</sup> The Jewish minority in Sweden encompasses religious and non-religious persons. Some minority members speak Yiddish, Hebrew, both or none of these two languages. About 15 000-20 000 persons belonging to the Jewish minority live in Sweden, of whom an estimated 3 000 have some knowledge of Yiddish. The term 'Jewish communities' in plural is not intended to reflect the belonging to different groups (Ashkenazim, Sephardim, etc.), but rather refers to the four established Jewish congregations based in Stockholm, Gothenburg, Malmö and Helsingborg which, altogether, include approximately 6 000 members.

<sup>13</sup> Approximately 150 000 Tornedalians live in Sweden, mainly in Haparanda, Övertorneå and Pajala municipalities, as well as in Kiruna, Gällivare, Kalix and Luleå and in big cities such as Stockholm or Gothenburg. Approximately 70 000 persons speak or understand, fully or partially, Meänkieli, a Finnic language also called Tornedal Finnish.

<sup>14</sup> According to Meänkieli speakers and minority organisations concerned, the terms 'Tornedalians', 'Kvens' and 'Lantalaïset' are synonymous and correspond to the same group in Sweden. The term 'Tornedalians' – which has been officially adopted by the Swedish authorities to designate this minority – refers to a geographical area, the Torne River. 'Lantalaïset' is a term in Meänkieli meaning 'land users' and stands for this minority's connection with nature, whilst 'Kvens' refers to a population living in an historical and larger geographical area, which goes beyond Sweden's north-eastern and north-western borders.

<sup>15</sup> Additional written information provided by the authorities after the fifth-cycle country visit, 13 May 2023, p. 19.

<sup>16</sup> See reference to the 'Truth and Reconciliation Commission for Tornedalians, Kvens and Lantalaïset' in the [fifth state report](#), p. 6. The Swedish Human Rights Institute also refers to 'Tornedalians, Kvens and Lantalaïset'.

but no longer speak the language.<sup>17</sup> The Forest Finns are one such example. Although usually regarded as part of the Sweden Finnish minority because partly affiliated with the Finnish culture, Forest Finns have a different history than most Sweden Finns.<sup>18</sup> Representatives of Forest Finns regretted that the fifth state report did not mention at all their community and did not reflect their specific concerns (see Articles 5 and 11). They indicated to the Advisory Committee their wish to be recognised as a distinct national minority referring to the right to self-identification under Article 3 of the Framework Convention. They justify this request by their historical presence since the end of the 16<sup>th</sup> century, their ancestral occupations and traditions in rural/forest areas, and the urgent need to preserve their identity and revitalise their language before being totally culturally assimilated. Interlocutors of the Advisory Committee belonging to the Sweden Finnish minority and to the Kaale Roma all supported Forest Finns' demand.

39. The Advisory Committee reiterates that “national minorities within one country typically vary in number and size, and they may live compactly or be more or less dispersed throughout the territory. It is also important to consider the diversity that exists within minorities as in any population group, including on the basis of gender, sexual orientation, age, disability, religion, political beliefs or access to economic resources. Accordingly, the priorities of minority communities and the individual priorities of persons belonging to these communities often diverge. For some persons belonging to minorities, the main priorities are equality and integration; for others, it may be the quest for a protected space to maintain and promote their minority identity. These priorities may further change over time, depending on the context, the political climate and socio-economic conditions. It is the Advisory Committee's view that the diversity within and among national minorities must be acknowledged and respected in the

implementation of all minority rights, regardless of their specific nature.”<sup>19</sup>

40. Furthermore, the Advisory Committee reiterates that it has consistently encouraged an inclusive, pragmatic and flexible approach and an application of the Framework Convention on an article-by-article basis to Roma who are not citizens of their country of residence.<sup>20</sup> In this respect, it welcomes the fact that Roma children who are from abroad may also be given “mother tongue” tuition in two languages, including Romani and, overall, Sweden's inclusive approach to apply the provisions of the Framework Convention to persons belonging to the Roma community regardless of their citizenship, provided that they have been present for at least three months in the country.<sup>21</sup> The Advisory Committee is of the view that the non-applicability of the citizenship criterion to persons belonging to the Roma community present in Sweden for more than three months is not sufficiently known by regional and local authorities and would deserve more awareness raising actions by the state authorities to avoid unequal treatment.

41. Regarding the existing diversity within and among national minorities, the Advisory Committee is of the view that further clarification and guidance is needed to have national minority specific needs addressed by relevant public institutions, as well as regional and municipal authorities. The Advisory Committee, whilst acknowledging progress in that respect, shares the view that, wherever possible, the terminology ‘Tornedalians/Kvens/Lantaiset’<sup>22</sup> should be preferred to the term ‘Tornedalians’ to reflect the variety in self-identification of persons belonging to this minority.

42. The Advisory Committee observed that interlocutors from the Härjedalen province – who claim Old Norse origins and a cultural and linguistic identity different from the rest of the Swedish population – consider themselves as a “minority of native Scandinavians” who had a national affiliation to Norway until the Härjedalen province formally became Sweden's territory after the peace

<sup>17</sup> Sweden Finns is the largest minority in Sweden, with an estimate of up to 700 000 persons, out of whom 200 000 to 250 000 can speak Finnish. Some persons belonging to other national minorities may associate themselves to Finnish-speakers, e.g. members from the Kaale Roma group whose variant of Romani includes Finnish vocabulary.

<sup>18</sup> Forest Finns' presence in Sweden dates back from the late 16<sup>th</sup> century after they migrated eastwards towards the west Sweden (notably Värmland county). They settled in large forest areas in Sápmi, around today's border between Sweden and Norway. For more information about the history of Forest Finns in Sweden, see [the dedicated page of the government-run website](#) (in Swedish).

<sup>19</sup> See the Advisory Committee's [Thematic Commentary No. 4](#), The Framework Convention: a key tool to managing diversity through minority rights. The scope of application of the Framework Convention for the Protection of National Minorities, adopted on 27 May 2016, para. 40.

<sup>20</sup> *Ibid*, para. 46.

<sup>21</sup> The authorities have informed the Advisory Committee that citizenship is not a criterion for recognition as a member of a national minority (see SOU 1997:193, pp. 40-41). Asylum seekers and EU citizens belonging to the Roma community who stay in Sweden for less than three months are not subject to the measures within the Government's Long-Term National Strategy for Roma Inclusion.

<sup>22</sup> Whilst noting that the official term in Sweden is ‘Tornedalians’, the present Opinion refers to ‘Tornedalians/Kvens/Lantaiset’ to reflect the wish of interlocutors to self-identify as such and to denote that this single ethnic group has three different names. The use of the forward slash sign (/) has been preferred since the use of commas might be misinterpreted as referring to three different ethnic groups.

agreement signed in Brömsebro in 1645. The Advisory Committee was, however, informed by its interlocutors that no specific request had been addressed to the authorities for obtaining a national minority status due to a current lack of consensus within the community whether such a request should be made.

43. The Advisory Committee took note that, in May 2017, the Swedish Parliament voted in favour of investigating whether the Finland Swedes should be recognised as a national minority,<sup>23</sup> and that the “Investigation into a strengthened minority policy” concluded that Finland Swedes met many of the criteria set in connection with the ratification of the Framework Convention. However, the investigation assessed that Finland Swedes were lacking “historical and long-term ties with Sweden” and could therefore not be considered as a national minority.<sup>24</sup> The Advisory Committee is of the view that the authorities could still apply the Framework Convention to Finland Swedes on an-article-by-article basis.

44. The Advisory Committee calls on the authorities at all levels to better acknowledge and respect the diversity that exists within and among national minorities by adapting, in close consultation with a range of members of each national minority, relevant legislation, policies and initiatives so that the outcomes reflect their actual needs and address their specific concerns.

45. The Advisory Committee encourages the authorities to show openness regarding the wish of Forest Finns to be recognised as a distinct national minority. Furthermore, the authorities should raise awareness of their inclusive approach towards Roma who are not Swedish citizens among regional and local authorities and extend this approach to persons belonging to other interested communities on an-article-by-article basis.

#### **Legal and institutional framework for the protection of national minorities (Article 4)**

46. Two governmental agencies are responsible for the follow-up and co-ordination of Sweden’s minority policy, as well as for the dissemination of relevant information: the Stockholm County Administrative Board and the Sámi Parliament, whilst the latter performs dual roles of a state agency for Sámi affairs and a representative body of Sámi as an indigenous people. These two authorities administer the governmental grants to municipalities that are part of

an administrative area for one or more of the minority languages concerned (Finnish, Meänkieli and Sámi). They also monitor the implementation of the Act on National Minorities and National Minority Languages (hereinafter “the Minorities Act”) through regular thematic follow-ups and questionnaires addressed to municipalities, regions and county administrative boards, and submit a report annually to the government. Part of the remit of the Sámi Parliament is also to participate in spatial planning, to monitor that Sámi interests and concerns, including in matters concerning reindeer herding based on natural grazing, as well as land and water use, are duly considered (see Article 5). The Sámi Parliament also takes part in various consultations with central and regional governmental agencies.

47. In accordance with the Minorities Act, persons who speak Finnish, Sámi and Meänkieli have enhanced rights in so-called “administrative areas”, which in 2023 included 84 municipalities and 15 regions.<sup>25</sup> In those administrative areas, individuals have the right to use their minority language in contacts with public authorities whose geographical sphere of activity coincides completely or partly with the minority language administrative area. According to the authorities, Romani and Yiddish are not bound to any specific geographical area and are thus not covered by any administrative areas.

48. In 2019, the Minorities Act was amended with a view to emphasising and clarifying responsibilities to ensure the rights of national minorities. This reform reinforced notably the right of individuals belonging to national minorities to use their minority language in contacts with public authorities, and to receive “the whole or a significant part of” preschool and elderly care in their minority language.<sup>26</sup> The right to preschool and other educational activities in minority languages was also strengthened, based on the obligation to ask parents/guardians in administrative areas if they are interested in preschool in a minority language when applications for preschool are made to the municipality. An obligation on municipalities and regions to adopt objectives and guidelines for their respective minority policy was introduced, and the public authorities’ obligation to provide information and what ‘consultation’ actually involves was also clarified (see also Article 15). According to the authorities, as a result of this reform, about two-thirds of the respondent municipalities and regions are now working on developing, or have already

<sup>23</sup> Finland Swedes are members of the Swedish-speaking population of Finland who have migrated to and settled in Sweden. See also the [Advisory Committee’s Fourth Opinion on Sweden](#), adopted on 22 June 2017, para. 13.

<sup>24</sup> The definition of “minorities with long-term historical ties” refers to minorities who have been present in Sweden before the 20<sup>th</sup> century (source: [Nationella minoriteter i Sverige prop. 1998/99:143, p. 31](#)).

<sup>25</sup> Namely 25 municipalities and 6 regions are administrative areas for Sámi, 66 municipalities and 14 regions for Finnish and 9 municipalities and 3 regions for Meänkieli. A municipality and a region can be an administrative area for multiple languages. The administrative areas for Meänkieli and Sámi are predominantly located in northern Sweden and most of the administrative areas for Finnish are located in Mälardalen and adjoining areas.

<sup>26</sup> Previously, the provision stipulated only “the whole or parts” of the activity. See the [fifth state report](#), pp. 2 and 7.

adopted, such objectives and guidelines.<sup>27</sup> Furthermore, the government, following the results of an inquiry published in 2020,<sup>28</sup> decided to adopt a more strategic monitoring approach and to increase resources for that purpose.

49. The Advisory Committee was informed that the implementation of the Minorities Act, including the praiseworthy amendments of 2019, remains uneven, partly because of weaknesses in regulatory oversight by the Stockholm County Administrative Board and the Sámi Parliament, and the lack of remedial actions and sanctions for municipalities not adopting objectives and guidelines for their minority policy or failing to apply the law. Furthermore, minority policy extends across several policy areas, requiring strong co-ordination, monitoring and evaluation. Whilst all minority interlocutors welcome the authorities' reiterated and strengthened commitment through the amended Minorities Act, as well as a more strategic and resourced monitoring mechanism, they are dubious as to the concrete outcomes of this reform as long as major challenges have not been remedied, such as promoting not only minority languages but also the possibility for persons belonging to national minorities to keep and develop their cultures and identities as stated in Section 4 of the Minorities Act, recruiting minority language teachers, and ensuring more effective influence (see Articles 5, 14 and 15, respectively). The minority policy is also viewed as asymmetric in its implementation due to the fact that administrative areas exist only for Finnish-, Meänkieli- and Sámi-speakers. In this regard, whilst representatives of the Jewish minority indicated to the Advisory Committee that they have no interest in a solution equivalent to administrative areas, representatives of the Roma minority, on the contrary, expressed an interest in extending the scope of the administrative areas system to include the Romani language.

50. The Advisory Committee reiterates the importance of monitoring and evaluating the implementation of minority policies or legislation on a regular basis, not only in terms of inputs but also in terms of medium- or long-term impact. Such monitoring and evaluation should be done in consultation with persons belonging to national minorities, but also with the active engagement of the majority population.

51. The Advisory Committee welcomes amendments made to the Minorities Act which are a positive step. It remains, however, concerned by the absence of major progress in ensuring an effective monitoring of the implementation of measures foreseen therein, and the lack of oversight and mechanisms to enforce the law at the level of municipalities and regions. It also regrets that the government's inquiry aimed at making follow-up of minority policies more efficient has not resulted in any legal or policy developments

so far. Furthermore, the lack of tangible and clear provisions in the Minorities Act makes it difficult to challenge a lack of implementation in courts, with the exception of the three court cases ruling that Sweden Finnish parents had not been given an opportunity to influence decisions before schools/classes were closed down (see Article 15).

52. The Advisory Committee notes positively that the obligation to provide the whole or a significant part of preschool and elderly care in minority languages applies to all municipalities in administrative areas, but also to other municipalities and to all minority languages, if the municipality has access to staff who can speak the minority language. However, it points out that the new wording "whole or a significant part of" that has been chosen for these provisions, while representing progress, remains unclear, notably the word "significant", for representatives of national minorities and subject to many interpretations from the side of municipalities. Furthermore, pending access to staff who can speak the minority language, this may result in an unequal implementation of the legislation and unequal treatment for the beneficiaries of those minority rights depending on the municipality they are living in.

53. The Advisory Committee notes that representatives of the Roma minority would like to benefit from the system of administrative areas for their own language, arguing that municipalities other than those stated in Section 6 of the Minorities Act can be allowed, on application and pending the government's approval, to be included in the administrative areas for Finnish, Meänkieli or Sámi.<sup>29</sup> In this respect, the Advisory Committee notes that persons belonging to the Roma minority live essentially in urban areas and notably in pilot municipalities already identified in the Government's Strategy for Roma Inclusion 2012–2032 which could serve as a starting point for defining administrative areas for Romani.<sup>30</sup>

54. The Advisory Committee reiterates its call on the authorities to further strengthen the oversight mechanisms of the Act on National Minorities and National Minority Languages and to consider measures that could ensure the enforcement of the law and strengthen the accountability of municipalities and state agencies in the implementation of their obligations, notably by providing for remedies in case of non-compliance. The authorities should provide further guidance to municipalities and state agencies on the implementation of this Act when shortcomings originate from them being given too wide a margin of appreciation.

55. The Advisory Committee encourages the authorities to consider applying the system of

<sup>27</sup> Out of the 290 consulted municipalities, 220 replied to the questionnaire. See the [fifth state report](#), pp. 1 and 7.

<sup>28</sup> See the conclusions (in Swedish) of the government's inquiry [SOU 2020:27](#).

<sup>29</sup> See Sections 6 and 7 of the [Minorities Act](#), as amended.

<sup>30</sup> See chapter 4.12 of the [Government's Long-Term Strategy for Roma Inclusion 2012-2032](#).

administrative areas to the Romani language, in close consultation with Roma representatives.

#### **National Strategy for Roma Inclusion (Article 4)**

56. The Stockholm County Administrative Board has been commissioned by the government to co-ordinate and monitor initiatives taken by respective stakeholders to implement the Government's Long-Term Strategy for Roma Inclusion 2012–2032 (hereinafter "the Strategy"). It presents an evaluation of ongoing initiatives in an annual report, although individual governmental agencies also report to the Government Offices about their respective tasks.<sup>31</sup>

57. The authorities reported that, within the framework of the Strategy, the Swedish Agency for Youth and Civil Society has distributed governmental grants for health promotion activities that have contributed to promoting Roma's health and increased trust between the Roma civil society and the public health sector. This grant scheme was renewed in 2022. The Swedish National Board of Housing, Building and Planning, with a view to combating discrimination against Roma in the housing market, created a network of Roma representatives, property owners and landlords. In 2020, the network developed a series of web-based courses for property owners and landlords using Roma representatives as instructors, and marketed guidelines and educational materials online. The Swedish National Agency for Education and the National Board of Health and Welfare have developed a training programme for mediators with Romani language and cultural competences to serve as mediators between private Roma individuals and preschools, schools and social services. The Swedish Public Employment Service has developed a long-term action plan, increased the involvement of Roma, notably women, in its activities and produced baseline studies which have increased knowledge about Roma within this agency and among employers.

58. In response to past criticism about the lack of monitoring of the Strategy,<sup>32</sup> the Stockholm County Administrative Board presented in 2022 a new monitoring structure which implies that each implementing agency defines its own indicators to measure developments over time within their respective operational areas and that each agency submits a report to the Stockholm County Administrative Board at predetermined intervals.<sup>33</sup> In their state report,<sup>34</sup> the authorities acknowledged that the staff redeployment that occurred within the Public Employment Service in 2019 had a negative impact on its work for Roma inclusion. Realising that users of the Romani language are a group that might need

specific support for their inclusion in society and in contacts with government agencies, the Public Employment Service is now investigating the possibility of offering the same service in oral and written contacts in Romani as it does for Finnish, Meänkieli and Sámi. The Public Employment Service believes that expanding the possibility for persons belonging to the Roma minority to use their minority language in their contacts with the Employment Service will help promote greater trust in this Service, while also making the Roma more visible within it.

59. Roma representatives, as also reflected in various evaluation reports, highlighted the positive role of mediators with Romani language and cultural competences in bridging between members of the Roma minority and preschools, schools, and social services, and consider that such a practice should be expanded. They, however, pointed out that many persons belonging to the Roma minority lost trust in the capacity of various authorities to drastically improve their situation, notably observing persisting forms of discrimination and antigypsyism which are insufficiently tackled by the Strategy (see Article 6). They were particularly disappointed by the government's decision in 2022 not to adjust the existing Strategy to the new EU Strategic Framework for Roma Equality, Inclusion and Participation on account of this Strategy comprising already all necessary priorities and measures. Roma civil society organisations have questioned this conclusion, calling for more targeted measures, data and indicators, for the designation of a national focal point on Roma inclusion and for better representation in ministries and government agencies (see Article 15).

60. Whilst praising various governmental agencies' efforts and initiatives deployed so far to improve the inclusion of Roma in the Swedish society, the Advisory Committee notes with concern that some Roma minority representatives feel that the work on the Strategy had lost political momentum. The Advisory Committee considers that the authorities need to take additional steps to revitalise the Strategy and reassure Roma representatives about Sweden's national and European commitments. Whilst some of the most recent measures target and involve Roma youth and women, this approach should be further strengthened. Furthermore, whilst taking positive note of the new monitoring approach, the Advisory Committee considers it highly important to involve at an early-stage Roma representatives and organisations in the assessment of measures taken by various agencies. From information received from the authorities, the new monitoring process seems to rely exclusively on each agency's own assessment and fails to involve minority representatives. The

<sup>31</sup> See the [fifth state report](#), pp. 17-18, as well as additional written information provided by the Swedish authorities.

<sup>32</sup> Criticism was about the fact that annual reports focused on reporting activities and measures taken by municipalities and agencies rather than on an analysis of developments in society over time.

<sup>33</sup> The new monitoring structure will be implemented by the Board for the first time in their 2023 annual report measuring developments in 2022 in respect of the goals and indicators relating to language and culture and reassessed every two years. The goals in the other thematic areas (education; employment; housing; health, social care and security; and organisation of civil society) will be monitored every four years.

<sup>34</sup> See the [fifth state report](#), p. 18.

Advisory Committee notes positively that the role of mediators with Romani language and cultural competences is appreciated and considers that the recruitment and financial support to these mediators should be pursued and extended to other municipalities, if such a need is expressed.

61. The Advisory Committee asks the authorities at all levels to continue to financially support the implementation of the Long-term Strategy for Roma inclusion 2012–2032 based on clearly defined target indicators and to involve Roma representatives and organisations at an early stage in consultation and monitoring processes. The authorities should gradually move from short-term projects to long-term institutionalised support for initiatives that have proven to be effective, whilst paying more attention to the gender and youth dimensions.

62. The Advisory Committee encourages the authorities to pursue the recruitment and funding of mediators with Romani language and cultural competences, whilst ensuring that such positions are geographically distributed according to needs.

#### **Legal and institutional framework for combating discrimination (Article 4)**

63. No major changes have been made to date to the non-discrimination legal framework. Whilst the Discrimination Act<sup>35</sup> prohibits discrimination on the grounds of, *inter alia* ethnicity and religion, the Advisory Committee's repeated recommendation to extend the open-ended enumeration of grounds of discrimination to cover expressly discrimination based on language, has not been implemented.<sup>36</sup> Furthermore, a large part of public activities remains outside the scope of the Discrimination Act. With a view to ensuring the comprehensiveness of the Discrimination Act, in 2021, the government carried out an inquiry to assess how protection against discrimination in certain public activities could be strengthened. In December 2022, the report of the inquiry was finalised and sent to public consultation. It contains a number of proposals aimed at enhancing the protection against discrimination in different fields, which are now under consideration within the Government Offices.<sup>37</sup>

64. The Equality Ombudsman (hereinafter the "Ombudsperson"), established in 2009, supervises compliance with the Discrimination Act. As an independent authority, the Ombudsperson can consider individual complaints and bring legal action

on behalf of concerned individuals. The mandate of this institution, however, does not fully cover all actions of public authorities, such as substantial aspects of the work of law enforcement agencies, nor can it act without an injured individual approaching the Ombudsperson. It was also pointed out that the Ombudsperson may receive regulation letters from the government, without extra financial resources to fulfil these additional tasks.

65. According to the Ombudsperson's 2023 annual report, some individuals and groups of individuals in specific situations and contexts are more frequently exposed to discrimination than others, notably Roma women.<sup>38</sup> Cases concern, *inter alia* discrimination by social services (e.g. in respect of placement of children in foster care – see Article 5), by private employers and owners of apartments, and in public spaces (e.g. in respect of refusal of access to restaurants). Cases where the use of a minority language has been prohibited in public and private spheres have also been reported (see Article 10).

66. In January 2022, a major institutional change occurred with the setting up of the Swedish Institute for Human Rights (IHR).<sup>39</sup> Its independence is guaranteed by law, although the IHR may also receive regulation letters from the government; the internal organisation and the activities shall be decided exclusively by the IHR<sup>40</sup> which is managed by a Governing Board that also appoints the Institute's director. The members of the Governing Board are appointed by the government, but nominated by academia, the Swedish Bar Association, and the Institute's Advisory Council, representing civil society. The IHR has a mandate to monitor, investigate and report on respect for, and implementation of, human rights. It can also submit proposals and issue recommendations to the government on measures needed to safeguard human rights. Based on the authorities' repeated statement that minority policy is an integral part of human rights policy, the mandate of the IHR is deemed to cover also national minority rights. The Advisory Committee was informed by the IHR that representatives of national minorities – although probably not all of them – will be represented in the Advisory Council of the IHR.

67. The Advisory Committee notes that the Ombudsperson had been criticised in the past by some minority representatives because of its limited recourse to litigation, which served to undermine trust

<sup>35</sup> See the [Discrimination Act \(2008:567\)](#).

<sup>36</sup> See the Advisory Committee's Third Opinion on Sweden, para. 35, and its [Fourth Opinion on Sweden](#), para. 24.

<sup>37</sup> See an English summary of the [inquiry \(SOU 2021:94\)](#) to enhance the protection against discrimination, pp. 29-45, notably p.34 concerning public activities uncovered by the Discrimination Act. For an English summary of proposals concerning the Education Act, see the [inquiry \(SOU 2020:79\)](#), pp. 27-42.

<sup>38</sup> See the Equality Ombudsman's report "[The State of Discrimination 2023](#)", published in June 2023, p. 88.

<sup>39</sup> The Swedish Institute for Human Rights is one of [ENNHRI's associate members](#) since it has not obtained yet an accreditation status from the GANHRI Sub-Committee on Accreditation. As an associate member, the IHR must intend, within a reasonable period, to comply with the [UN Paris Principles](#).

<sup>40</sup> See Article 4 of the [Act on the Institute for Human Rights \(2021:642\)](#).

in the effectiveness of this equality body.<sup>41</sup> The Advisory Committee also heard from some of its Roma interlocutors about a lack of follow-up by the Ombudsperson institution of complaints concerning alleged anti-Roma forms of harassment within the Stockholm Police Department (see Article 6). The new Ombudsperson and his advisers, however, informed the Advisory Committee that they intend to pay more attention to individual complaints and bring more cases to court. The Advisory Committee was informed that additional human resources would help the Ombudsperson fulfil its mandate more effectively with respect to national minorities. It welcomes a stronger focus on litigation and increased outreach efforts as this may strengthen trust in the institution among persons belonging to national minorities. It also commends the Ombudsperson for providing on its website information about its activities, non-discrimination legislation and forms of redress in Swedish and in all five minority languages, including in three of the five Sámi languages and in several variants of Romani, as well as in some of the languages spoken by migrant communities residing in Sweden and in English.<sup>42</sup>

68. The Advisory Committee remains concerned that the Ombudsperson cannot effectively investigate all discrimination complaints against public bodies due to certain limitations in the Discrimination Act. It considers that a strengthening of the legal framework is needed concerning the actions by public bodies that can be qualified as an act of discrimination.<sup>43</sup> It would further welcome if litigation in the absence of an individual victim would be made possible. The Advisory Committee also points out that regulation letters that the Ombudsperson and the IHR may receive from the government should in no way interfere with the independence of these institutions.

69. The Advisory Committee regrets that the authorities did not follow up on its repeated recommendation, also formulated by other Council of Europe monitoring bodies,<sup>44</sup> to explicitly include 'language' as a protected ground against discrimination in the legislation. It notes that the Discrimination Act covers discrimination on the basis of 'ethnicity', which according to the authorities' interpretation should be understood as also covering 'language'. However, for reasons of clarity and accessibility of the law for persons belonging to national minorities, as well as to enhance its visibility and preventive function, the Advisory Committee reiterates its position that explicitly including the

ground of 'language' in the Discrimination Act would be highly relevant, in particular because many of the rights of national minorities are related to their minority languages and because persons belonging to some minorities are allegedly discriminated against on the basis of their minority language.

70. The Advisory Committee calls on the authorities to expand the Discrimination Act to explicitly include 'language' as a protected ground against discrimination and to cover all actions of public authorities.

71. The Advisory Committee invites the authorities to consider expanding the mandate of the Equality Ombudsman to include the possibility to litigate in the absence of an individual victim's complaint.

<sup>41</sup> Only about one tenth of the individual complaints used to be followed up through litigation. In most cases, the Ombudsperson had recourse to other means, such as consultation, mediation or capacity building (see the [Advisory Committee's Fourth Opinion on Sweden](#), para. 25).

<sup>42</sup> See the Equality Ombudsman's [website](#).

<sup>43</sup> See the [inquiry \(SOU 2021:94\)](#), p. 35: the prohibition should "cover not only treatment but also, for example, the exercise of public authority in relation to individuals, decisions, the content of advice and information in conjunction with the processing of cases and positions taken that form the basis for substantive assessments" (with an exemption for the activities and measures of the Swedish Security Service relating to national security).

<sup>44</sup> Such a recommendation is also contained in [Recommendation CM/RecChL\(2023\)2 on the application of the European Charter for Regional or Minority Languages by Sweden](#), adopted by the Committee of Ministers of the Council of Europe on 19 April 2023, and has been also reiterated in [ECRI fifth monitoring cycle report on Sweden](#), adopted on 5 December 2017 and published on 28 February 2018, para. 4.

## Equality and qualitative data (Article 4)

72. As Sweden follows a restrictive approach to data collection, there is no disaggregated data on the situation of different national minorities, making the monitoring and the evaluation of policy effects and results difficult. The authorities, however, see a need for improving data collection and an inquiry proposed the collection of three types of data that could provide a more informed basis for decision-making. These are implementation data (progress in the implementation of the minority policy at the national, regional and local levels), equality data (comparing the results of qualitative surveys with the results for the majority population), and data on minority languages (the inquiry concluded that it ought to be possible to develop indirect indicators). Furthermore, the Stockholm County Administrative Board has also been tasked to review the monitoring of the Government's Strategy for Roma Inclusion 2012–2032 by using baseline studies.

73. The Public Health Agency of Sweden produces reports monitoring national minorities' health situation. A multi-annual plan has been prepared in consultation with representatives of all national minorities and in June 2019, a report entitled "The health situation of people of Finnish origin" was presented. In 2020, the Agency, together with the National Board of Health and Welfare and a Tornedalian/Kven/Lantalais organisation, prepared a questionnaire aimed at monitoring the health situation of persons belonging to this minority.

74. The Advisory Committee reaffirms that reliable information about the ethnic composition of the population is an essential condition for designing and implementing effective policies and measures to protect national minorities, for helping to preserve and assert their identity, as well as for addressing their needs and interests. In the same vein, the Advisory Committee cannot but repeat that the regular gathering of reliable and disaggregated equality data related to the number and situation of persons belonging to national minorities allows for a deeper understanding of the specific challenges they face. Such relevant data can be gathered through research carried out by or in co-operation with persons belonging to the Sámi people and other national minorities, and should meet human rights and data protection standards, notably the principles of consent, anonymity and the purposes of processing.<sup>45</sup> As an example, the Advisory Committee considers it crucial to have equality data at hand to be able to assess progress and achievement of the main goal of the Government's Strategy for Roma Inclusion 2012–2032.<sup>46</sup> It therefore regrets that no sufficient

developments have taken place, except in the health sector, to systematically gather disaggregated equality data in line with international standards.

75. The Advisory Committee takes nevertheless positive note of the ongoing reflection at governmental level to improve qualitative data collection, including ethnicity-based and gender disaggregated data, and looks forward to its practical implementation, pointing out that the Equality Ombudsperson had already indicated that it was possible to find specific solutions to collect data on the situation of persons belonging to national minorities within the existing legal framework provided it was done on a voluntary basis.<sup>47</sup> Equality data produced as regards the health situation of national minorities is a good practice worth extending to other sectors.

76. The Advisory Committee again encourages the authorities to develop, in co-operation with minority representatives, adequate methods to collect ethnicity-based and gender disaggregated data on the situation of persons belonging to the different national minorities, while respecting international data protection obligations and the principle of voluntary and free self-identification.

## Support for the preservation and development of minority identities, languages and cultures (Article 5)

77. Governmental funding for regional and local cultural activities of national minorities is allocated by the Swedish Arts Council (SAC) through elected regional and municipal councils which have the responsibility and the freedom to distribute these grants. Over the monitoring period, such funding has increased, which helped national minority organisations to communicate their history, languages and identities themselves.<sup>48</sup> Funding notably increased for the Tornedalian Theatre, for the publication of literature in minority languages and for increasing knowledge about the cultures of the Sámi people and of other national minorities.<sup>49</sup> In 2020, the Sámi Parliament was allocated SEK 4 million to be used specifically as crisis grants for the Sámi culture to mitigate the consequences of the Covid-19 pandemic. It received an additional SEK 10 million in 2021, as well as an additional SEK 4 million in 2022 for the same purpose. The SAC also administered special crises grants during the Covid-19 pandemic.

78. The SAC also monitors how the funding is spent and ensures regular dialogue with the regions. In 2019, a network was created between regions to share expertise and experiences and is co-ordinated by the SAC. Several national minority organisations

<sup>45</sup> See the Advisory Committee's [Thematic Commentary No. 4](#), paras. 18 and 66.

<sup>46</sup> The main goal of the [Government's Long-Term Strategy for Roma Inclusion 2012-2032](#) is "that a Roma person aged 20 should have the same opportunities in life as a non-Roma person by 2032". See the [fifth state report](#), p. 17 and the [European Commission webpage devoted to Sweden's Roma Strategy](#).

<sup>47</sup> See the [Advisory Committee's Fourth Opinion on Sweden](#), para. 31.

<sup>48</sup> Governmental funding for the cultural activities of national minorities has increased by SEK 10 million since 2018 (approximately €882 000). Source: [fifth state report](#), p. 22.

<sup>49</sup> Regarding 2018–2020 initiatives implemented by the SAC and other institutions, see the [fifth state report](#), p. 23.



that had been awarded grants participated in a 2020 network meeting and presented their activities to the regions. In a recent evaluation report, the SAC concluded that all five national minorities want to see more literature published from an insider perspective, written by authors from national minorities. In order for this literature to reach more readers, there is a need for more translators from and into the minority languages. The SAC also realised that public libraries had little information about existing literature in minority languages. It has therefore started developing a catalogue with a selection of non-fiction and fiction minority language literature.

79. The SAC was also tasked by the government to report on its actions to preserve and develop the Romani culture in line with the Government's Strategy for Roma Inclusion 2012–2032. In 2020, the SAC emphasised this aspect in its work with regional cultural plans and in its dialogue with the regions. It also held consultations and allocated special grants to Roma stakeholders. Furthermore, the SAC appoints a 'national reading ambassador' within its area of responsibility. The fifth such 'reading ambassador', appointed for 2019–2021, focused on the Roma minority. As of May 2021, 31 public libraries around Sweden were declared as Roma reading embassies.

80. The Institute for Language and Folklore (Isof) coordinates a national network of four governmental agencies in charge of the implementation of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage and which maintains contact with practitioners, minority organisations and educational, research and cultural heritage institutions. In recent years, Sweden's national inventory of intangible cultural heritage, hosted by the Isof,<sup>50</sup> has further developed with a stronger participation of national minorities in identifying and listing living traditions. This has resulted in the addition of some Roma and Jewish traditions to the list. The Sámi Parliament has also an important role in safeguarding Sámi intangible cultural heritage. Its appropriation directions for 2021 included a requirement to report back to the government on how the Sámi Parliament contributes to the implementation of the abovementioned UNESCO Convention. In 2019, the Isof and the Sámi Parliament were tasked to submit proposals for an action plan for the preservation and revitalisation of minority languages. In their 2020 report, they proposed a long list of measures, in particular in the education system.

81. Following a government's request and prior consultation with national minorities on their needs

and perspectives, the National Library of Sweden (NLS) proposed a national library strategy 2015–2019. As a result, national minorities libraries have been strengthened. In December 2020, the government tasked the NLS to transform these libraries into resource libraries for each language group and for Sweden's municipalities. These libraries should provide support to municipalities and promote the provisioning of media in the minority languages. Particular attention is devoted to access to literature for children and young people. Since there is no library for Romani equivalent to the libraries for other minority languages, the NLS will submit proposals to promote such libraries. In January 2023, the National Library of Sweden commissioned the libraries in Malmö to establish a resource library for Romani. The resource library opened in April 2023.

82. Both the Swedish Film Institute and the Finnish Cultural Institution Foundation in Sweden received governmental funding to promote respectively access to films for children and young people in the minority languages and promote Finnish culture, including Finnish films. A number of writers' tours, music events and special guest performances at theatres have been arranged.<sup>51</sup> Measures are also implemented to ensure access of young people and children to literature in minority languages.<sup>52</sup>

83. The two Sámi language centres that had been established in 2010 have contributed to the use of the Sámi languages using an innovative and forward-looking approach. Following a positive evaluation of these centres and methods used to help to revitalise the language,<sup>53</sup> the government, in 2018, commissioned the Isof to investigate what form language centres for Finnish and Meänkieli could take, and the feasibility for setting up similar centres for Yiddish and Romani. In addition, the Sámi Parliament was commissioned to explore ways to develop the Sámi language centres so as to support and promote more Sámi languages. As a result, six additional language centres have been established around the country: two for Sámi (North and Lule Sámi languages), and one for Meänkieli, Finnish, Yiddish and Romani, respectively.

84. Whilst overwhelmingly welcoming the political and financial support provided by the state and various regions and municipalities for their cultural associations and activities, most of national minority representatives emphasised the authorities' unbalanced focus on the promotion and preservation of the minority languages to the detriment of other aspects of their cultures and identities that they would like to see more developed and supported. Several

<sup>50</sup> See [Sweden's national inventory of intangible cultural heritage UNESCO webpage](#).

<sup>51</sup> For more information about these initiatives, see the [fifth state report](#), pp. 22–23

<sup>52</sup> These measures have been taken as a follow up to the written communication to the *Riksdag* on the promotion of reading in Sweden and to the assessment contained in the Reading Delegation's report "Children's and young people's reading – a societal responsibility" (see [SOU 2018:57](#)).

<sup>53</sup> See conclusions of the [SOU 2017:60](#) inquiry.

minorities, such as the Sámi people, the Forest Finns and the Tornedalians/Kvens/Lantalaiset also regretted that their deep knowledge of nature, plants and animal husbandry are not sufficiently valued by the authorities and the population at large (see also Article 15). A Tornedalian/Kven/Lantalais minority organisation in Pajala reported that their governmental grant for 2023 has been cut by half compared to previous years, allegedly due the creation of another organisation from the same minority. Representatives of both Sámi and Tornedalians/Kvens/Lantalaiset have indicated to the Human Rights Institute that economic and cultural inequalities in terms of conditions for exercising their cultural life add to the difficulties met by minority organisations in protecting languages and developing cultural life and expressions.<sup>54</sup>

85. As identified in the SAC 2019 annual report, some Roma organisations complained that they found it difficult to meet the requirements for obtaining co-financing from municipalities and regions when applying for governmental grants. Persons belonging to the Roma national minority also raised concerns about a disproportionate frequency of Roma children being separated from their families by child welfare services. They underlined the fear which these services instil in persons belonging to the Roma minority as even shorter school absences could be a basis for the child and social welfare services to intervene (see similar concerns expressed by Sámi parents under Article 12).<sup>55</sup> They also expressed concern that children placed in foster homes that are not culturally and linguistically sensitive are losing their Roma identity. Some Roma women victims of domestic violence complained about being placed in shelters with staff who are not culturally and linguistically sensitive, although shelters run by Roma women organisations exist in Sweden.

86. One of the challenges identified by representatives of the Jewish minority is how to ascertain that the needs of the elderly Jews are catered for with regard to cultural and religious needs. They consider that those who have been granted elderly care should have the right to be transferred to a Jewish elderly care establishment, if this is their wish, Jewish elderly care being the environment where they can maintain Jewish traditions, feeling safe and secure at a vulnerable stage in life, as well as to openly express and live in accordance with their Jewish identity. Persons belonging to the Jewish minority in Gothenburg expressed disappointment due to the fact that the municipality does not cover the extra expenses for kosher food (extra refrigerators, etc.) needed for their Jewish school, preschool and elderly care activities. Representatives of the Jewish

minority also made some reservations regarding the Isof's communication and approach which they consider to be conducted from a majority perspective, instead of developing co-operation with Jewish organisations. They would prefer to have projects aimed at Yiddish language cultivation, such as the joint project between the Jewish library (acting as a resource centre for Yiddish) and the National Library, incorporated into the existing Jewish organisational infrastructure or at least developed in closer co-operation with Jewish community organisations.

87. Representatives of the Sámi Theatre indicated that their repeated request for the last six years to the Ministry of Culture and the Swedish Parliamentary Committee on Culture to be provided with a national scene status has not been met yet. Such a status would give the Sámi Theatre access to more resources, notably state budget,<sup>56</sup> more visibility nationwide so that the Sámi culture and language be better known to the general public. In this respect, a report from April 2022 entitled "Conditions for Sámi Culture" concludes that the Sámi cultural infrastructure needs to be strengthened and proposes several measures to achieve that goal, *inter alia* a substantial increase of financial grants to the Sámi Parliament for cultural activities, the establishment of a competency and language centre, capacity-building training activities for Sámi cultural organisations, and the creation of an itinerant exhibition that could work over all of Sápmi and eventually beyond.<sup>57</sup> Representatives of the Sámi Theatre are also calling for the creation of an Indigenous Department within the Swedish Arts Council and for a more sustainable funding mechanism, such as a pluri-annual budgetary allocation, considering that the current project-based and annual funding approach has its limits as it does not allow for long term planning of theatre performances. Representatives of the Tornedalian Theatre shared a similar interest in a national scene status, increased funding for their cultural activities, and sustainable pluri-annual budgetary allocation. Representatives of Forest Finns referred to the Värmlands Museum's attempt to apply to the World Heritage to help to preserve parts of the building that remain and would welcome any support in this matter.

88. The Advisory Committee reiterates that the creation of suitable conditions for persons belonging to national minorities to preserve and develop their cultures and languages and to assert their respective identities is considered essential for an integrated society.<sup>58</sup> In this respect, the Advisory Committee commends the authorities' support for minority languages, and the increase in funding for that purpose during the reporting period, as well as additional funding provided during the Covid-19

<sup>54</sup> Written submission by the Swedish Human Rights Institute, 31 January 2023, p. 1.

<sup>55</sup> This is a concern also shared by parents of different migrant communities, see this [news article](#) (in Swedish).

<sup>56</sup> The Sámi Theatre receives funds from the Sámi Parliament's budget and additional funding from municipalities.

<sup>57</sup> See Viemie K and Kultur i Norr, [Conditions for Sámi Culture](#), published in April 2022, p. 4. Viemie K is a Sámi cultural political network which aims to strengthen the professional cultural life in Sápmi, specifically in Sweden.

<sup>58</sup> See the Advisory Committee's [Thematic Commentary No. 3](#), The Language Rights of Persons belonging to National Minorities under the Framework Convention, adopted on 24 May 2012, para. 25, and guideline 10, OSCE High Commissioner on National Minorities, [The Ljubljana Guidelines on Integration of Diverse Societies](#) (2012).

pandemic. Nevertheless, it agrees with the authorities' own assessment that there is a need for long-term protection of Sweden's minority languages and cultures. In the view of the Advisory Committee, this implies adding to project-based and short-term financial support more sustainable funding and planning opportunities. In this respect, it welcomes the set-up of language centres in all minority languages, also in light of the positive assessments from most of representatives of national minorities and municipalities regarding the benefits of such minority language centres. Whilst the Advisory Committee can understand the approach chosen by the authorities to initially limit in time the financial support to these language centres to three years with a view to assessing their impact and adapting this initiative to the future revision of the minority languages policy, it heard concerns about the lack of guaranteed long-term financial support for these language centres which might create discontinuity of this valuable initiative.

89. The Advisory Committee finds the work of the Sámi and Tornedalian theatres crucial as they not only contribute to the promotion of minority cultures and languages but also contribute to improve knowledge of and interest in these minorities and to the building of a more cohesive society. Therefore, it is of the view that their sustainable long-term funding is essential and that the Sámi Theatre's longstanding request to be granted a nation-wide status needs to be answered and thoroughly examined by the competent authorities keeping in mind its contribution to cultural life in Sweden.

90. The Advisory Committee is pleased to note that in several municipalities, additional grants can be obtained for activities of minority organisations, and that representatives of national minorities, such as the Sweden Finnish minority in Stockholm, have the possibility to participate in decision making on the allocation of grants. This is a good practice worth applying on a larger scale. The Advisory Committee, however, expresses concerns about the fact that some national minority organisations have seen their funding allocation recently decreased allegedly due to the creation of new minority organisations. The Advisory Committee is of the view that the creation of new minority organisations should not result in undue cuts for old minority organisations as it impacts the

workplan of the latter and may create unnecessary tensions between new and old minority organisations.

91. More generally, the Advisory Committee considers highly important that any initiatives aimed at supporting minority cultures and languages reflect national minorities' own priorities and specific needs bearing in mind the diversity within and among national minorities. It emphasises that protection and promotion of minority languages may be a central request of individuals belonging to some national minorities;<sup>59</sup> however, persons belonging to other minorities may have different priorities, notably the promotion and preservation of other aspects of their respective culture and identity, such as religious and cultural traditions (as pointed out by some Jewish interlocutors), the use of and access to land and water (as pointed by some of interlocutors among the Sámi people and the Tornedalian/Kvens/Lantalaiset) or the revitalisation of their disappeared language (as indicated by some representatives of Forest Finns<sup>60</sup>). Therefore, the definition of objectives and the allocation of state and regional funding need to be tailored to those priorities, following close consultation with diverse representatives of national minorities. Deep knowledge of nature, plants and animals acquired during centuries by the Sámi people and some other national minorities could be far more valued, including when discussing certain conventions, such as the Convention on Biological Diversity (CBD), or the impact of climate change and adaptation policies via a transition to green economy, or in the context of pharmaceutical industry for instance.

92. The Advisory Committee is of the view that there is a need to build better co-operation of child and social welfare services with parents with a national minority background with a view to avoiding possible mistakes based on misunderstandings, stereotypes and discrimination. These mistakes can be difficult to correct once trust has been lost. Therefore, child and social welfare services need training on national minority cultures and traditions so as to be able to take any decisions in a culturally sensitive manner.<sup>61</sup>

93. The Advisory Committee calls on the authorities to raise awareness among child and social welfare personnel of the rights and cultural specificities of national minorities and to ensure that national minority family ties and cultural identities are

<sup>59</sup> Notably for some generations of Sweden Finns, but also for Lule, South, Pite and Ume Sámi speakers whose languages are the most endangered (see the [Eight Evaluation Report on Sweden](#) adopted by the Committee of Experts of the European Charter for Regional or Minority Languages on 17 November 2022, para. 93).

<sup>60</sup> Forest Finns who have been linguistically assimilated highlighted that it was becoming urgent to digitalise movies and pictures portraying Forest Finns before such supports disappear. University professors, however, indicated that audio resources in Forest Finnish still exist and could serve as a basis for this revitalisation.

<sup>61</sup> In this respect, see [PACE Resolution 2232 \(2018\)](#) *Striking a balance between the best interest of the child and the need to keep families together*, adopted by the Parliamentary Assembly of the Council of Europe on 28 June 2018, paras. 5.2., 5.5, 5.6 and sub-paragraphs 5.6.3, 5.6.5 and 5.6.9. See also [United Nations Convention on the Rights of the Child](#), articles 20 and 30, as well as [Jansen v. Norway](#) concerning the placement in long-term foster care of a child whose parents belong to the Roma minority, in respect of which the European Court of Human Rights found a violation of Article 8 (Application no. 2822/16).

preserved in the work of the child and social welfare services.

94. The Advisory Committee asks the authorities to ensure that any initiatives aimed at supporting national minority cultures and languages reflect national minorities' own priorities and specific needs resulting from diversity within and among national minorities. The authorities should ensure long-term financial support for minority language centres, whilst also paying due attention to, and financially supporting, other aspects of national minority cultures and identities.

95. The Advisory Committee invites the authorities to respond to the longstanding request of the Sámi Theatre to be granted a nation-wide status keeping in mind its contribution to cultural life in Sweden. The authorities should, in any event, provide long-term financial support to both Sámi and Tornedalian theatres.

### **Sámi people's traditional use of land and revision of the Reindeer Husbandry Act (Article 5)**

96. Pursuant to the Swedish Reindeer Husbandry Act (SFS 1971:437), members of a reindeer herding community have the right to hunt and fish in their "Sámi village" (*sameby*).<sup>62</sup> The Act also contains provisions stating that members of the reindeer herding community are not permitted to grant hunting and fishing rights to others; rather, as a rule, it is the county administrative board that grants such rights.<sup>63</sup> The Girjas reindeer herding community petitioned up to the Swedish Supreme Court to rule that this reindeer herding community has the sole right to decide whether others should be able to hunt and fish in their "Sámi village" located above the cultivation line. Reindeer herding communities have maintained that such a sole right is consistent with the Swedish Reindeer Husbandry Act or that it is in any case grounded in custom or immemorial possession. The Swedish State had opposed this view. The Supreme Court ruled in February 2020 that the Girjas reindeer herding community retains the sole right based on possession since time immemorial and stated that this community has the right to lease fishing and hunting rights.<sup>64</sup>

97. Pursuant to the Girjas case, in 2021, the government commissioned a parliamentary committee, the Committee on Reindeer Lands, to review the Reindeer Husbandry Act. An expert group and a specialist group advise this committee. The composition of these groups includes several Sámi representatives, as well as representatives of forestry companies and of angling and hunting organisations.

98. Tornedalians/Kvens/Lantalaiset claimed that they would be directly affected by the future design of the Reindeer Husbandry Act as it would affect the minority's capacity to retain and develop its own culture and traditions. Their traditional occupations include collecting berries and herbs, hunting, fishing and animal husbandry. Proximity to fishing waters has always been important and often influenced the place where they settled. By initially not having been invited to the specialist group,<sup>65</sup> they felt excluded from the review of the Reindeer Husbandry Act. They considered that they had been deprived of their right enshrined in the Framework Convention to be able to express and develop their culture and preserve some essential elements of their identity which are also related to the use of land and water (see Article 15). They further regretted that the government's directive to the Committee of Reindeer Lands had been solely based on the Girjas judgment which only addressed Sámi rights. They are also concerned that the Girjas reindeer herding community area would be used as a template for the entire country's reindeer husbandry area in the long run.

99. More generally, Sámi minority representatives expressed dissatisfaction about the fact that the rights set out in the Minorities Act have a very limited effect for the Sámi enjoyment of their rights in practice, an opinion shared by human rights organisations defending their rights.<sup>66</sup> Furthermore, they consider that the lack of follow-up by the relevant authorities on the application of the Minorities Act in relation to mining, forestry and wind power projects which are constantly expanding at the expense of the Sámi traditional lands and reindeer herding activities

<sup>62</sup> A "Sámi village" (*sameby* in Swedish legislation) is a reindeer-herding community, as well as the geographical area in which the members are entitled to pursue reindeer husbandry, fishing and hunting.

<sup>63</sup> This regulation has remained largely unchanged since the first Reindeer Grazing Act of 1886.

<sup>64</sup> See [official press release of the Supreme Court's ruling on the Girjas case](#). The case was about the right to lease fishing and hunting rights. That right had been held by the state, but the fee paid by those who were leasing fishing and hunting had always been sent to the reindeer herding community. The Supreme Court ruled that the right to lease fishing and hunting rights was a right held by the reindeer herding community and the state had no such right. The reason why members of the reindeer herding community wanted the right to lease fishing and hunting was that they wanted to steer fishermen and hunters away so that they did not disturb the grazing reindeers.

<sup>65</sup> A Tornedalian/Kven/Lantalais minority organisations had initially been offered a seat in the *expert group*, which they had refused, as they wished instead to be part of the *specialist group* which they considered more strategic. The *expert group*, consisting of 26 persons representing different interests provides input to the Committee on Reindeer Lands if and when the committee so requests. It does not sit in on meetings with parliamentarians and thus has little influence on decision-making. On the contrary, the *specialist group* is made of members who are considered to be the parties most affected by the investigation who can exercise influence at meetings with parliamentarians.

<sup>66</sup> See [Alternative Report by the Civil Rights Defenders](#), 31 January 2023, para. 8.

(already affected by climate change)<sup>67</sup> is in breach of their rights under Article 5 of the Framework Convention. In its 2021 follow-up report of the application of the minority policy and the Minorities Act, the Sámi Parliament asked the government to commission state authorities which take decisions affecting traditional Sámi land to report how they promote the possibility for persons belonging to the Sámi people to keep and develop their culture and have influence on such decisions.<sup>68</sup> Furthermore, despite the welcome adoption of a new Sámi Consultation Act which strengthens consultation requirements, the Sámi expressed overall dissatisfaction that decisions taken on the exploitation of mines, forestry and windmill projects continue to negatively affect their right to use traditional Sámi lands.

100. Whilst there are different views among Sámi representatives as to which priorities to set for the development of their culture and identity, there seems to be a consensus among the Sámi interlocutors that the authorities are almost solely focusing on the promotion of the Sámi languages to the detriment of the protection of the traditional use of land.<sup>69</sup> The authorities, on their side, disagree, pointing out attention devoted to Sámi people's opportunities to enjoy and influence their economic, social and cultural rights, referring *inter alia* to the financial and political support for the 2019 OECD study "Linking Indigenous Communities with Regional Development".<sup>70</sup>

101. Sámi representatives regretted the decision of the government in February 2022 to open a mine in Gallock/Kallak, despite the fact that the regional authority *Länstyrelsen i Norrbotten* advised against it for environmental reasons and for the negative effects on reindeer husbandry. Although they indicated that this mine will make reindeer herding very difficult if not impossible for the reindeer herding community of Jåhkågasska, the government took the decision to allow it anyway, but under certain conditions for this community to be able to continue reindeer herding. Neither the Sámi Parliament nor the Jåhkågasska reindeer herding community think that the conditions are formulated in a way that will help traditional reindeer herding to continue.<sup>71</sup>

102. Representatives of the Sámi people also expressed deep concerns about the possible repercussion on their rights as indigenous people and the environment arising from the recent discovery, in early 2023, of a huge deposit of rare earth metals in Gabna reindeer herding community, close to Kiruna, especially since this discovery is not only economically attractive for the Swedish state-owned mine industry but also for European investors. Persons belonging to the Sámi people in Gabna are concerned that if the *Luossavaara-Kiirunavaara Aktiebolag* (LKAB), a state-owned mining company, opens a new mine on this site, this would split a traditional area for Sámi reindeer herding in Kiruna into two disconnected areas and rule out the Sámi people's right to exercise its culture and traditions.

103. Another example of major concerns relates to a project of railway-route between Umeå and Luleå (the "Norrbotnianaban" project) to be developed to provide individuals and goods with a more sustainable travel-route within the region in the framework of the government's green transition policy. Whilst the construction of the railway has not yet begun, the Swedish Transport Administration has already taken a decision on the planned route and took the most problematic option for the Östra Kikkejaur Sámi community considering it would infringe on reindeer-grazing areas of fifteen Sámi reindeer herding communities.<sup>72</sup>

104. The Advisory Committee underlines that States Parties to the Convention when ratifying this instrument agree that they should "not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity".<sup>73</sup>

105. Since Sámi culture and languages are strongly connected with traditional lands and land use, the Advisory Committee considers it necessary that governmental agencies and regional public authorities concerned, when making decisions on exploitation of traditional Sámi lands apply first the Sámi Consultation Act (see Article 15 below) and the consultation provisions of the Minorities Act<sup>74</sup> before making such decisions. Therefore, it fully agrees with the Sámi Parliament's call to see other governmental agencies reporting on how they follow and implement

<sup>67</sup> See how the climate change impact the Sámi in the [13<sup>th</sup> activity report of the Advisory Committee](#), p. 6).

<sup>68</sup> Such authorities are for example the Mining Inspectorate, the Swedish Forest Agency, the Swedish Energy Agency, the Swedish Environmental Protection Agency, as well as the county administrative boards in Norrbotten, Västerbotten and Jämtland regions. See 2021 Follow up Report by the Sámi Parliament, p. 50 (in Swedish).

<sup>69</sup> See [Alternative Report by the Civil Rights Defenders](#), 31 January 2023, para. 12.

<sup>70</sup> This [OECD study](#) looked at how existing tools, initiatives and rules in rural development and regional growth were working for the Sámi people and their economic activities. It also presented policy recommendations for strengthening the link between indigenous peoples and regional and rural development policies.

<sup>71</sup> See also [Alternative Report by the Civil Rights Defenders](#), 31 January 2023, pp. 17-19.

<sup>72</sup> These areas have already been exploited for wind power plants, notably for Sweden's largest wind power plant "Markbygden" (Source: Written submission by Amnesty Sápmi, 6 February 2023, pp. 1-3).

<sup>73</sup> Preamble of the [Framework Convention](#).

<sup>74</sup> See Sections 3-5 of the [Minorities Act](#), as amended.

their obligations under the Minorities Act to promote Sámi land use and allow Sámi to exercise real influence on decisions. It also underlines that too much a focus on the promotion of the Sámi languages makes it difficult for the authorities to understand how to fulfil their obligations to promote opportunities for the Sámi to maintain and develop their culture in accordance with the Sámi Consultation Act and consultation provisions of the Minorities Act. If Sámi people's control over its traditional lands is not sufficiently protected, the Sámi culture will be under threat. Taking into account the close relationship between the culture and language, losing the connection between land use and culture will lead gradually also to a decline of the Sámi languages. The Advisory Committee is of the view that the competent authorities should also address the economic, social, cultural and other consequences of climate change and the potential negative effects of the transition to the green economy for the Sámi people, in particular reindeer herders, and for some other national minorities.

106. The Advisory Committee also noted a great deal of confusion and concern around the possible impact of the ongoing discussions about the revised Reindeer Husbandry Act, partly due to the fact that the Tornedalian/Kven/Lantalais minority was not initially represented in the negotiations and was therefore not fully informed despite the government's directive indicating that the culture, traditions, interests and needs of the local population, including those of this minority, should be taken into account.<sup>75</sup> A clear communication about the limits of this legislative review and a full implementation of the June 2022 government's directive are urgently needed in order to ease the existing tensions.

107. The Advisory Committee observes that, whilst the Sámi are the only recognised indigenous people, the Tornedalians/Kvens/Lantalais<sup>76</sup> also informally claim they are indigenous. Interlocutors from this minority do not object to the indigenous status of the Sámi people but rather complain that the authorities pursue an unbalanced approach and deny them the right to be consulted on matters affecting them. They stressed the fact that they have been sharing the same land with the Sámi for several centuries and

have been following similar traditional occupations such as reindeer herding, fishing and hunting.

108. The Advisory Committee urges the authorities to ensure, in close consultation with the Sámi indigenous people, that decisions at municipal, county and national levels on the use of traditional Sámi lands do not negatively affect the possibility for the Sámi to maintain and develop their culture, languages and identity. The authorities should ensure that regional public authorities and governmental agencies, before making decisions on exploitation of traditional Sámi lands, apply fully the Sámi Consultation Act and the consultation provisions of the Act on National Minorities and National Minority Languages.

109. The Advisory Committee encourages the authorities to ensure that any legislative reform process touching on essential elements of the Sámi people and other national minority cultures involves all those concerned, notably Tornedalians/Kvens/Lantalais, and is held in an inclusive and transparent manner.

### **Promotion of intercultural dialogue and mutual respect (Article 6)**

110. The longstanding climate of tolerance and respect which prevailed in the Swedish society, and which was acknowledged in the Advisory Committee's Fourth Opinion, has deteriorated, notably towards migrants.<sup>77</sup> Furthermore, the results of a survey measuring the Swedish population's knowledge about and attitudes towards the preservation of the languages and cultures of national minorities, published in February 2021,<sup>78</sup> show that such knowledge remains limited, even though it has slightly improved since the previous survey conducted in 2015, notably in administrative areas for minority languages and among the younger generation (15 – 29 years).<sup>79</sup> The latest survey shows that 77% of respondents could name at least one of Sweden's five national minorities and 74% could name at least one of the minority languages. The report also highlights that there is a lack of awareness of discrimination against persons belonging to the

<sup>75</sup> See the [first government's directive 2021:35](#) from May 2021 and the [second government's directive 2022:58](#) from June 2022 (both in Swedish). In the second directive, it is written that "In addition to what follows from the previous directive, the committee must, as part of its work, take into account, in addition to the rights of the Sámi, also the culture, traditions, interests of the local population, including the Tornedalian national minority, as well as their needs to be able to hunt and fish, or exercise other activities, such as forestry and tourism."

<sup>76</sup> The authorities indicated that "Tornedalians, Kvens and Lantalais were living in the Torne Valley in northern Sweden long before the current Swedish state was formed" (see the [fifth state report](#), p. 21).

<sup>77</sup> The results of a [2018 IPSOS survey](#) show that to the question "Would you say that immigration is essentially good or bad for Sweden?", 63% of respondents had replied "yes" in 2015; they were only 44% to give the same answer in 2018 (see p. 3 of this survey).

<sup>78</sup> This survey was conducted in 2020 by the Isof, with the aid of Kantar-Sifo and in collaboration with the Stockholm County Administrative Board and the Sámi Parliament.

<sup>79</sup> Around 90% of young people in this age range stated that they think it is 'quite important' or 'very important' to preserve the languages and cultures of Sweden's minorities (compared with 83% of the entire population).

Sámi people and other national minorities, notably against the Jewish and the Roma minorities.<sup>80</sup>

111. According to a report entitled “Minority in History” published in 2021 by the Forum for Living History, Tornedalians/Kvens/Lantalaiset are the minority which is least known to the general public.<sup>81</sup> Representatives of this minority complained about their marginalisation and regular exclusion from important events receiving media coverage, such as at the EU Summit that took place in Kiruna at the beginning of Sweden’s Presidency of the Council of the European Union.<sup>82</sup> They consider that their systemic exclusion and the denial of their historical presence in northern Sweden<sup>83</sup> seriously deepens the polarisation and conflicts which the state has historically created between national minorities living in this part of Sweden. They also reported that strengthening the position of one minority to the detriment of another as practiced by the authorities does not contribute to mutual respect and understanding between communities sharing the same territory historically and at present.<sup>84</sup> They regret that national minorities are more and more pitted against each other and consider this a dangerous way to operate. They believe that neither the state nor the local authorities seem to have taken this seriously enough.

112. Similarly, representatives of Sweden Finns also complained about a lack of visibility of their minority in the media and in public discourse. They have the impression that the Swedish population considers that they have no problems, are well-integrated in society and might even be a privileged group. This puts them in a situation in which they always have to justify the claim to their rights. They indicated that their national day receives less media visibility than those of other national minorities. Their historical presence and past sufferings from discriminatory and assimilation policies are unknown to the vast majority of the population, hence their request for a Truth and Reconciliation Commission.

113. According to Jewish minority representatives, the level of knowledge with regard to Jewish identity, culture and history on the one hand, and antisemitism on the other hand, is severely lacking across public administration and political parties. A common challenge they face is to draw attention to their rights, to be able to identify themselves as Jews and walk in the streets without any fear and to have their own perception of Jewish culture known, accepted and respected in the public sphere. They pointed out a number of challenges to central tenets of Jewish culture and traditions and their maintenance, often due to the lack of understanding of Jewish identity and culture among politicians, legislators and civil servants who are consequently not able to foresee certain adverse effects of legislative proposals, governmental agencies’ interpretations of laws and regulations, as well as inadvertent politicisation of ethics, religious and cultural values.<sup>85</sup> As regards teaching about and commemoration of the victims of the Holocaust, Jewish minority representatives express overall satisfaction, but regret that such teaching is usually disconnected from antisemitism as a determining and central ideological factor and that the specific dynamics and modes of expression of antisemitism are not given enough space or insight.

114. Limited interactions between the five national minorities have been reported, outside general consultation processes.<sup>86</sup> Municipalities, such as Kiruna and Gothenburg, acknowledged that they do not always organise intercultural events that would bring together representatives of various national minorities residing on their territory. Some municipalities, for instance Umeå, found it also difficult, despite their good will, to facilitate interactions with representatives of national minorities and to attract them to their activities.<sup>87</sup> As another example of limited interaction between institutions and some national minorities, in its 2019 annual report, the Swedish Arts Council emphasised the great ignorance among Sweden’s cultural institutions about the Romani culture.

<sup>80</sup> The Sámi Parliament and the Stockholm County Administrative Board, [Nationella minoriteter och minoritetsspråk: Minoritetspolitikens utveckling år 2021](#), Report 2022:11 (available in Swedish), p. 13. See also [Alternative Report by the Civil Rights Defenders](#), 31 January 2023, para. 8.

<sup>81</sup> See “[Minority in History](#)” (in Swedish), p. 15.

<sup>82</sup> This EU Summit event took place in Kiruna on 12-13 January 2023. Whilst Kiruna is home of three national minorities, Sámi, Sweden Finns and Tornedalians/Kvens/Lantalaiset, only the Sámi flag was hoisted along the Swedish and EU flags. Sweden Finns and Tornedalians/Kvens/Lantalaiset were not represented. The municipality indicated having no possibility to influence the programme agreed between Stockholm and the EU.

<sup>83</sup> To support their argument, Tornedalian/Kven/Lantalais organisations indicated that the Talma reindeer herding community recently sued the state regarding discretionary powers over hunting and fishing (see [news article](#)).

<sup>84</sup> The authorities indicated that “Tornedalians, Kvens and Lantalaiset were living in the Torne Valley in northern Sweden long before the current Swedish state was formed” (see the [fifth state report](#), p. 21).

<sup>85</sup> For instance, as regards *shechita*, the ritual slaughtering of certain mammals and birds for food according to kashrut, and *brit milah*, the circumcision for the purpose of conversion to Judaism.

<sup>86</sup> The Jewish minority reported occasional interaction, primarily with the Roma minority.

<sup>87</sup> The Advisory Committee was, however, informed about a successful meeting convened by Umeå municipality in spring 2023 in which all five national minorities participated. This success was allegedly due to the fact that the agenda of this meeting had not been fixed in advance by the local authorities, thus allowing minority representatives to discuss any subjects or concerns they had.

115. The Advisory Committee reiterates that the way national minorities are protected is a reflection of the degree of knowledge about and appreciation for them, as well as other cultures in general, in the majority population. Awareness-raising among the majority population about the national minorities is therefore of utmost importance and requires constant efforts in education, culture and the media.

116. The Advisory Committee considers it regretful that various minority representatives underscore the negative impact of the public's limited knowledge about the national minorities, minority rights and the specific needs of national minorities. The Advisory Committee observes, however, a growing interest among parts of the Swedish population about national minorities, and notably among the younger generation. As an illustration of this, the governmental website dedicated to national minorities has shown consistent growth in terms of content and has demonstrated an increased awareness and an increased demand for information about Sweden's national minorities among the public.<sup>88</sup> The Advisory Committee emphasises that current work and forthcoming outcomes of the Truth and Reconciliation for Tornedalians, Kvens and Lantalaïset and of the Truth Commission for the Sámi People provide good opportunities to give visibility, including in the media, to these minorities, their past histories and current concerns and increase the general level of knowledge of the population about them. It is also of the view that resources need to be allocated for the education and training of staff in local and regional public administration, as well as staff in education (see Article 12), child and social welfare services (see Article 5), in the judiciary and law enforcement (see below) on the indigenous rights of the Sámi people and on minority rights in general.

117. The Advisory Committee is deeply worried by a general deterioration of the climate of tolerance in the Swedish society, notably towards migrants. Furthermore, it notes with great concern the tensions that are gaining ground between persons belonging to different national minorities. It underlines the role of the state authorities to ensure stable, harmonious and peaceful interethnic relations. Whilst guaranteeing the legitimate rights of the Sámi indigenous people, the authorities need to adopt a more inclusive and transparent approach in their consultation processes to make sure the outcome addresses existing concerns of persons belonging to other national minorities. Attention should also be paid not to exclude any national minorities in important political and media-focused events. Since intercultural dialogue among national minorities seems limited, municipalities and regions where Sámi, Sweden Finns and Tornedalians/Kvens/Lantalaïset have been traditionally present could launch initiatives to better

promote this cultural diversity that enriches these municipalities and regions, celebrate the "national day" of each minority, display signs in all three minority languages, etc.

118. The Advisory Committee urges the authorities to foster intercultural dialogue and mutual respect between the population at large and persons belonging to different national minorities by taking concrete steps to promote the knowledge about national minorities, minority rights and the needs of national minorities, and by opting for a more inclusive and transparent approach on matters that affect persons belonging to more than one national minority.

### Truth commissions and inquiries on cultural life (Article 6)

119. A 'Truth and Reconciliation Commission for Tornedalians, Kvens and Lantalaïset' was established on 19 March 2020 by the government to investigate the historical violations of human rights and abuses of persons belonging to this minority as a result of the assimilation policies in the 19th and 20th centuries. According to information provided by the authorities, the Commission is composed of a president, eight board members, including two persons belonging to the Tornedalian/Kven/Lantalaïset minority, and a secretariat. The president and the eight board members were all appointed after consultation with the minority. The Commission is to present its overall report in November 2023. Representatives of this minority expect that the outcome of this report will not only boost knowledge in Swedish society about this national minority and its historical experiences but will also lead to recognition by the state of historical injustices and to the development of concrete measures to rebuild trust.

120. A 'Truth Commission for the Sámi People' was established in 2022, with a mandate to map policies towards the Sámi people in a historical perspective and at present, and the consequences thereof for persons belonging to the Sámi national minority. According to information provided by the authorities, this Commission is composed of a president, 12 board members,<sup>89</sup> out of which three are Sámi, and a secretariat. The president and all the board members were appointed by the government after consultation with the Sámi Parliament.<sup>90</sup> The presentation of the final report is scheduled in December 2025. Sámi representatives expect that this report will increase knowledge about the Sámi people, especially the wrongs they suffered throughout history and the connections this may have with the current conditions of the Sámi people. They also expect that the report will result in concrete actions taken, not least when it comes to how the authorities today continue to exploit traditional Sámi land. Members of the Sámi people, based on previous experiences and reports, have

<sup>88</sup> Visits to the [website](#) in 2015 amounted to 150 000 visitors. In 2020, more than 420 000 visits were recorded.

<sup>89</sup> One board member seat is currently not fulfilled.

<sup>90</sup> Concerns had been raised as regards the Sámi Parliament's decision to include 9 persons who do not belong to the Sámi minority out of the 12 board members composing the Truth Commission. The Sámi Parliament responded that the selection process was unanimously agreed, and that priority was given to expertise rather than ethnic affiliation.



been so far sceptical regarding the acceptance by the authorities of any proposals that may result from the work of the truth commission, hence their initial reservation to include “reconciliation” in the commission’s name.

121. Various Jewish organisations sent an official request to the government for a national strategy to be developed in order to secure and foster Jewish cultural life in Sweden since they considered that the national minority legislation was not effective enough in meeting their minority specific needs. Since they made this request, these organisations have been in regular dialogue with the Ministry of Culture and consulted for input on a future strategy. The government appointed a person in charge of an inquiry into Jewish cultural life who entered into dialogue with Jewish communities (congregations) and other Jewish organisations across the state, and who aims to reach out to non-community-affiliated Jews. The Council of Jewish Communities has members who participate in their personal capacity in the inquiry’s reference group. Representatives of the Jewish minority expressed the hope that the expected national strategy will result in political measures based on the Jewish minority’s own perception and definition of its identity and culture and not viewed through a skewed majority culture’s perspective as is often the case.

122. Representatives of Sweden Finns expressed a strong wish to have a truth and reconciliation commission also set up for them since they suffered similar historical violations of human rights and abuses during the 20<sup>th</sup> century and underwent assimilation policies, notably linguistic assimilation which explains the poor command of Finnish among certain generations. They even consider it as a priority action to be taken as regards their own minority as this would increase general public’s knowledge and address many unknown aspects of their culture and historical experiences they went through, including the fact that some members of the Sweden Finnish minority have also been the victims, like other national minorities in Sweden, of the work conducted by the Institute for Racial Biology founded in Uppsala in 1922 with the aim of “obtaining a scientific basis for racial hygiene measures”.<sup>91</sup>

123. The Advisory Committee welcomes the setting-up of the ‘Truth and Reconciliation Commission for Tornedalians, Kvens and Lantalaïset’ and the ‘Truth Commission for the Sámi People’ as positive measures to establish dialogue with respective minorities and reinforce mutual trust, as well as a way to disseminate information to increase knowledge among the general population about these minorities and their historical experiences and suffered

injustices, as well as their present day situation, provided that the results are made public and are widely disseminated and form the basis for measures aimed at rebuilding the trust. It considers that such commissions are very much needed as it observed still visible consequences of past racial policies, as well as cultural and linguistic assimilation processes that affected all national minorities.

124. The Advisory Committee also welcomes the setting up of an inquiry into Jewish Cultural Life and expects as an outcome of this process the adoption by the government of a national Strategy for preserving and promoting the cultural life of the Jewish minority, as initially requested by representatives of this minority.

125. The Advisory Committee asks the authorities to set up a Truth and Reconciliation Commission for the Sweden Finns taking into account their interests, with a view *inter alia* to increasing the general public’s knowledge about this minority and its historical experiences, as well as to develop a national strategy for the Jewish cultural life that will be based on the Jewish minority’s own perception and definition of its identity, culture and traditions.

126. The Advisory Committee strongly encourages the authorities to provide the truth commissions with appropriate funding to deal with all necessary research and consultation aspects, and to use the outcomes for awareness-raising, trust building measures and for taking concrete steps to preserve and promote minority identities.

### **Protection from hostility, racism, hate crime and hate speech, including in the media (Article 6)**

127. Agitation against a population group is criminalised according to the Criminal Code, Chapter 16, para. 8. If a motive for a crime directed towards a person or a population group based *inter alia* on that person’s national or ethnic origin, it is considered as an aggravating factor according to the Criminal Code, Chapter 29, para. 2, point 7.<sup>92</sup>

128. The Living History Forum (LHF) has continued its co-ordination and monitoring work of the National plan to combat racism, similar forms of hostility and hate crime. According to the LHF, the National plan, which follows a comprehensive approach on combatting all forms of racism and hate crime, including antisemitism, antigypsyism<sup>93</sup> and racism against the Sámi, has given legitimacy, coherence and direction to the work of the governmental agencies involved and helped bring the issue of racism onto the national agenda. Furthermore, the LHF implements educational training on different forms of racism which targets *inter alia* school staff and other public sector employees. Since 2020, as a

<sup>91</sup> Quotation from a written submission by representatives of Sweden Finns, 6 March 2023.

<sup>92</sup> See relevant chapters of the [Criminal Code](#) (in Swedish).

<sup>93</sup> The present Opinion refers to ‘antigypsyism’ in accordance with the terminology used at the Council of Europe. It should be understood as having the same meaning as ‘antiziganism’ used in the Swedish national context.

result of increased funding for the National plan's implementation, the LHF's training capacities for public sector employees have been strengthened and focus on assuring quality in how public sector organisations relate to the public in an effort to combat any forms of racism.

129. The authorities report an increased polarisation of minority issues in public discourse and the need to continue combatting racism and discrimination.<sup>94</sup> In 2021, the government tasked the LHS to survey knowledge about people's experiences of racism in contact with governmental agencies and other public services. The survey results indicate that such experiences of racism do exist, notably towards the Jewish, Roma and Sámi minorities; however, the full picture remains incomplete because only a few agencies and services were included in the survey and because further research in this area is still missing. Xenophobic acts against persons belonging to faith communities are also a widespread problem in Sweden. Due to the lack of reporting, there is a gap between the number of reported hate crimes with antisemitic, islamophobic and christianophobic motives and private individuals' experience of these crimes.<sup>95</sup> In 2021, the government allocated SEK 22 million to improving security for faith communities but at the same time enlarged the eligibility for grants to all civil society actors.<sup>96</sup>

130. In 2021, a government's inquiry<sup>97</sup> proposed to make it possible to prevent the dissemination of discriminatory statements by a person in a public position.<sup>98</sup> An all-party committee, appointed by the government, proposed that racist organisations should be criminalised.<sup>99</sup> This proposal has been sent for public consultation and some minority organisations, such as the Council of Jewish communities, provided their comments supporting these proposed changes.<sup>100</sup>

131. Every two years, the Swedish National Council for Crime Prevention (BRÅ) publishes statistics on reports of hate crime. However, the statistics do not portray the full picture of the prevalence of hate crime targeting persons belonging to national minorities because many such incidents are not reported. In 2020, the total number of reported crimes with one or more hate crime motive was 3 398 and the total number of motives was 3 709 (some reported crimes contain several motives). About 7% of those were categorised as either antisemitic (170 cases), anti-Roma (55 cases) or anti-Sámi (20 cases). Hate crimes against Sweden Finns and Tornedalians/Kvens/Lantalaiset are included in statistics but under "other motives".<sup>101</sup> BRÅ noted that the increase in police reports relating to agitation against an ethnic or national group was the result of various actors' efforts.<sup>102</sup> to draw attention to hate speech online. Persons belonging to the Jewish minority are particularly affected by hatred online.<sup>103</sup>

132. Under the National plan to combat racism, similar forms of hostility and hate crime, the Swedish Ombudsman for Children<sup>104</sup> was also commissioned to develop and compile knowledge about the exposure of children and young people to racism based on the Convention on the Rights of the Child. Its 2021 Report shows that children's experiences of racism form part of their daily lives already from an early age, especially at school and online. It also shows that racism is widespread and is expressed in many different ways. For example, children are rendered invisible or endure verbal harassment, intimidation and violence in different environments, by other children and adults alike. The report highlights that not all children have the same rights, while others do not know their rights.<sup>105</sup>

133. The Swedish Police Authority (SPA) has a special mandate to develop and improve efforts to combat hate crimes and other crimes that threaten

<sup>94</sup> See the foreword by the Minister for Culture and Democracy in the [fifth state report](#), p. 1.

<sup>95</sup> According to a report published in 2021 by the Swedish National Council for Crime Prevention, persons belonging to the Muslim community bore the brunt of more than half (51%) of all hate crimes against religious groups in Sweden, followed by persons belonging to the Jewish community (27%) and to the Christian community (11%).

<sup>96</sup> Based on the Ordinance on governmental grants to civil society organisations for security measures (2018:1533).

<sup>97</sup> See [SOU 2021:94](#) inquiry (in Swedish).

<sup>98</sup> Written submission by the Swedish Human Rights Institute, 23 February 2022, p. 4.

<sup>99</sup> See changes to Swedish law to ban racist organisations in the [SOU 2021:27](#) (in Swedish).

<sup>100</sup> The Council of Jewish Communities took part in the consultation and provided its [position](#) (available in Swedish).

<sup>101</sup> In 2018, BRÅ identified 278 reports of crimes with antisemitic motives (53% more than in 2016, but at the same level as in 2014 and 2015). In 2018, 109 cases of anti-Roma crime were identified (31% less than in 2016, and the lowest number of reported crimes to date). However, due to a change in the methodology, the 2018 and 2020 hate crime statistics are not comparable (Additional information submitted by the authorities, pp. 3-4).

<sup>102</sup> As part of the "No Hate Speech Movement (2017–2020)", the Swedish Media Council boosted knowledge of racism on the internet among children and young people. It developed new material targeting primarily teachers in compulsory and secondary schools to increase awareness of how images and symbols can entrench racist ideas.

<sup>103</sup> In 2019, BRÅ published an in-depth study on antisemitic hate crime. The study showed that antisemitism can occur in all kinds of places and across broad sections of the population. However, the perpetrators are more often men and relatively young. The perpetrators come from different backgrounds, and far from all of them belong to an organised group.

<sup>104</sup> In January 2020, the United Nations Convention on the Rights of the Child was incorporated into Swedish law.

<sup>105</sup> See the [report by the Ombudsman for Children](#) published in March 2023 (in Swedish). In 2022, the Ombudsman interviewed 44 children belonging to the Jewish, Roma, Sámi, Tornedalian and Sweden Finnish national minorities about their exposure to racism and experiences of influence in the implementation of minority policy.

democracy, fundamental freedoms and human rights.<sup>106</sup> A SPA national contact point counteracts these threats and hate crime groups in Stockholm, West and South metropolitan areas. In other regions, there are designated investigators. In addition to investigating suspected crimes, these resources are dedicated to work with victim support, internal training, collaboration and other security and trust-building measures. For instance, the SPA has offered e-learning courses for staff, on the themes of ethics, culture, and equal treatment, during the last two years. The SPA also developed digital support and teaching and learning materials on human rights, democracy and hate crimes for secondary schools and developed educational material containing basic information about democracy, the police and the laws and regulations governing Swedish classes for immigrants.

134. In all local public prosecution offices, there are one or more prosecutors specifically designated for combating hate crimes called “hate crime prosecutors”. Every year, they are invited to a hate crime conference organised by the Prosecution Development Centre to boost their skills and support uniformity in the prosecutors’ application of the law. In addition, the Prosecution Development Centre has published a policy document for guidance (on hate crime and on agitation against an ethnic or national group on social media) and four documents describing varieties of methodological support.<sup>107</sup> Hate crime prosecutors receive training on special measures that are to be taken in investigations of crimes involving hate crime motives.

135. In the field of media, the Swedish Broadcasting Commission (SBC) is responsible for monitoring the proper execution of the licensing system which, for the three public service broadcasters,<sup>108</sup> includes the obligation to report on Sweden’s ethnic and cultural diversity. The SBC investigates cases mainly based on complaints.<sup>109</sup> During the monitoring period, there were some complaints from the SBC regarding programmes in minority languages and also complaints regarding other programmes where national minorities are mentioned, or issues that might be particularly relevant for national minorities. According to the Swedish Press and Broadcasting Authority, the vast majority of decisions did not identify any breach of the rules, hence no sanctions were imposed. The Advisory Committee was informed of two cases where the SBC did find that a broadcast was in breach of the requirement of accuracy and obliged to publicly announce the SBC decision, the most recent case relating to a wrong information given by a host during a TV news show concerning a Romani *kris* in Gothenburg which further contributed to fuelling anti-Roma statements and hostility in the country (see below).<sup>110</sup>

136. Representatives of the Jewish minority expressed deep concerns as regards a noticeable

<sup>106</sup> The Swedish Police Authority works with other governmental agencies, such as the Living History Forum, the Swedish Crime Victim Authority, the Swedish Association of Local Authorities and Regions, the Stockholm County Administrative Board and the Swedish Agency for Support to Faith Communities in its efforts to combat hate crime. At regional and local level, the Swedish Police Authority also co-operates with groups most exposed to hate crime.

<sup>107</sup> These documents are available to hate crime prosecutors on the Swedish Prosecution Authority’s webpage.

<sup>108</sup> *Sverigeradio* (SR), Swedish Television (SVT) and the Swedish Educational Broadcasting Company (UR).

<sup>109</sup> Two different kinds of sanctions may become relevant in case of a violation of content regulation monitored by the SBC. Either a special fee or an imposition to publicly announce the decision made by the SBC. A special fee can be imposed if the broadcaster has violated one of the more “financial” rules in the Radio and Television Act, for example regarding undue prominence, sponsorship, or commercials. The fee shall be no less than SEK 5 000 and no more than SEK 5 million and is paid to the state. The process is such that the SBC must make an application to the Administrative Court in Stockholm and the court decides if a fee should be imposed. In the event of a violation of the requirement of impartiality – and several other provisions – the SBC may instead decide that the broadcaster must publicly announce the SBC’s decision. There is no financial penalty for such violations.

<sup>110</sup> In the first case, the broadcaster was the Sápmi newsroom at Sveriges Radio and the case concerned the clear-up rate for the offence of poaching of reindeer in the Idre police district. The second case concerned the statement of the host of an SVT news morning show about a murder (matricide) within a Roma family. The SBC found that the host’s statement that there had been a Romani *kris* (a “customary law trial” in certain traditional Roma communities) regarding the victim, gave, in the light of host’s account, the impression that that this *kris* had decided that the person in question should be murdered. However, SVT clarified in its statement to SBC that no *kris* took place in connection with the case in question, but that a *kris* had previously been held on an adultery-related matter.

increase in antisemitism in society, which should not only be judged by the number of major incidents.<sup>111</sup> They reported a lack of systematic condemnation and reaction by the police and public authorities and highlighted that incidents are consequently not always documented or reported. They also indicated that hate speech on social media seriously increased during the Covid-19 pandemic and does so on every occasion when tensions exacerbate between the Palestinian community and Israel. Jewish minority representatives referred to examples where blatant antisemitic acts have gone unrecognised whether such acts are perpetrated by extremists or incidents in the school environment termed as “pranks”. Lack of knowledge about the Jewish minority and insufficient implementation of guidelines for recording antisemitic incidents are core challenges. Jewish minority representatives took positive note of the announcement by the current government that the fight against antisemitism was a high priority, also in terms of state budget support. However, they consider that measures are predominantly focusing on antisemitism emanating from the immigrant population; less so on the existing mainstream antisemitism found in every segment of the Swedish society. Therefore, they call for a more holistic perspective on antisemitism. One of their main concerns, particularly echoed by the Gothenburg Jewish community, is the general lack of financial support from the state and municipalities to cover security costs for their schools, elderly care establishments and religious premises. They often rely on external donors to cover or complement such costs but due to an increase of antisemitic incidents, the danger increases, and current resources are not sufficient. Following a firebomb against the Synagogue in Gothenburg in 2018 and anti-Jewish protests, Jewish minority representatives reported spending significant proportions of their own budgets on security measures around synagogues and other Jewish premises. Although municipal police occasionally ensure security, they indicated that the local police were not necessarily available anytime they call the municipality to obtain such services.

137. Representatives of the Sámi are deeply worried about the growing number of anti-Sámi incidents, resulting notably in the torture and killing of reindeers,

property damage but also hostile attitudes and statements.<sup>112</sup> Anti-Sámi incidents have notably increased since the Girjas case Supreme Court judgment.

138. Roma representatives also expressed concerns about growing antigypsyism, notably on social media and in public discourse in some municipalities. The recent escalation of anti-Roma statements around a crime (matricide) perpetrated by young Roma in Gothenburg is one of the latest manifestations. The information that has been circulated in the media and by Gothenburg local politicians that a Romani *kris* (a Roma customary law trial that still exists in certain Roma traditional communities) was held in that particular case which created a media storm (this has been, however, denied by the SBC investigation). This led Gothenburg local politicians to declare not only a ban on this Romani *kris*, but also their intention to dismantle the Romano Centro in the West (RCV), a local Roma civil society organisation operating under the supervision of the city for Roma inclusion projects. Furthermore, some local politicians expressed the view that the City Council for the Roma national minority should follow the policy line of the City Council.<sup>113</sup> In addition, the Advisory Committee heard deep concerns from representatives of the Roma minority regarding persisting anti-Roma prejudices within the Swedish police, referring to the case of a Roma man and a Roma woman who reportedly – in the absence of ethnicity-based data – were the only two police officers from that national minority in the entire country. According to the Advisory Committee’s interlocutors, both suffered negative attitudes from fellow police staff when they disclosed their Roma ethnicity and Romani traditions.<sup>114</sup>

139. The Advisory Committee emphasises that “measures need to be introduced to ensure that police officers from a minority background are accepted and treated equally inside the police organisation, which should provide a neutral working environment, and have equal opportunities for progression in their careers. When promoting ethnic representativeness in the police, it is not sufficient to focus on recruitment alone. Experience shows that unless minorities feel believe they are treated equally and with respect inside the organisation and have the

<sup>111</sup> Such as a [fire attack on a synagogue in Norrköping](#) in December 2022. Jewish premises are also regularly attacked by members of the Nordic Resistance Movement political party (NMR), a neo-Nazi movement.

<sup>112</sup> See a [link](#) from the Swedish Radio where the assisting chief of police from the North part of Sweden says that hate crimes against Sámi have increased.

<sup>113</sup> See [SVT online news](#) published online on 16 March 2023 (in Swedish). See also DIKKO Magasin. [Roma politicians are interviewed about the Roma crisis - Magasin DIKKO](#), 9 September 2022. Romano Centro in the West staff have been reproached by Gothenburg politicians of not having firmly taken a stand and condemned the *kris* as an institution, whilst local authorities describe it as an unacceptable patriarchal parallel justice system.

<sup>114</sup> The case relates to a Roma policeman from the Stockholm Police Department who had refused to wear a used bullet-proof vest on the ground that his tradition does not allow him to wear clothes already used by others. His request to obtain a new vest was refused to him. Following this, he was allegedly side-lined by his colleagues and hierarchy. He launched complaints, internally and then to the Equality Ombudsperson, but was allegedly even more harassed. He has been on sick leave for about a year. The Roma woman, who was allegedly also side-lined when disclosing her ethnicity, left the Stockholm Police Department.

same opportunities to progress in their careers, they are likely to leave their employment in the police. This tendency may occur especially in the early stages of minority recruitment, when numbers are still small and minority officers may feel personally isolated from other members of their communities. Women police from ethnic backgrounds may also face similar pressures, given that they are a 'double minority' in terms of both their gender and ethnicity. For these reasons it is important to ensure that there is a neutral working environment, i.e. one in which police from minority backgrounds are fully accepted as equals and individuals, and are not subject to any disadvantage or negative stereotyping on account of their ethnic identity. [...] At the same time, it is important that effective internal complaints mechanisms are in place, so that police officers who experience discrimination do not have to endure such behaviour in silence. Managers need to encourage minorities to make complaints when they experience discrimination or other forms of ethnically motivated behaviour, so that they are aware of such problems and can deal with them directly."<sup>115</sup>

140. The Advisory Committee acknowledges the authorities' efforts to address hate crime in a more comprehensive manner and notes that reporting of hate crimes has slightly increased. However, it also notes that there is significant under-reporting based on anecdotal evidence. Reporting and data collection are dependent not only on victims reporting but also on police authorities and the judiciary being capable to identify and correctly record racially based incidents. Data on sentenced hate crimes recorded by the judiciary is unfortunately lacking.<sup>116</sup> Furthermore, the Advisory Committee notes with great concerns persistent and even increasing antisemitic, antigypsyist and anti-Sámi incidents in society. It also expresses concerns about the fact that growing tensions in relation to the use of land in northern Sweden has escalated over recent years between persons belonging to the Sámi indigenous people on the one hand, and persons belonging to other national minorities and the majority population, on the other hand. It regrets that a combination of several elements, including the lack of understanding of indigenous rights, the exclusion of other groups from consultation processes on matters that also affect them, and passivity on the part of authorities at all levels, has created such resentment and conflictual situations.

141. The Advisory Committee expresses its concerns regarding the general lack of data concerning persons belonging to national minorities working in the police. The Advisory Committee takes note of the argument provided by the authorities that recruitment based on ethnicity is not possible in Sweden. However, it considers that positive measures could nevertheless be introduced, such as promoting and valuing minority language and cultural competences

in recruitment procedures. Furthermore, despite various training measures promoting human rights and the fight against racism, the Advisory Committee observes that such training does not yet necessarily result in more immediate reactions and condemnations by the police or public authorities, or to an increase of trust in these institutions by persons belonging to national minorities. More awareness-raising and training efforts are needed, involving also persons belonging to national minorities. Their contribution could stimulate an exchange of views on elements of culture and traditions that are not well known by the general public and can be sometimes misinterpreted or generalised. The Advisory Committee is also of the view that minority traditions, whilst being legitimate subjects of discussion, should not be used by authorities or the media to fuel hostility, nor should they lead to measures taken by local politicians affecting persons belonging to that minority who are not directly concerned.

142. The Advisory Committee urges the authorities to step up their efforts to prevent and combat racism, hate crimes and hate speech, including on social media, in particular against the Jewish, Roma and Sámi minorities. To this end, the authorities should take appropriate measures targeting the entire population, such as awareness-raising and information campaigns, and evaluate them in close consultation with minority representatives. They should also record, investigate and sanction all cases of such offences and collect disaggregated data.

143. The Advisory Committee asks the authorities to refrain from negatively portraying persons belonging to the Roma national minority. The authorities should, instead, engage in a dialogue with Roma minority organisations and Roma mediators when the authorities believe that certain elements of their traditions raise concerns.

144. The Advisory Committee asks the authorities at state and municipal levels to ensure security around synagogues and other Jewish premises and increase the funds to this effect.

145. The Advisory Committee strongly encourages the authorities to introduce positive measures, such as promoting and valuing minority language competences and knowledge of minority cultures and identities in recruitment procedures in the police so as to increase the number of persons belonging to national minorities.

#### **Access to and presence of national minorities in the public media, printed media and digital media (Article 9)**

146. In December 2019, after consultations involving national minorities, the government decided on new broadcasting licences for the period 2020–2025 for the three public service broadcasters: the Swedish Radio (SR), the Swedish Television (SVT) and the

<sup>115</sup> See OSCE High Commissioner on National Minorities, of [Recommendations on Policing in Multi-Ethnic Societies](#) (February 2006), Recommendation no. 7, and explanatory notes, p. 17.

<sup>116</sup> See also key observations of the [OSCE ODIHR hate crime reporting webpage on Sweden](#).

Swedish Educational Broadcasting Company (UR). The broadcasters' original broadcasts and original publications of programmes in each of the minority languages have been increasing during the 2020–2025 licence period compared with the levels in 2019. Thus, instead of focusing on the increase of the total volume of programming, the focus is now on the quality of the programming, and on availability of new programming – original broadcasts or original publications.<sup>117</sup> For Yiddish, which was broadcast only for a very limited amount of hours, a significant increase of programming is expected. Furthermore, unlike in previous broadcasting licences, the current ones require that a regular dialogue is maintained with target groups, at least once each year.

147. The broadcasters produce annual reports on the scope of their radio and TV programming, including programming in the minority languages, in so-called public service reports.<sup>118</sup> In March 2021, the broadcasters submitted their first reports for 2020 under their new broadcasting licences.<sup>119</sup> In aggregate, the broadcasters' programming in the minority languages slightly increased from 11 276 hours in 2019 to 11 387 hours in 2020. In addition, all three broadcasters also offer programming in the minority languages online via their Play services. The total broadcasting time on SVT in 2020 was 21 946 hours, of which 774 hours were broadcast in one of the minority languages of Sámi, Finnish, Meänkieli, Romani and Yiddish.<sup>120</sup>

148. UR produces and broadcasts educational programmes in the languages of the five national minorities, including in the different varieties of Sámi and Romani. Altogether, UR produces in 40 different languages, in sign language, and in the basic Swedish language for newly arrived migrants. UR's total broadcasting time on radio and TV in 2020 was 4 085 hours, of which 108 hours were broadcast in one of the five minority languages.<sup>121</sup>

149. SR's total broadcasting time in its terrestrial network in 2020 was 122 426 hours, of which 10 505 hours were broadcast in one of the five minority languages.<sup>122</sup> SR *Sameradion* broadcasts programmes in Sámi in all programme categories and for all age groups. This department investigates and covers the Sámi minority and follows developments in other indigenous communities in the world. *Sveriges Radio Finska* also has a broad range of

programming for Sweden Finnish listeners.<sup>123</sup> *Meänraatio* is SR's department for Meänkieli and produces programmes for adults and children, as well as young people. *Radio Romano* produces and broadcasts programmes in Romani on the channels P2 and P6 Stockholm, as well as on SR's digital platforms. The programming targets adults, children and young people. *Jiddisch far alle* (Yiddish for all) is broadcast regularly on P1 and consists of short programmes in Yiddish and Swedish about how the language is developing in Sweden and the world today. The bilingual initiative *Randiga sagor* [Stripey Tales] for the youngest target group included readings in Yiddish mixed with Swedish.

150. Terrestrial radio and television broadcasting are still of great importance to many, but it is internet-based platforms that are growing. Minority language programming is available on many different platforms in order to reach as many users as possible. The broadcasters must strive to find a balance between terrestrial programming and programming on their own internet-based platforms. An analysis of how minority language programming can best reach its audience ought to be an important element in the broadcasters' dialogue with the national minorities concerned. On 18 March 2021, the government appointed a commission of inquiry to propose how content conditions on public service on the internet might be set. On 6 July 2023, the government decided on content conditions for public service on the internet comprising certain basic requirements such as impartiality and objectivity. A recently appointed parliamentary public service committee shall propose the remit for public service for the next licensing period. The committee is tasked to make proposals on how the requirements on minority languages could be strengthened in order to achieve high quality of such content.

151. As regards printed media, in its 2017 Bill "Journalism throughout the country", the government proposed combining an extension of the existing press subsidy to newspapers and a new technology-neutral media subsidy that could be provided to news media regardless of the content form or the manner in which it is distributed. This means that the technology-neutral media subsidy can be given to news media with text, image, sound or moving image content, and subsidies can be given to newspapers, web-based media, radio or television. The media

<sup>117</sup> This new approach does not mean that the total programming in the minority languages can be reduced. The annual total programming in each language for the 2020–2025 licence period is to remain at least at the same level as in 2019. Original broadcasts or original publications may consist of new productions, new purchases of programmes or adaptations of programmes in a new language. Unlike in the past, the requirement to increase programming does not apply per year but rather to the license period as a whole in relation to the 2019 level.

<sup>118</sup> For details about the programmes broadcast by SVT in minority languages, see the [fifth state report](#), pp. 32-33.

<sup>119</sup> For a comparison with previous statistics, see the [fifth state report](#), p. 31.

<sup>120</sup> Of these, 467 hours were broadcast in Finnish, 161 in Sámi, 61 in Meänkieli, 80 in Romani and 5 in Yiddish.

<sup>121</sup> Of these, 21 hours were broadcast in Sámi, 43 in Finnish, 19 in Meänkieli, 20 in Romani and 5 in Yiddish.

<sup>122</sup> Of these, 1 432 hours were broadcast in Sámi, 7 495 in Finnish, 1 123 in Meänkieli, 446 in Romani, 9 in Yiddish.

<sup>123</sup> In 2020, Sisoradio changed its name to Sveriges Radio Finska (Swedish Radio Finnish) as part of the development of its programming for a target group consisting of first, second and third generation Finns in Sweden.

subsidy came into force on 1 February 2019.<sup>124</sup> In order to make it easier for media targeting the national minorities to fulfil the requirements for the new media subsidy, there is some alleviation of the criteria.<sup>125</sup> This means that media that targets national minorities need to have at least 750 regular users (rather than 1 500) and be published or broadcast at least 10 times per year (instead of 45 times). A newspaper in Finnish and a newspaper that writes partly in Finnish and Meänkieli have received media subsidies. The innovation and development grant replaces the development grant for printed public newspapers introduced in 2016 and, as before, it can cover a larger share of the costs (75% instead of 40%) if it is of particular relevance to national minorities.

152. In 2020, special crisis grants targeted the media sector in response to the spread of the Covid-19 pandemic. This included aid for the publication of printed newspapers and special funds for newsroom grants with temporary rules during 2020. These efforts aimed to ensure the public's access to information and to mitigate the negative financial consequences for the news media resulting from the Covid-19 pandemic. The same easing of the criteria for media targeting national minorities that receive the media subsidy was applied. The same newspapers in minority languages that have received press subsidies and media subsidies have thus also benefited from these subsidies.

153. As concerns media in Sámi, the Advisory Committee observes that the situation is particularly difficult for the Southern and Lule Sámi languages. It also heard criticism from Meänkieli-speakers that broadcasting in Meänkieli was very limited and only available in Norrbotten and Stockholm, although speakers live all over Sweden and that few programmes for children and young people are available in Meänkieli. Representatives of Sweden Finns consider that their minority, including in its diversity, is not sufficiently visible on public media, whilst Jewish minority representatives regret that media coverage is often limited to the Holocaust or antisemitic incidents, rather than to their culture and traditions.

154. The Advisory Committee reiterates the importance of a common and pluralist media space that is shared among all communities to promote a sense of inclusion in which minority voices are heard.<sup>126</sup> In this context, it notes with interest the broad range of radio and TV programmes in minority languages produced by UR. The Advisory Committee also takes positive note of innovative approaches taken by broadcasters to reach out to persons

belonging to national minorities through social media. While acknowledging that at least 95% of the population uses the internet regularly, the Advisory Committee nevertheless considers that radio and regular TV broadcasting must not be neglected in order to ensure the widest possible access to media in minority languages. Whilst commending public broadcasters (SR, SVT and UR) for their efforts in reaching qualitative and quantitative objectives, the Advisory Committee considers that more frequent dialogue with representatives of national minorities (once a year not being sufficient), involving also minority broadcasters to such meetings, would help to assess the effectiveness of actions, receive more regular feedback on the proposed programmes and also be an opportunity for collecting ideas on TV and radio programming and reflections on the development of future guidelines for the next broadcasting licensing period. The Advisory Committee also welcomes the introduction of lower requirements for printed media that target national minorities, and the distribution of additional subsidies during the Covid-19 pandemic.

155. The Advisory Committee encourages the authorities to continue their commendable investment in the promotion of minority languages through public and digital media. The authorities should ensure the effective consultation of persons belonging to national minorities in the development of future guidelines for the next broadcasting licensing period, as well as on public service content on the internet.

#### **Use of minority languages in relations with public authorities and in elderly care (Article 10)**

156. The amended Minorities Act resulted in a tightening of the obligations to provide information on the rights of persons belonging to national minorities both within and outside the administrative areas. The right to communicate in a minority language with an administrative authority whose area of activities coincides wholly or partly with the administrative area of the minority language remains in place. In addition, the unconditional right to communicate in writing in a minority language with certain authorities has been extended to the Employment Service in cases where the individual is a party or a representative of a party. The Isf continued providing recommendations and support on terminological matters so as to make it easier for governmental agency staff to use minority languages within the public sector and ensure that minority language technical terminology follows developments in Swedish society. The Isf develops and publishes bilingual glossaries in various areas.<sup>127</sup>

<sup>124</sup> The media subsidy consists of three different forms of support: innovation and development grants, grants for local journalism in areas with poor coverage, and editorial aid (introduced in 2020).

<sup>125</sup> As it was proposed following the November 2016 inquiry "Media policy for the future – the media inquiry" presented its final report entitled "A cross-border media policy – For information, engagement and responsibility".

<sup>126</sup> See the [Advisory Committee's Thematic Commentary No. 3](#), paras. 40-41.

<sup>127</sup> For instance, the Isf has produced three Covid-19 related bilingual glossaries (Swedish-Finnish, Swedish-Yiddish and Swedish-Romani) and a bilingual Swedish-Finnish glossary of social care terms. Bilingual glossaries on school terms, social

No changes have been reported as regards the right to use minority languages in the judicial system.<sup>128</sup>

157. The amended Minorities Act explicitly refers to the right of the elderly to maintain their cultural identity.<sup>129</sup> Information about the option of services and care in a minority language is to be provided when someone applies for assistance by elderly care. The obligation to provide the whole or a significant part of elderly care in minority languages applies to all municipalities in administrative areas for Finnish, Meänkieli and Sámi but also to other municipalities and to all minority languages if the municipality has access to staff who can speak the minority language.

158. During 2020, the National Board of Health and Welfare conducted eight consultations with representatives of the minorities in the administrative areas. As a result, linguistic competences and cultural skills of staff and treatment of patients/clients will be monitored, and representatives of the minorities will be involved in the whole process from formulating the questions to the analysis of the results and proposals for action where applicable.<sup>130</sup>

159. In the context of the Government's Strategy for Roma Inclusion 2012–2032, the National Board of Health and Welfare has produced a report, which *inter alia* covered elderly care.<sup>131</sup> Conclusions drawn include the need to increase elderly care for persons belonging to the Roma minority since the number of Roma requesting elderly care is expected to increase in the future due to the fact that many younger Roma are in the workforce today and the life expectancy of the Roma population increases.

160. Generally speaking, representatives of national minorities regretted the lack of staff speaking a minority language in public authorities and in elderly care establishments, which limits the implementation of the Minorities Act in practice. Representatives of the Jewish minority regretted in particular that the revised Minorities Act has not yet had the desired impact as they have seen several cases where elderly Jews have been refused a transfer to a Jewish old age home. Representatives of Sweden Finns, Roma and Sámi reported restrictions in the use of their minority language at work or in healthcare services and that their children have been forbidden to speak their minority language during school breaks (such cases having been also reported by the Swedish Ombudsman for Children).<sup>132</sup>

161. The Advisory Committee welcomes that the unconditional right to communicate in writing in a minority language with certain authorities has been

extended to the Employment Service. It also takes note that responsible authorities made information related the Covid-19 pandemic available in minority languages and that more and more municipalities, regions, governmental agencies and county administrative boards provide information about minority linguistic rights, including the right to obtain elderly care in minority languages which all too often is not implemented. Indeed, as regards the new provisions concerning minority languages in elderly care, the Advisory Committee points out that that the wording "whole or a significant part of" that has been chosen for the provision of minority language in elderly care establishments remains unclear for representatives of national minorities and subject to many interpretations by municipalities. Furthermore, the introduction of the clause "if the municipality has access to staff" considerably limits practical implementation of the revised Minorities Act. In order to remedy the shortage of professionals fluent in a minority language, positive measures could be considered such as rewarding minority language competences in recruitment procedures, identifying such competences among the existing local staff and offering training to those with a limited knowledge of minority languages.

162. The Advisory Committee asks the authorities to ensure that local authorities take resolute measures to allow elderly persons belonging to national minorities to receive care in their minority language, including by ensuring the presence of staff with adequate minority language competences in elderly care establishments.

163. The Advisory Committee invites the authorities to conduct a needs assessment on the use of minority languages in relation to public authorities and to ensure the right to speak one's own language both in private and public.

### Personal names (Article 11)

164. According to the authorities, there are no rules in Swedish law that prevent individuals from using or adopting family names or surnames in minority languages. On the contrary, the authorities view personal names as an important and natural element of society, something that gives an individual an identity and an opportunity to show that they belong to family and kin.<sup>133</sup>

165. On 1 July 2017, a new Personal Names Act entered into force. The new Act implies *inter alia* that all surnames are to be acquired through application to the Swedish Tax Agency that makes

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services terms, and social care terms have produced in several Romani variants and a Yiddish-Swedish-Yiddish glossary published in 2020. A Swedish-Finnish church glossary is under preparation.

<sup>128</sup> See previous state reports available [online](#) and Sections 13-16 of the [Minorities Act](#).

<sup>129</sup> In the past, the right to elderly care in a minority language applied to the whole or *parts of* the activities, which was potentially a limiting factor on people wanting to get this kind of care. The now Act refers to "*significant parts*".

<sup>130</sup> See the [fifth state report](#), p. 37.

<sup>131</sup> The report is based on interviews with persons belonging to the Roma minority in five of the ten municipalities that have received governmental grants, and a questionnaire addressed to social services in all ten municipalities.

<sup>132</sup> See the [report by the Ombudsman for Children](#) published in March 2023 (in Swedish).

<sup>133</sup> See the [fifth state report](#), p. 38.



determinations on names, and that automatic acquisition of a surname through birth and adoption is abolished. There should also be many potential surnames to acquire; for example, the most common surnames in Sweden are free for anyone to choose. It is also possible to adopt a double-barrelled surname. The new law makes it easier for an individual to change their name and it is possible to change name more than once.

166. The Isf helps strengthen the possibility of adopting personal names originating from minority languages, but also personal names originating from other cultures that have become part of Swedish society as a result of immigration. The Isf also acts as a governmental advisory body to the Swedish Tax Agency in matters that have linguistic and name studies perspectives. However, the authorities admit that work still remains to be done to integrate a minority and revitalisation perspective into the examination of applications for a change of personal names. They consider it important that persons belonging to national minorities should have the right to reclaim their names in order to strengthen their minority identities. The Isf started work to strengthen and integrate the minority perspective into the way in which names are given in Sweden.

167. Despite the above, representatives of the Forest Finns, stated that, considering practical requirements, it is difficult for them to reclaim their ancestral family names which they lost after past assimilation policies when their ancestors were given Swedish names in church books and in schools. This may have occurred further back in time than the 'great-great grand-parent'. It may also be difficult to find a proof which dates back sufficiently to allow the Forest Finns to take their ancestors' family names. This is one of their priorities. Difficulties in reclaiming the names of their ancestors are encountered also among the Sámi.<sup>134</sup> The Advisory Committee was also informed that there is also a growing interest among young persons belonging to the Sweden Finnish minority to return to their parents' Finnish surnames.<sup>135</sup>

168. The Advisory Committee considers that clarification is needed as regards the right to use or reclaim one's personal name in a minority language, a core linguistic right that is closely linked to personal identity and dignity,<sup>136</sup> and, more precisely, the right

to reclaim it after several generations and have it officially recognised. Taking note that the authorities are open to working with the minorities' concerned to resolve these issues, the Advisory Committee expects the competent authorities to help Forest Finns and other national minorities to reclaim their ancestral names.

169. The Advisory Committee encourages the authorities to raise awareness among national minority organisations and minority representatives as regards the current legislation and practice governing the right to use one's personal name in a minority language. The authorities should address and remedy any obstacles that prevent persons belonging to national minorities to reclaim their ancestral family names and provide assistance in this process.

### Topographical signs and indications in minority languages (Article 11)

170. The authorities view it important to make place names with clear connections to national minority identity visible as such visibility reinforces the intangible cultural heritage and has a direct impact on private individuals.<sup>137</sup> It is the responsibility of the Isf to highlight place names in minority languages through its extensive advisory and referral body in this matter for central governmental agencies, municipalities and private individuals. It does so in particular for place names in the Sámi and Meänkieli languages. Through research, the Isf also helps acquire and disseminate knowledge about individual place names and orthographies.

171. During this monitoring cycle, the Swedish Mapping, Cadastral and Land Registration Authority (*Lantmäteriet*)<sup>138</sup> has completed a recoding project. In January 2021, there were 34 974 names coded as either Finnish, Meänkieli, North Sámi, Lule Sámi, Ume Sámi or South Sámi. *Lantmäteriet* has also created a new map database of place names, which includes place names in minority languages in multilingual geographical areas. As part of a larger inventory of place signs, *Lantmäteriet* has collaborated with the Swedish Transport Administration and made recommendations concerning names in minority languages on road signs in the counties of Norrbotten and Västerbotten. Requests for place names in the different minority

<sup>134</sup> See Supreme Court Decision of 22 of June 2022 in case 5554-21 concerning a Sámi woman whose father was adopted and thus renamed with a Swedish surname. When she applied to reclaim her father's Sámi surname by birth, she was refused by the tax authorities, a decision that was upheld by appeal courts.

<sup>135</sup> Many second-generation Sweden Finns changed their surnames into Swedish as a result of marrying a person of a different ethnic affiliation. See an [article](#) by the Finnish public broadcaster YLE from 26 March 2017.

<sup>136</sup> See the [Advisory Committee's Thematic Commentary No. 3](#), para. 61-62.

<sup>137</sup> See the [fifth state report](#), p. 38.

<sup>138</sup> *Lantmäteriet* functions as a referral body for questions related to road signs, whilst the Swedish Transport Administration is the responsible authority. The Isf is an advisory body to *Lantmäteriet* in these matters. The Place-Name Advisory Board is an advisory body within *Lantmäteriet*. The Board also includes representatives of the Isf, the National Heritage Board, the Sámi Parliament, the Confederation of local history associations, the Swedish Association of Local Authorities and Regions, the Swedish Transport Administration, and the higher education institutions. Its main task is to facilitate good place names practice being applied throughout Sweden. For more details, see the [fifth state report](#), p. 39.

languages on maps are regularly received by *Lantmäteriet*. These requests can come from private individuals who have surveyed their local area, or be channelled via the Sámi Parliament, representatives of reindeer herding communities and Tornedalian/Kven/Lantalais minority organisations. Currently, about 200 names within the Meänkieli language area are being examined at the Isolf.

172. The Advisory Committee noted that several municipalities reported the increasing display of minority languages on public buildings and topographical signs, though minority representatives considered that more could be done. The Advisory Committee observed during its country visit that the display of street names in minority languages was almost non-existent.

173. The Advisory Committee emphasises the important role that the use of minority languages on place names and topographical signs can have for the development of a sense of inclusion amongst the population, and to demonstrate that the diverse character of a specific region, traditionally and at present, is acknowledged and valued. It reiterates that minority rights are only effective if they can be enjoyed in the public sphere and that bilingualism - or trilingualism - in signposts conveys the message that a given territory is shared by various communities.<sup>139</sup>

174. The Advisory Committee, whilst expressing its overall satisfaction concerning the display of topographical indications at the entrance of villages or cities, considers that more efforts are needed as regards street signs and signs on public buildings, in areas traditionally inhabited by substantial numbers of persons belonging to a national minority. It also emphasises that the display of topographical signs in minority languages should not be made to the detriment of other local communities who have been traditionally residing in the same areas.<sup>140</sup> The Advisory Commission is of the view that plurilingual signage should always be promoted to reflect local linguistic diversity.

175. The Advisory Committee encourages the authorities to pursue their efforts to display multilingual topographical indications, including also in minority languages, and to strengthen such efforts as regards street signs and signs on public buildings, in areas traditionally inhabited by substantial numbers of persons belonging to national minorities.

### Equal access to education, including during the Covid-19 pandemic (Article 12)

176. The Swedish School Inspectorate has been commissioned by the government to take measures to ensure that all children and pupils have equal access to education and to quality activities in a safe environment, as well as to follow-up, analyse and report on its inspection of education providers and educational establishments.

177. The level of school absenteeism and school dropouts between primary and secondary education remain an issue of concern. According to a 2019 survey by the European Union Agency for Fundamental Rights (FRA), 90% of Roma children aged 4-6 participate in preschool education and 99% attend primary education. One of the reasons why these pupils drop out of school before the age of 15 is because they experience offensive threatening comments, such as insults or calling them names because of their Roma affiliation.<sup>141</sup> Furthermore, the Swedish School Inspectorate has sometimes identified shortcomings in education provided to Roma.<sup>142</sup>

178. As part of the Government's Strategy for Roma Inclusion 2012–2032, the Swedish National Agency for Education produced a training programme for mediators with Romani language and cultural competences to serve as a link between individuals and public services for the period 2016–2020. Interlocutors highlighted the important role of these mediators in the high level of attendance of Roma children in preschool and an increased number completing compulsory school and upper secondary school.<sup>143</sup> They emphasised the need to increase the total number of mediators.

179. Sámi children's education has also been strengthened due to the longstanding efforts of the government which increased the administrative appropriation to the Sámi Education Board, reaching SEK 58 million for 2021, with a greater focus on the production of teaching and learning materials in Sámi languages.

180. The Advisory Committee was informed that the Covid-19 pandemic had a certain negative effect on minority children's and youth's access to education, notably for persons belonging to the Sweden Finnish and Meänkieli-speaking minorities living at the border with Finland. Allegedly due to the fact of different

<sup>139</sup> See the [Advisory Committee's Thematic Commentary No. 3](#), para. 67.

<sup>140</sup> Interlocutors from the Härjedalen province complained to the Advisory Committee that topographical signs which used to exist in their dialect, Härjedalska, have progressively been replaced by signs in Swedish and now in Sámi. They consider it as a danger for the preservation of their linguistic and cultural heritage and an attempt to make them disappear from Sweden's topography.

<sup>141</sup> European Union Agency for Fundamental Rights, [Roma and Travellers in six countries](#) (2020), p. 2. The key results of this FRA survey conducted in 2019 concerning specifically Roma and Travellers in Sweden include information that "every second (51%) parent of a Roma and Traveller child of compulsory school age in Sweden report their child experiencing offensive threatening comments, such as insults or calling them names because of their Roma or Travellers background. This is the highest among all surveyed groups. One in five Roma parents of school children experienced discrimination in the past year when in contact with school authorities."

<sup>142</sup> In 2018, the City of Stockholm decided to close down the "Roma Culture Class" at the Hammarbyskolan primary school; the Swedish School Inspectorate had revealed, in August 2016, substantial shortcomings in the teaching.

<sup>143</sup> Information from the SNAE's report from 1 March 2021.

policy measures taken by Finland and Sweden during the pandemic, some children residing in Finland but who were studying on the Swedish side of the border, stopped coming to Sweden to attend classes. Despite the end of anti-Covid-19 measures, a number of them did not return, thus lowering the number of children attending those schools with teaching in Finnish and Meänkieli and creating uncertainty for the future of those schools. Furthermore, owing to the socio-economic situation of certain Roma families, distance learning during the pandemic had been more difficult because some families lacked the necessary hardware – laptops or computers, and cameras.

181. The Umeå municipality indicated struggling with minority school attendance of Sámi children due to the semi-nomadic way of life of these families who spend the winter season in one location and the summer season in another due to reindeer herding activities. It creates interruptions in school attendance and difficulties to follow the educational path of these children. Some schools have also threatened Sámi parents to call social services for potential placement of these children in foster care, should their children be absent from school. Sámi families justified this absenteeism by the will to involve children in certain traditional activities requiring children being away from school during several days.

182. Based on data collected through international surveys, the Advisory Committee remains concerned about difficulties encountered by some minority children in equal access to education. It also regrets that no domestic reliable quantitative and qualitative data on the situation of Roma children in education is available to help to assess this situation.

183. The Advisory Committee strongly encourages the authorities to look into any potential inequalities in access to education and educational outcomes for children belonging to the Sámi, the Roma and other national minorities, in close co-operation with persons belonging to the national minorities concerned. The authorities should also analyse the impact of border closures during the Covid-19 pandemic on access to education in minority languages and address any negative effects of those measures on schools.

### **Intercultural education and educational materials (Article 12)**

184. A complaint commonly shared by all minority interlocutors relates to the lack of knowledge of society in general, and among school professionals and children in particular, about national minorities, their cultures, traditions, and historical presence in Sweden. They pointed out that this lack of knowledge also results in many minority policy measures or initiatives not being sufficiently tailored to their specific minority needs, resulting in little impact in terms of results and sometimes ineffective use of public money. Representatives of the Jewish minority and the Sweden Finnish minority, also complained

about a lack of pedagogical materials in Finnish, Yiddish and Hebrew (see Articles 17 and 18).

185. A new curriculum introduced in July 2022 requires that all students ages 7-15 should learn about the history and present-day situation of Sámi as an indigenous people and of other national minorities and their rights. However, interlocutors indicated that this is not likely to produce the desired results since teachers are not systematically prepared to teach about national minorities.

186. The Advisory Committee points out that States Parties to the Framework Convention are expected to review, in close consultation with minority representatives, the curricula and educational materials in subjects such as history, religion and literature regularly so as to ensure that the diversity of cultures and identities is adequately reflected, and that respect and intercultural communication are promoted among all children.<sup>144</sup>

187. Whilst welcoming the new 2022 curriculum that aims at providing children with the possibility to learn more about the history and present situation of the Sámi people and other national minorities, the Advisory Committee regrets that this measure has not been systematically accompanied by teacher education and teacher training to this effect. It is of the view of the Advisory Committee that the higher education institutions and the Swedish National Agency for Education need to ensure that relevant teacher education and teacher training are in place in order to make the measure effective in practice.

188. The Advisory Committee calls on the authorities to ensure that teaching according to the new school curricula is made possible through education materials adequately reflecting the ethnic and linguistic diversity of Swedish society, including relevant and up-to-date information about the past and present situation of national minorities. The authorities should ensure that teachers in all schools are adequately trained in the fields of intercultural education to accommodate diversity in the classroom and have sufficient knowledge about national minorities to be able to teach about national minority cultures, traditions and histories.

### **“Independent schools” and bilingual schools (Article 13)**

189. Since 1992, Sweden has a system of publicly funded private schools free of tuition fees (*friskola*). These so-called “independent schools” attract approximately 14% of all compulsory school pupils and 26% of upper secondary students. Bilingual education is almost exclusively ensured by “independent schools”. The number of Swedish-Finnish bilingual schools has considerably decreased (from more than 10 in the 1990s to five at present, four of which are located in the Greater Stockholm area).

<sup>144</sup> See the [Advisory Committee's Thematic Commentary No. 3](#), para. 34. See also OSCE High Commissioner on National Minorities, [The Ljubljana Guidelines on Integration of Diverse Societies](#) (2012), p. 56.

190. While efforts have reportedly been made to avoid the closure of minority language schools, in particular when they constitute the only option for studying in minority languages within a certain locality, the lack of legal certainty regarding the continuity of those schools has parked significant concerns amongst parents.

191. The Advisory Committee observes with concern that a number of independent bilingual Swedish-Finnish schools have been closed in recent years, which led to several litigations from the side of persons belonging to the Sweden Finnish minority. While it is not for the Advisory Committee to assess the justification of the individual decisions which led to school closures, it notes the vulnerability of the situation of bilingual education if such education relies almost exclusively on independent schools run mainly by parent associations or foundations. The Advisory Committee also regrets that bilingual education is not proposed in regular public schools, at least in administrative areas for Finnish, Meänkieli and Sámi minority languages (see Article 14).

192. The Advisory Committee reiterates its call on the authorities at all levels to provide all necessary support to “independent schools” catering for national minority children. At the same time, the authorities should ensure that availability of bilingual education shall not rely on independent schools only and should consider providing bilingual education in regular public schools in administrative areas if there is such a request.

### Teaching in and of minority languages (Article 14)

193. An important part of the recent reform of the Minorities Act was to strengthen preschool education in minority languages. The previous wording stipulating that “the whole or parts of the activities” should be in minority languages has been changed to “the whole or a significant part of the activities” and incorporated into the Education Act. In addition, an obligation was introduced for municipalities in the administrative areas to ask all parents/guardians whether they would like a place in such a preschool. Furthermore, in 2020, the Swedish National Agency for Education (SNAE) had the preschool curriculum translated into Finnish, Meänkieli, as well as North, South and Lule Sámi languages.

194. In compulsory school and equivalent types of schools, as well as secondary school and upper secondary school for pupils with special educational needs, tuition in minority languages is provided as part of the “mother tongue” subject. This often happens outside of regular school hours. In compulsory education (grades 1-9), children who belong to a national minority have the right to “mother tongue” tuition even if the language is not the

student’s language of daily social interaction at home. The education provider is obliged to arrange “mother tongue” tuition in the minority languages even if only one pupil attending the education provider’s school applies for tuition in that language. However, the requirement that a suitable teacher must be available also applies to minority languages.<sup>145</sup> It is also possible to study minority languages in the language choices offered within compulsory school hours to ensure that teaching in minority languages takes place within the timetable of compulsory school.

195. Upper secondary school students (grades 10-12) who belong to one of the national minorities are entitled to tuition in their “mother tongue” even if the language is not the language of the pupils’ daily social interactions at home. Until recently, the student needed to have a good knowledge of the language. On 15 June 2023, in its Bill entitled ‘Extended right for students in upper secondary school and adapted upper secondary school to study national minority languages’ presented to the Swedish Parliament, the government has proposed to remove the requirement of prior knowledge for studying minority languages in upper secondary school. Students can also study a minority language – Finnish, Sámi, Yiddish, Meänkieli or Romani – as part of the “modern languages” subject at upper secondary school or upper secondary school for individuals with learning disabilities. Studies are adjusted to student’s existing skills.

196. Special syllabi have been developed for Sámi, Finnish, Yiddish, Meänkieli and Romani. The syllabi for compulsory school have recently been revised. For upper secondary schools and upper secondary schools for pupils with special educational needs, teaching in minority languages is still guided by the subject syllabi “mother tongue” and “modern languages”. At present, the SNAE is working on a major revision of the subject syllabi for upper secondary schools, upper secondary schools for pupils with special educational needs and municipal adult education.

197. For the school year 2019/2020, only 443 pupils/students participated in “mother tongue” tuition in Sámi (59% of those entitled to such tuition), 4 833 in Finnish (52%), 740 in Romani (29%), 169 in Meänkieli (42%), and six in Yiddish (50%).<sup>146</sup> The number of students who have completed their studies in upper secondary schools with a grade in at least one course in a minority language in their secondary school diploma or certificate was very low in 2020 compared with 2014, with some improvement for Sámi and especially Romani (tripled); the figures for

<sup>145</sup> The limitation whereby a pupil can only receive “mother tongue” tuition for a maximum of seven school years if the pupil is receiving it outside the guaranteed classroom hours is not applicable to tuition in minority languages.

<sup>146</sup> See the first table in the [fifth state report](#), p. 46.

Meänkieli remained stable and there was a decrease for Finnish.<sup>147</sup>

198. To further facilitate pupils/students studying their minority languages, the option of remote teaching in “mother tongue” and “modern languages” has been extended.<sup>148</sup> This has increased opportunities for access to remote teaching in these subjects, even if the school or education provider does not have a registered or qualified teacher or where the number of pupils is insufficient. Outsource remote teaching occurs in some minority languages, notably in Sámi languages.

199. To increase access to tuition in minority languages in all schools, the government appointed in December 2016 a special rapporteur to propose measures and launch an “Inquiry into improving opportunities for pupils to develop their minority language”. Following this inquiry, the report “National minority languages in schools – better conditions for tuition and revitalisation” was published in November 2017. It proposed that a new subject “mother tongue” with a guaranteed number of teaching hours (960 hours) should be introduced into compulsory schools and equivalent types of schools. Furthermore, in its appropriations directions for 2021, the government tasked the SNAE to submit proposals on how national co-ordination of tuition in minority languages in the school system could be arranged so as to strengthen tuition in these languages. Based on the five minority languages and the conditions that apply to the different types of schools, the SNAE was tasked to analyse access to teaching and learning materials in the minority languages.<sup>149</sup>

200. The state authorities – but also municipal authorities met by the Advisory Committee - acknowledge that a long-term approach to strengthen the languages of Sweden’s national minorities is needed. They highlighted major differences between each of the languages, for example in terms of the number of speakers, which also affect the availability of teachers and the prospects of providing textbooks and other educational materials. The recruitment base for studies in some of the minority languages at higher education level is therefore also limited, which has resulted in some of the study programmes having no applicants. The national regulations providing for

education in minority languages are too often not ensured in practice.

201. This observation was also confirmed by the Swedish School Inspectorate who supervised between autumn 2019 and January 2020 how education providers for compulsory school grades 7–9 offer and organise tuition in the minority languages. Results showed that 22 out of 25 education providers fell short in their offer of “mother tongue” tuition in minority languages. One of the identified reasons was that pupils and parents/guardians received incorrect information about their right to participate in minority language tuition. The Advisory Committee was informed that the Swedish School Inspectorate followed this up and the education providers corrected their information during the time that the supervision was in progress or shortly after it was completed in January 2020.<sup>150</sup>

202. Sámi, Sweden Finnish, Roma and Tornedalian/Kven/Lantalais minority representatives all describe shortcomings in “mother tongue” education in schools, for example due to limited resources and difficulties in recruiting qualified teachers. They also complained that the number of teaching hours provided for minority languages is largely insufficient and generally provided outside the compulsory school hours. Some of them highlighted that remote education is not appropriate for the teaching of minority languages, especially for the beginners. Representatives of Sweden Finns are overall critical of the lack of implementation of recommendations contained in the inquiry report “National minority languages in schools – better conditions for tuition and revitalisation”, notably the fact that Finnish is presently taught 40-60 minutes a week,<sup>151</sup> which is far from the three to five hours a week they have been asking for (this corresponds to the total of 960 hours per school year recommended in the inquiry report). They emphasised that the report called in particular for a coherent and long-term plan for the teaching of minority languages, a continuous chain of educational opportunities in and for minority languages, from preschool to higher education, and a strategic action plan for teacher training. Minority representatives also emphasised that a shortcoming in the implementation of Chapter 9, para. 10 of the Education Act is the fact that the right of tuition in or of a minority language is not ensured for 6-year-old

<sup>147</sup> See the second table in the [fifth state report](#), p. 46.

<sup>148</sup> Remote teaching - introduced into the Education Act as of 1 July 2015 - means interactive teaching using information and communication technologies where pupils and teachers are separated in space but not in time. As of the 1 January 2021, this option has been extended in the Education Act to remote teaching and distance education in all subjects except the practical and artistic subjects.

<sup>149</sup> When performing this analysis, the SNAE shall seek the views of the Swedish Council for Higher Education, the higher education institutions commissioned to offer courses and teacher training in the minority languages, the Swedish National Council of Adult Education, the Isof, the Sámi Education Board, as well as the views of interested parties and of representatives of the national minorities (see the [fifth state report](#), p. 10).

<sup>150</sup> See the [fifth state report](#), p. 9.

<sup>151</sup> Normally the subject is taught 40-60 minutes per week in primary school. In Sámi schools, however, the national requirement is a minimum of 800 hours for grades 1-6, equally divided between the grades 1-3 and 4-6, which would be 120 minutes per week on average (see additional written information sent by the authorities, p. 15).

pupils attending preparatory (zero) classes for primary education.

203. In the autumn term of 2021, the lesson "student's choice" in Kiruna was removed from the schedule for grades 6-9, which meant that the language centres lost many pupils learning their minority languages, because they did not want to read outside school hours. In the autumn term of 2024, the subject of "student's choice" will be removed for all grades.

204. Whilst welcoming a favourable legislative framework and the government's willingness to promote and increase the teaching in and of minority languages, including in preschool, the Advisory Committee regrets that, in practice, the situation has not improved much. The education system still provides far too few opportunities for persons belonging to national minorities to learn their languages at a satisfactory level and recommendations contained in the 2017 inquiry report (such as a minimum of 960 hours of minority language tuition in compulsory schools) remain largely unimplemented. It observes that some municipalities are confronted with the difficult challenge to recruit teachers speaking minority languages, concerning one or more minority languages,<sup>152</sup> at all levels of education. Further measures are needed to ensure that sufficient and good quality tuition in minority languages can be provided in practice for all parents/guardians who make such a request, and preferably during compulsory school hours. A careful evaluation of the effect of remote education for minority languages is also needed.

205. The Advisory Committee calls on the authorities to consider including in compulsory education "mother tongue" classes in regular schooling hours, and not as extra-curricular activities as is too often the case. The authorities should also increase the number of teaching hours in minority languages.

206. The Advisory Committee encourages the authorities to further develop digital aspects of education to complement the traditional way of teaching, in accordance with the needs and requests of persons belonging to national minorities and to regularly evaluate the effectiveness of digital pedagogical tools.

#### **Minority language teachers, teacher training and teachers' certification (Article 14)**

207. There is a general shortage of teachers in Sweden, a lack of teachers who can teach minority

languages, and a low number of pupils who study minority languages and students graduating to become minority language teachers. This will likely exacerbate the problem in the future and poses a major obstacle for education providers of teaching in minority languages, whether in regular classrooms or remotely. Teachers qualified to teach in minority languages do not generally work full-time.<sup>153</sup> Hebrew is also taught in Jewish schools but there is a shortage of qualified teachers in both Hebrew and Yiddish. As for Romani, there are so few teachers and so many students that it is impossible to meet the demand.

208. The same observation applies for Sámi. To improve the conditions for continuing professional development initiatives in Sámi and thereby increase the number of qualified teachers who speak Sámi, the SNAE was commissioned in 2018 to start contract education. The government also commissioned the SNAE to organise teacher training in Sámi for teachers who are registered but do not have qualifications in Sámi, as well as for persons who speak and write Sámi but who do not have teacher education. In order to increase the supply of qualified teachers in Sámi, the SNAE has been offering since autumn 2018 a study programme consisting of four 7.5 credit courses for teachers in Sámi that will continue to run until further notice.<sup>154</sup> The study programme which started in the autumn 2021 targeted practising teachers, employed by an education provider and who teach one of the following subjects: Sámi in Sámi School, Sámi as "mother tongue", or Sámi as a modern language. The study programme does not require any prior knowledge of any of the Sámi languages.

209. In 2021, the government took up the issue of the supply of minority language teachers further. In a Memorandum entitled "Increased quality in teacher training and more teachers in schools", it proposed that the Degree of Master of Arts in Primary Education – Pre-School and School Years 1–3, and the Degree of Master of Arts in Primary Education – School Years 4–6, can include the subject "mother tongue", including minority languages. Furthermore, the Memorandum proposed the introduction of a provision for postgraduate certification to teach in the subject "mother tongue", including the minority languages, to apply to those with a Degree of Master of Arts/Science in Secondary Education, as well as to those with a Degree of Master of Arts in Primary Education. Teacher certification under the new provision could be given to those who have completed their degree with additional subject area

<sup>152</sup> In the Umeå municipality for instance, there is no shortage of Finnish speaking preschool teachers. However, finding Sámi- and Meänkieli-speaking teachers is a challenge.

<sup>153</sup> As an example, for the school year 2019/2020, there were 62 qualified teachers in Sámi (61% working full-time in compulsory and secondary schools); 228 in Finnish (62%), 12 Meänkieli (42%), 39 in Romani (41%) and two in Yiddish (none of them working full time). See the table in the [fifth state report](#), p. 48.

<sup>154</sup> The number of participants is approximately 20 per instance of the programme. The total number of participants is equivalent to approximately two-thirds of the total number of "mother tongue" teachers in Sámi.

studies of at least 30 credits, or the equivalent, in language didactics specialising in teaching in the subject “mother tongue” (minority languages).

210. The Advisory Committee acknowledges that a number of particular problems may be encountered as regards opportunities for minority language learning, including the insufficient number of teaching hours of or in a minority language or the organisation of classes outside normal school hours, lack of teachers and teaching or learning materials. However, in order to develop minority language skills as an added value for their speakers, whether belonging to a minority or not, there must be continuity in access to teaching and learning of and in minority languages at all levels of the education system, from preschool to higher and adult education.<sup>155</sup>

211. Whilst recognising that progress on this matter can only be gradual, the Advisory Committee emphasises that the shortage of minority language teachers jeopardises the implementation of numerous – and welcome – minority policy measures and provisions of the Minorities Act. This poses also the challenge to ensure the survival of lesser spoken minority languages. The Advisory Committee is of the view that introducing positive measures and financial and other incentives is the only solution to speed up this process.

212. The Advisory Committee calls on the authorities to provide additional financial support for the recruitment and training of teachers speaking minority languages and make the profession of minority language teacher more sustainable and attractive career-wise.

### **Effective consultation and participation in public affairs and decision-making processes (Article 15)**

213. One of the three key priority areas of Sweden’s minority policy is “participation and influence”. According to the Minorities Act, national minorities are to be given the opportunity to influence matters affecting them. Furthermore, the public authorities and municipalities are obliged to consult “as far as possible” with national minorities on such matters. At the national level, the Government Offices holds annual consultations that include the responsible minister or state secretary. In addition, special consultations on defined issues are held when the need arises. As part of the National Strategy for Roma Inclusion, regular meetings with the Roma reference

group appointed by the government are held. Minorities in the municipalities in the administrative area for one or more of the Finnish, Meänkieli and Sámi languages are the most widely consulted. The authorities stated that the opportunities to exert influence at municipal and regional level are increasing, which is in part attributable to the recent amendments of the Minorities Act clarifying that “consultation means a structured dialogue with the minorities with the aim of being able to take their views and needs into account in decision-making”.<sup>156</sup> On the other hand, administrative courts have repealed decisions by local authorities in three cases where the courts have done so on the ground of not giving the Sweden Finnish minority a chance of real influence before decisions were taken.<sup>157</sup>

214. Under the new provisions of the Minerals Act, in cases concerning the granting of mining concessions, a specific environmental assessment must be carried out, information must be provided by companies, and the process must be co-ordinated with the Sámi people. This means that the operator must consult with the private individuals who are likely to be particularly affected by the activity, which includes the affected reindeer herding communities, concerning *inter alia* the location and anticipated environmental impacts of the mining operation.

215. Furthermore, a new Act on consultation on issues concerning the Sámi people (hereinafter “the Sámi Consultation Act”), entered into force on 1 March 2022.<sup>158</sup> The law implies that the government and the public authorities are now obliged to carry out a formalised consultation procedure with the Sámi Parliament before taking decisions on matters that can significantly affect the Sámi people. Representatives of the Sámi Parliament and Sámi organisations consider it an important step towards codifying indigenous people’s influence on matters of particular importance to them. However, they expressed regret that the law fails to mitigate the risk of cumulative effects and that there is no requirement of free prior and informed consent of the Sámi consultation on decisions about the use or exploitation of Sámi traditional lands. The law only stipulates that the negotiations should be held in good faith.<sup>159</sup> Sámi interlocutors also pointed out that state representatives are often not well versed on indigenous peoples’ rights nor see themselves as duty bearers. Also, the law does not address the power imbalance in consultation processes between extractive and forest industry and Sámi groups.

<sup>155</sup> See the [Advisory Committee’s Thematic Commentary No. 3](#), paras. 74-75.

<sup>156</sup> In addition, a new provision has been introduced which regulates the obligation of the public authorities to consult with children and young people on matters affecting them. The provision also provides that the arrangements for consultation with children and young people should be adapted to their circumstances (source: [fifth state report](#), p. 51).

<sup>157</sup> Decision No. 1707-20 by Malmö Administrative Court from 4 May 2021 concerning City of Malmö’s decision to cease Finnish “mother tongue” teaching in a preschool class for Sweden Finnish pupils; Decision No. 3936-21 by

<sup>158</sup> The [Act on consultation on issues concerning the Sámi people \(2022:66\)](#) will enter into force on 1 March 2024 regionally and locally. See also the [fifth state report](#), pp. 7-8.

<sup>159</sup> See § 11 of the [Sámi Consultation Act \(2022:66\)](#).

Furthermore, the procedure is unbalanced due to Sámi people's lack of financial and human resources, as well as legal knowledge and advocacy skills to respond to all the requests. They rely very much on a few lawyers and human rights organisations advocating for their rights in case they need to launch a litigation, but this costs a lot.<sup>160</sup>

216. The authorities reported that, in 2020, consultations were more difficult due to the Covid-19 pandemic. They acknowledged that moving to online consultations created a risk of exclusion of minority representatives from their right to exert an influence when they do not master, or do not have access to, online meeting tools. It was, however, assessed that online meetings enabled more people to participate as a result of fewer obstacles to participation in the form of travel and time consumed.<sup>161</sup>

217. The strengthening of the consultation obligation in the Minorities Act has led to a greater demand for consultation with national minority organisations. The latter can receive funding for their activities from the Stockholm County Administrative Board. In 2020, this funding amounted to SEK 6.5 million and was distributed among 18 national organisations representing Jews, Roma, Sweden Finns and Tornedalians.<sup>162</sup> According to information submitted by the authorities, the funding to national minority organisations distributed by the Stockholm County Administrative board amounted to SEK 13 million in 2022. Furthermore, many of the national minority young people's organisations receive grants from the Swedish Agency for Youth and Civil Society. In 2020, additional funding has been paid out to these young people's organisations because of the Covid-19 pandemic. The Stockholm County Administrative Board and the Sámi Parliament have also developed a toolbox of materials, good examples and tips for consultation with national minorities and also with children and young people.<sup>163</sup>

218. During this monitoring cycle, the government continued its efforts to strengthen Sámi's influence and participation. The Government Offices held numerous consultations within Sámi representatives, such as on the inquiry into the Reindeer Husbandry Act (see Article 5). The exclusive consultation with the Sámi people on this Act was, however, detrimental to inter-ethnic relations. In particular with the Tornedalian/Kven/Lantalais minority

representatives expressed their deep concerns regarding their exclusion from such a consultation process or committees. They highlighted that the Meänkieli-speaking minority was not even mentioned in the investigation directives – prepared in close dialogue with both the Sámi Parliament and Sámi civil society representatives – despite the direct impact this investigation has on their minority, and the related parts of this legislation have with the culture, history and traditions of the Meänkieli-speaking minority. They perceive the initial decision of the authorities not to be invited to participate in the specialist group of the Committee on Reindeer Lands as another provocation (see Article 5). Since the visit by the Advisory Committee, this request has been met by the government's decision of 23 March 2023 to grant the possibility for a Tornedalian/Kven/Lantalais minority organisation to send an expert to the specialist group of the Committee on Reindeer Lands, but minority representatives remain concerned about future developments as they will be in a numerically minority position during forthcoming discussions.

219. Consultation and consensus-seeking culture are deeply enshrined in Sweden and in governmental approaches, which explain numerous inquiries on topical issues, new policies and proposed legislative amendments. However, all national minority representatives regarded the consultation mechanism as ineffective, either because national minority representatives and organisations are consulted at a very last stage,<sup>164</sup> once the decisions seem to have already been taken, which they described as a "tick the box" type of consultation, or because they are not consulted at all on matters of importance to them or are consulted on matters that are not necessarily relevant for their minority.

220. Sámi representatives also complained about not being properly and timely consulted in relation to mining, forestry and windmill projects, or when they are consulted at a later stage of the process to give their preference between different options, that their preferred option is systematically not the one chosen by the authorities.<sup>165</sup> In the case of the railway-route between Umeå and Luleå (the "Norrbottenbanan" project - see Article 4), they consider that the Swedish Transport Administration failed in its obligation to effectively consult with the affected Sámi communities. The Östra Kikkejaur Sámi Community had only been given the opportunity to express their

<sup>160</sup> A similar complaint regarding litigation costs was also heard from representatives of the Sweden Finns in relation to their litigation for keeping bilingual schools open based on paragraph 5 of the Minorities Act.

<sup>161</sup> See the [fifth state report](#), p. 4.

<sup>162</sup> In 2018, the government announced that a similar governmental grant was to be introduced for national organisations representing the Sámi indigenous people.

<sup>163</sup> The toolbox consists of links, documents and films and is intended to serve as support for municipalities and regions in the implementation of Sweden's minority policy. The material is available [online](#).

<sup>164</sup> As an example, in June 2019, the Commission against antigypsyism made a proposal to set up a national centre for Roma issues. During the consultation process, all Roma civil society organisations and representatives rejected it. The government has therefore decided not to proceed further.

<sup>165</sup> Representatives of Forest Finns also reported a lack of consultation with their community regarding the construction of windmills on their settlements in northern Sweden.



preference regarding which “corridor” the railway was to pass through. However, in the end, the Swedish Transport Administration chose the “corridor” with the worst effect on Östra Kikkejaur Sámi Community and which they are now combat via judicial litigation.<sup>166</sup> Another example relates to the Gällivare Forest Sámi Community in Hällberget, where Vasa Vind, owned by APG, plans to establish an industrial park with wind power, roads and power lines on this calving ground that the Sámi have used for centuries. The land is owned by the state-owned forestry company Sveaskog, therefore this company is obliged to consult with the affected reindeer herding communities in accordance with the Forest Stewardship Council (FSC) international certification system.<sup>167</sup> As a state-owned company Sveaskog has also an obligation to act according to United Nations Guiding Principles on Business and Human Rights. Those principles refer to the protection of the rights of indigenous peoples. Despite this, Sveaskog did not consult the local Sámi community before signing an agreement with Vasa Vind, allowing the latter to use the Hällberget land areas, revealing shortcomings in the implementation of the provisions of the amended Minerals Act.<sup>168</sup>

221. Another common criticism heard from national minority representatives is the fact that existing diversity within and among national minorities is not sufficiently taken into consideration (see Article 3). For instance, Sweden Finnish minority representatives met by the Advisory Committee during its visit indicated that they may have different views than those expressed by minority representatives consulted by the authorities. This explains why certain requests are never voiced, such as Sweden Finns’ request for a Truth and Reconciliation Commission or Forest Finns’ wish to be recognised as a distinct national minority (see Articles 6 and 3, respectively).

222. Representatives of the Jewish minority indicated that they are consulted regularly at all levels (local, regional and national), but complained about the growing number of consultations. They pointed out their lack of human and other capacity to respond to all requests. As a result, they need to prioritise consultations that are most relevant to their minority and where the agenda is constructive with clear plans for follow-up. With more coordinated efforts, especially at the municipal and regional levels, they feel they could participate much more. Furthermore, due to its geographical split and limited human

resources, it is particularly challenging for the Jewish minority to be able to participate at national level.

223. Roma civil society organisations referred to shortcomings of the Government’s Long-Term Strategy for Roma Inclusion 2012–2032 notably the lack of representation in ministries and governmental agencies, as well as in political parties, and a lack of involvement in the implementation and monitoring process of the Strategy. They also called for the designation of a national focal point on Roma inclusion and for better representation in ministries and governmental agencies (see Article 4).

224. The Advisory Committee reiterates that it is not sufficient for States Parties to the Framework Convention to formally provide for participation of persons belonging to national minorities. They should also ensure that their participation has a substantial influence on decision-making, and that there is a genuine commitment and a shared responsibility to carry out the decisions taken. It is also important to ensure that the outcome of the consultations adequately reflects the actual needs of national minorities. The Advisory Committee also emphasises that it may be a challenge for representatives of national minorities to participate effectively in decision-making. It implies the allocation of time and resources, not only to participate, but also to try to reflect accurately the variety of views among persons belonging to their national minority. Consequently, national minorities require both capacity building and resources to ensure that their representatives can contribute effectively.<sup>169</sup>

225. The Advisory Committee welcomes the fact that the government has pursued its efforts to strengthen the status, influence and participation of the Sámi both as an indigenous people and as a national minority. It is, however, deeply concerned by the regular failure of the authorities and relevant governmental agencies to properly and timely consult persons belonging to the Sámi people (and other national minorities impacted) in relation to mining, forestry and windmill projects. It also considers that the wording “as far as possible” contained in the Minorities Act remains unclear for representatives of national minorities and subject to many interpretations by municipalities. It is the understanding of the Advisory Committee that § 1 of

<sup>166</sup> Written submission by Amnesty Sápmi, 6 February 2023, p. 2. See also [information](#) Amnesty Sápmi published on its internet page on 14 August 2022 (in Swedish).

<sup>167</sup> The FSC’s standards for forest management in Sweden includes rules concerning the rights of indigenous peoples which are designed to improve the conditions for co-existence between forestry and reindeer husbandry. They are based on a co-planning process, thereby strengthening the influence and conditions of Sámi reindeer herding. The co-planning process is based on the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the principle of Free, Prior and Informed Consent (FPIC).

<sup>168</sup> Written submission by Amnesty Sápmi, 6 February 2023, pp. 3-5.

<sup>169</sup> See the [Advisory Committee’s Thematic Commentary No. 2](#), The effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, adopted on 27 February 2008, paras. 19, 21 and 71.

the Sámi Consultation Act<sup>170</sup> means that § 5 of the Minorities Act should also be applied when consultations are being conducted.

226. The Advisory Committee deeply regrets the growing tensions between the Sámi people and other parts of society, in particular persons belonging to the Tornedalian/Kven/Lantalais minority, notably over the revision of the Reindeer Husbandry Act resulting from a lack of an inclusive and transparent consultation approach by the authorities. It finds it all the more regretful considering that both minorities share common goals, i.e. to protect the environment and the lands they need to exercise their traditional occupations. However, the Advisory Committee is satisfied with the decision of the Ministry of Rural Affairs and Infrastructure to include, as of 23 March 2023, representatives of Tornedalians/Kvens/Lantalais in the 'group of specialists' set up in the framework of the inquiry into the Reindeer Husbandry Act. This answers an important and urgent demand expressed by numerous representatives of this minority during the monitoring visit.

227. The Advisory Committee urges the authorities at all levels to improve the effectiveness of consultation processes, making them timely, inclusive, and meaningful, and to ensure that persons belonging to the Sámi people and other national minorities are systematically consulted and able to participate effectively in decision-making processes on policy and legislative matters that are relevant for minority rights.

### **Effective participation in socio-economic life – access to healthcare, including mental healthcare and during the Covid-19 pandemic (Article 15)**

228. In the Swedish healthcare system, responsibility for healthcare is shared between the central government, which is responsible for overall healthcare policy supervision and for allocating certain financial contributions to local and regional authorities, and the regions and municipalities. Healthcare is regulated in the Health and Medical Services Act, but specific legislation also exists in several areas that govern these activities.<sup>171</sup>

229. A number of governmental agencies, primarily the National Board of Health and Welfare (NBHW) and the Public Health Agency of Sweden (PHAS), play an important role when it comes to public health and health care of persons belonging to the Sámi indigenous people and other national minorities. Internet pages of the PHAS are regularly updated with information in all the minority languages with multiple variants. During the pandemic, the PHAS

responded to many questions from persons belonging to national minorities about Covid-19-related recommendations and it translated information targeting health care staff into Finnish, Meänkieli and Sámi. The activities of the NBHW include the preparation of manuals, checklists, knowledge support and educational materials, primarily intended for elderly care and social services, but also for other social services such as social care for children and young people. Recently, the NBHW was tasked to strengthen its co-operation with the PHAS in order to gain access to its experience in monitoring the health situation of the national minorities. The aim is to investigate whether some of the methods discussed and used by the PHAS are applicable to monitoring the situation of persons belonging to national minorities in elderly care, health care and other social services. The NBHW has also been tasked to survey the potential needs to boost awareness of the importance of the Minorities Act within health care and social services, in particular in elderly care.

230. Both the NBHW and the PHAS have important roles in mental health and suicide prevention efforts, an issue covered by the Government's Strategy "Five focus areas five years beyond 2016".<sup>172</sup> The Sámi indigenous people and other national minorities are notably covered among the "vulnerable groups" target. In 2021, approximately SEK 1.7 billion were allocated to promote mental health and prevent mental ill-health and suicide through an agreement between the central government and the Swedish Association of Local Authorities and Regions (SALAR). The government has also increased funding for civil society organisations doing prevention against mental ill-health and suicide among the Sámi indigenous people and other national minorities. For 2021, approximately SEK 65 million will be allocated to these organisations. The government also granted funding, through the Sámi Health Network, to increase Sámi cultural skills in health care and develop working methods to better meet the needs of Sámi patients.

231. Furthermore, on 17 June 2020, the government commissioned the Public Health Agency to establish a mental health and suicide prevention function at the Agency which started operating on 1 January 2021 which role is to communicate knowledge about mental health and suicide to the public, and to particularly to individuals most at risk. On 30 July 2020, the government commissioned the Public Health Agency and the National Board of Health and Welfare, along with 25 other governmental agencies, including the Sámi Parliament, to submit input for a

<sup>170</sup> See § 1 of the [Sámi Consultation Act \(2022:66\)](#): "In order to promote the Sámi people's influence over their affairs, consultations shall be carried out in accordance with what is stated in this law. Provisions on the obligation to consult in other laws and regulations apply independently of this law. Such consultation procedures and other similar procedures shall be coordinated as far as possible with consultations under this Act."

<sup>171</sup> See the [fifth state report](#), p. 15.

<sup>172</sup> For more information, see the [fifth state report](#), p. 16.

new strategy in the area of mental health and suicide prevention. This requires regular consultation with representatives from the Sámi indigenous people and other national minorities.

232. Under the Government's Strategy for Roma Inclusion 2012–2032, which identifies health and social care as a special target area, a number of initiatives were taken to improve the health situation of the Roma. As an example, the government has commissioned the Stockholm County Administrative Board to implement training activities for Roma mediators in the field of health and instructed the NBHW to implement training activities targeting social services with a particular focus on the Roma.<sup>173</sup>

233. With some individual exceptions, notably as concerns access to mental health care for persons belonging to the Sámi people, overall, access to health care by persons belonging to national minorities is judged satisfactory. According to the Advisory Committee's interlocutors, persons belonging to national minorities have not been disproportionately affected by the Covid-19 pandemic, with some exceptions among the Roma minority.

234. Persons belonging to the Sámi people are particularly vulnerable to mental health issues, and experience higher suicide rates.<sup>174</sup> This is often explained by specific health problems related to a traditional way of life, as well as a consequence of psychological pressure from past and present policies which often forces them to either abandon their traditions or provoke mental reactions when they have no other choice but to work for mining companies to economically survive which they feel against their traditions. Sámi representatives indicated that many affected minority members wish to go to Norway to visit a specialist 'Sámi national competence service for mental health care and intoxication' (SANKS) located in Troms and Finnmark county. However, these representatives pointed out that applicable rules for Swedish Sámi to obtain health certificates to receive this specialist mental health support in SANKS varies between regions.<sup>175</sup> Sámi representatives felt that the path to go through adult psychiatry was too long and regretted the lack of harmonisation of referral procedures to receive help from SANKS.

235. The Advisory Committee takes positive note that Covid-19 pandemic information and related recommendations have been translated into all minority languages and also language variants. It is also pleased by the authorities' efforts to address mental ill-health and suicide among national minorities. Considering the nature and scale of this problem among the Sámi population, any guidelines from relevant authorities to harmonise and facilitate as much as possible the referral procedures for patients to receive support from SANKS would be welcome.

236. The Advisory Committee calls on the authorities to harmonise and facilitate the referral procedures for Sámi patients seeking specialist mental health care support from the Norway-based Sámi competence national service for mental health care and intoxication (SANKS).

### **Bilateral and multilateral co-operation (Articles 17 and 18)**

237. There is well-developed and well-functioning Nordic co-operation as regards Sámi policy between Norway, Finland and Sweden, involving their respective Sámi Parliaments and regular meetings between ministers responsible for Sámi issues and presidents of the Sámi Parliaments. This applies for instance in the context of discussions on the Nordic Sámi Convention<sup>176</sup> or in relation to the Nordic Government Officials Body for Sámi Affairs (NÅS).<sup>177</sup>

238. The establishment of a Nordic Sámi Language Institute (NSLI)<sup>178</sup> is a good example of this Nordic co-operation. This joint language co-operation body, created by the Sámi Parliaments in Sweden, Norway and Finland, is responsible for Sámi language cultivation and standardisation and operates under the Sámi Parliamentary Council (SPR). It is jointly managed and involves language workers in all three states. The work of the NSLI is based on the specific needs and challenges of each Sámi language group regarding standardisation and terminology. It also provides information through its communications function and gives advice and guidance to language users on language issues. This joint language co-operation is regarded by the NSLI of great importance for ensuring that individual Sámi languages do not develop in different directions in different states.

<sup>173</sup> For more information, see the [fifth state report](#), p. 17.

<sup>174</sup> See [study from 2016](#) (in Swedish) conducted by a Sámi psychologist showing that up to 53% respondents among Sámi women and reindeer herders reported having had suicidal thoughts. A more recent [study from 2021](#) conducted by Sweden's health authorities, covering 3,658 Sámi respondents aged 18–84, is less alarming: 73% of Sámi interviewed state that they have good general health; 87% have high mental well-being and 41% report having a long-term illness or disability.

<sup>175</sup> In Västerbotten region, the patient needs a referral from either primary care or psychiatry; in Jämtland-Härjedalen the patient can obtain a referral for care at SANKS or alternatively a therapist in Sweden receives supervision from SANKS or a therapist in Jämtland-Härjedalen region and a therapist at SANKS work together. In Dalarna region and Norrbotten region, the patient needs two documents from two different doctors (an ordinary doctor and a specialist), to get help from SANKS.

<sup>176</sup> See the text of the [draft Nordic Sámi Convention](#) aimed at strengthening the rights of the Sámi people to preserve and develop their language, culture, industries and community (available in Swedish).

<sup>177</sup> Founded in 2001, NÅS consists of officials from the three Nordic countries' government offices and the Sámi Parliament and meets at least once a year to deal with the development of Sámi language, culture and community life. However, in recent years, since negotiations on a Nordic Sámi Convention started, NÅS has lost significance.

<sup>178</sup> Referred to as Sámi Giellagáldu/Sáme Giellagáldo/Saemien Gielegaalitje in three of the Sámi languages.

239. The Nordic Council of Ministers' initiative "Small languages in the Nordic countries" (*Små språk i Norden*) aims at promoting and supporting the minority languages in the Nordic countries and sparking interest and increasing knowledge about how education and culture can strengthen the numerically smaller languages in that region. Work is also ongoing to follow up the Nordic Language Declaration, which includes goals for the Nordic Language Co-operation's promotion of minority languages.

240. The Advisory Committee welcomes the wealth of co-operation activities in the field of national minorities between Sweden and its neighbouring states at the level of national minority organisations, Sámi Parliaments and governmental institutions. It notes, in particular, the active role of the Sámi Parliament of Sweden in various fora, such as the Sámi Parliamentary Council, the United Nations Permanent Forum on Indigenous Peoples, and other fora involving Sámi representatives from Finland, Norway and the Russian Federation. Whilst noting the already existing co-operation between the Swedish, Finnish and Norwegian governments on educational materials for the Sámi, the Advisory Committee observes that such multilateral initiatives could be developed further, especially in the field of teacher training, given the shortage of minority language teachers in Sweden and the challenges this poses for the use and survival of numerically smaller minority languages. Also, bilateral co-operation between Sweden on the one hand and Finland and Israel on the other hand could be further promoted as regards pedagogical material in Finnish and in Hebrew.

241. In its previous Opinion, the Advisory Committee welcomed the agreement reached by Finland, Norway and Sweden on a draft Nordic Sámi Convention and noted that the Swedish Government had started analysing the possible consequences of ratification for its domestic law. The Advisory Committee was informed that, despite the prior approval of an initial text by all three Sámi Parliaments, the Sámi Parliamentary Council submitted a request for corrections to the final negotiated text, and that the revised text is now being considered within the respective Government Offices

of the Nordic countries and the Sámi Parliament of Sweden.<sup>179</sup>

242. The Advisory Committee also regrets that Sweden has still not ratified the ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. The Advisory Committee was informed that the government, as previously communicated to the United Nations Human Rights Council, was still working towards its ratification, but that, ultimately, it was a matter of a decision by the *Riksdag*. In this respect, the Advisory Committee highlights that the Sámi indigenous people in Sweden has been calling for a long time for the ratification of this Convention and that the authorities already indicated during the fourth monitoring cycle that they were working towards the ratification of this Convention. In this context, the Advisory Committee also reiterates its view that both protection schemes, the Framework Convention and ILO Convention No. 169, are not mutually exclusive and may provide parallel and complementary benefits to individuals affiliated with the Sámi.<sup>180</sup>

243. The Advisory Committee is of the view that trans-Nordic co-operation in the field of media and programmes for/on national minorities, in particular Sámi, Tornedalians/Kvens/Lantalaiset, Sweden Finns and Forest Finns would be worth exploring. Supporting itinerant exhibitions on Sámi and other minority cultures is another area where more could be done through inter-state co-operation.

244. The Advisory Committee calls on the authorities to continue to seek consensus on the ratification of the ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries so as to secure the rights of the Sámi as an indigenous people.

245. The Advisory Committee encourages the authorities to pursue their efforts to promote good relations within the Nordic region and support cross-border initiatives by national minorities, especially the Sámi, the Tornedalians/Kvens/Lantalaiset and the Sweden Finns, including Forest Finns.

246. The Advisory Committee invites the authorities to deepen and expand trans-Nordic co-operation in the fields of education, health, social care and media for the Sámi people and other national minorities.

<sup>179</sup> See the [fifth state report](#), p. 7.

<sup>180</sup> See the Advisory Committee's [Thematic Commentary No. 4](#), para. 48.

The Advisory Committee on the Framework Convention for the Protection of National Minorities is an independent body that assists the Committee of Ministers of the Council of Europe in evaluating the adequacy of the measures taken by the Parties to the Framework Convention to give effect to the principles set out therein.

The Framework Convention for the Protection of National Minorities, adopted by the Committee of Ministers of the Council of Europe on 10 November 1994 and entered into force on 1 February 1998, sets out principles to be respected as well as goals to be achieved by the states, in order to ensure the protection of national minorities. The text of the Framework Convention is available in English and French, as well as in Swedish, Finnish, Romani and Northern Sámi, among other languages.

This Opinion contains the evaluation of the Advisory Committee following its fifth country visit to Sweden.

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