

To the Advisory Committee of the Framework Convention

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To the Expert Committee of the European Charter

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Ministries of
Education and
Employment

Continued Lack of Initiatives in the Implementation of Minority Rights in Sweden

As representatives of national minorities and the indigenous people in Sweden we wish to inform the Committees of the continued negative development and lack of initiatives in Sweden. This development is contrary to what is needed to strengthen and secure the future of national minority languages in Sweden.

The 5th Cycle of Monitoring of the European Language Charter

Sweden submitted its fifth state report in October 2013. The Expert Committee conducted its on-the-spot visit in December 2013. A critical alternative report was submitted to Council of Europe by a number of NGOs in connection with the monitoring visit in December 2013. The report, “*Marginalized and Ignored – National Minority Children’s Struggle for Language Rights in Sweden 2013*”¹, focuses on the difficult educational situation of minority children in Sweden. In spite of continued criticism from minority and indigenous NGOs and numerous recommendations from Council of Europe², the Swedish Government has taken very few steps in order to improve the educational situation. The Government has dismissed the concerns and proposals of the national minorities and not followed through on proposals made by expert government agencies in the field.

¹ Link to the report: http://www.sverigefinne.nu/julkaisut/206507_SvK.pdf

² Recommendations from Council of Europe:

http://www.coe.int/t/dg4/education/minlang/Report/Recommendations/SwedenCMRec1_en.pdf,
<https://wcd.coe.int/ViewDoc.jsp?id=98247&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383>,
http://www.coe.int/t/dg4/education/minlang/Report/Recommendations/SwedenCMRec2_en.pdf,
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http://www.coe.int/t/dg4/education/minlang/Report/Recommendations/SwedenCMRec3_en.pdf,
http://www.coe.int/t/dg4/education/minlang/Report/Recommendations/SwedenCMRec4_en.pdf,
<https://wcd.coe.int/ViewDoc.jsp?id=2075435&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383>

The main implementation problems consist of weak or unclear legislation and the lack of structures within the educational system that can provide minority and indigenous children the support needed to reach higher proficiency and literacy in their minority language. *As a consequence, Sweden is not fulfilling the obligations under the Framework Convention nor the European Language Charter. These legal and structural problems can only be solved through initiatives by the Swedish Government.*

Additional Development in Sweden since the Monitoring Visit

As minority and indigenous representatives we would like to submit the following information regarding the most recent development.

1. Interpretation and Implementation of the Minority Act is still problematic

The annual follow-up report from the County Administrative Board and the Sami Parliament submitted to the Ministry of Employment in March 2014 confirms the previously known problems in implementation of the Minority Act in Sweden.³ The County Administrative Board concludes that there is need of additional training and awareness raising initiatives in minority rights in the municipalities. In spite of the efforts made, implementation is slow.

The municipalities **within the administrative areas** have difficulties providing services (and thus guaranteeing minority rights), such as pre-school and care of the elderly in minority languages. The implementation of the Minority Act is still in its initial stages in many municipalities, and many of them have also lost momentum in the implementation since last year, according to the County Administrative Board.

Outside the administrative areas, where municipalities are to guarantee a minimum level of minority rights, very little is happening. These municipalities are frequently not aware of any minority obligations. Only 46 of the 226 municipalities (20 per cent) outside the administrative areas even bothered to answer a survey made by the County Administrative Board on minority issues. Only 15 of the municipalities that answered (thus 6 per cent of all the municipalities outside the administrative areas) reported having initiatives for national minorities.

The County Administrative Board reiterates its conclusion from the previous annual reports that **the current Minority Act needs to be clarified**. The responsibilities of municipalities, county councils and government agencies need to be clarified in the Minority Act in order to improve the implementation. The well-known problems with the unclear legal meaning of pre-school and care of the elderly “partly” in the minority language (paragraphs 17 and 18 of the Minority Act) need to be resolved. A minimalistic interpretation of “partly” that is used by many municipalities is not in accordance with the obligations to provide a “substantial part” of pre-school in the minority language (see Article 8.a.ii of the European Charter on National and Minority Languages). When it comes to pre-school, such minimalistic interpretations are seriously hampering the development of children’s minority language.

In addition, legal regulations on supervision are needed – not just follow-up – in order to increase the effectiveness in implementation of minority rights. The County Administrative Board argues that

³ ”Nationella minoriteter – Rapport om tillämpningen av lagen om nationella minoriteter och minoritetsspråk 2013”, <http://www.lansstyrelsen.se/stockholm/SiteCollectionDocuments/Sv/manniska-och-samhalle/nationella-minoriteter/Årsrapport%202013.pdf>

specific government assignments and allocated funding are needed for government agencies to actually take appropriate action in the field of minority rights. The County Administrative Board also notes that there is a continued need for initiatives to fight discrimination, harassment and hate crimes directed towards the national minorities. Initiatives to improve the situation in pre-schools and schools should be a matter of priority. More initiatives are needed, according to the County Administrative Board, to increase the number of teachers in minority languages. The municipalities also need to develop effective models for consultation with national minorities.

When media asked the minister in charge of minority issues to comment on the recent critical report from the County Administrative Board the Minister of Integration Mr. Erik Ullenhag stated in March 2014 that he is not willing to change the regulations in the Minority Act yet, but would consider a tougher follow-up of the implementation.⁴ This is the same response previously given by him to media in March 2012 regarding the shortcomings in the Minority Act related to the wording “partly” in the minority language.⁵

We submit that there is a need to solve the legal problems, to clarify the regulations in the Minority Act and to seriously consider measures to improve the implementation in the municipalities. So far the Swedish Government has not been willing to do so, even though the problem has been known since at least 2012.

2. Initiatives in the Field of Education

The educational system’s ability to support the language development of minority children is the single most important problem to address when it comes to the survival of the minority languages in Sweden. The repeated criticism from national minorities and the recommendations from Council of Europe and the United Nations Special Rapporteur on Indigenous Issues⁶ show that the problems are legal and structural. Since the monitoring visit the following initiatives have been taken:

- The Swedish National Agency for Education is currently working on the assignment to train at least 12 teachers in minority languages.⁷ According to the agency, a number of teachers in Sami and Meänkieli will be trained through a fast track program. ***The minority and indigenous organizations welcome the initiative but note that the assignment will not solve the structural problem of teacher training and that it will have no consequences for the lack of teachers in Yiddish, Romani Chib or Finnish. It remains to be seen how many new teachers in Sami and Meänkieli this initiative will lead to. The minority organizations have been not been given an explanation by the Ministry of Education as to why the Government was unwilling to allocate the amount of resources that were considered to be a necessary minimum to develop teacher training in minority languages. Only a fourth of the needed resources were allocated, which could lead to continued quality problems.***

⁴ Swedish Radio Sisuradio reporting ”Vähemmistöpolitiikka polkee paikallaan”/”Minority Rights Policy at a Stand Still”, 18 March 2014, (in Finnish),

<http://sverigesradio.se/sida/artikel.aspx?programid=185&artikel=5812836>

⁵ Swedish Radio Sameradien, ”Minister medveten om otydlig minoritetslag”/”Minister Aware of Unclear Regulations in Minority Act” (in Swedish), 16 March 2012,

<http://sverigesradio.se/sida/artikel.aspx?programid=2327&artikel=5019230>

⁶ Report by the Special Rapporteur on the rights of indigenous peoples, James Anaya, The situation of the Sami people in the Sápmi region of Norway, Sweden and Finland, A/HRC/18/35/Add.2,

http://unsr.jamesanaya.org/docs/countries/2011-report-sapmi-a-hrc-18-35-add2_en.pdf

⁷ Government assignment, 15 Aug 2013,

http://www.skolverket.se/polopoly_fs/1.205156!/Menu/article/attachment/A2013_2958_Disk_minoritetsprak.pdf

- In March 2014 a government proposal on changing the regulations on mother tongue tuition in minority languages was submitted to Parliament. Decision on the proposal is expected on 4 June 2014.⁸ The proposal is to revoke the requirement of “basic knowledge in minority language” in order to be entitled to mother tongue tuition in primary and compulsory school. *The minority and indigenous organizations welcome the initiative but note that the requirement of “good knowledge” will still remain a requirement for upper secondary school. We fear that the changes in regulations will have limited impact. The shortage of teachers in minority languages still remains a serious problem in many municipalities. Even if the requirements are changed, the municipalities will not be able to find enough teachers to teach in minority languages. For instance, only half the pupils requesting mother tongue tuition in Sami received such tuition in 2011/2012, due to a lack of teachers.⁹ So the well-meant change may not improve the situation for that many potential pupils.*
- There is a shortage of certain types of teachers in Sweden, such as in mathematics and science. The current Government argues that different types of incentives should be used to increase the number of students in these teacher training programs where more students are needed. Thus the Government proposed in April 2014 that students that start teacher training in math, science and technology or who would like to become special aid teachers are to be given bonuses in connection with graduation with 50 000 or 75 000 SEK.¹⁰ The Government also notes in a press release that the number of students in teacher training programs for the Autumn of 2014 have now increased as a result of the graduation bonuses.¹¹ *As minority and indigenous organizations we are seriously concerned about the shortage of teachers in minority languages. We strongly urge the Government to propose incentives that would encourage students to become teachers in minority languages. The proposal made by the National Agency for Higher Education in 2011 suggesting incentives (reimbursement of student loans) for students willing to become minority language teachers was dismissed by the Government.*

The Minister of Education Mr. Jan Björklund stated in a radio interview on 9 April 2014 that the main problem with teacher training in minority languages is that too few students are interested in becoming teachers in minority languages.¹² He argued that reimbursement of student loans would not have been an efficient incentive and was thus rejected. He did not rule out the possibility that incentives such as graduation bonuses could be a possibility in the future in order to increase the interest for minority languages. But his main argument was that the reason that there is a shortage of teachers in minority language is that too few minority students are interested. He continued to argue that it is the responsibility of the minorities to encourage young people to become such teachers. *As minority and indigenous representatives we strongly reject the argument that the minorities are responsible for the availability of teachers in minority languages and to secure that enough young people choose such teacher training. This is the responsibility of the ratifying state. And incentives*

⁸ Government Proposal No 2013/14:148, ”Vissa skollagsfrågor”/”Certain Issues in the School Act”, http://www.riksdagen.se/sv/Dokument-Lagar/Forslag/Propositioner-och-skrivelser/Vissa-skollagsfragor_H103148/?text=true

⁹ see above ”Marginalized and Ignored – National Minority Children’s Struggle for Language Rights in Sweden 2013”, page 22

¹⁰ Information about the Spring Budget Proposal: <http://www.regeringen.se/sb/d/2548/a/238033>

¹¹ Press release, 22 April 2014, <http://www.regeringen.se/sb/d/18276/a/238967>

¹² Swedish Radio Sisoradio, 9 April 2014, <http://sverigesradio.se/sida/gruppsida.aspx?programid=185&grupp=10437&artikel=5833053>

to encourage potential students must come from the Government or the municipalities. It is a well-known fact that teacher training in these languages have been, and in some cases still is, non-existent. It is unacceptable that the minister in charge blames the minorities for the lack of teachers.

- The Government needs to promote the study of national minority languages in different ways. One way that minority and indigenous organizations have put forward in the past is to give pupils extra merit points for studies in minority languages when they apply to the university. Currently pupils can receive such extra merit points for so called modern languages, English and mathematics. *We note that the Government has recently changed the regulations so that studies in Swedish Sign Language will give pupils extra merit points.¹³ Considering the threatened situation of the national minority languages in Sweden, we strongly urge the Government to adopt this possibility for national minority languages as well, since it would strengthen the status of the minority languages and provide an incentive for pupils to study them.*

3. Situation of Children and Youth

A recent report from Church of Sweden, Uppsala University and a number of minority NGOs, called “*Ten Ways of Strengthening Children and Youth – a Minority and Indigenous Perspective*”, found that the perspective of children and youth should be emphasized stronger in Swedish minority rights policy.¹⁴ There is also a need to emphasize Article 30 of the UN Convention on the Right of the Child in Sweden and to report more on the situation of minority and indigenous children and youth in the monitoring of the convention.

Since minority and indigenous children and youth are key groups for revitalization efforts their needs should be especially considered. The report notes that the educational system does not provide sufficient support for children and youth to reach higher levels of proficiency and literacy in their minority language. Mother tongue tuition is so limited in time and scope that it will not provide sufficient support to develop the minority language to that level. Bilingual programs are so few in Sweden that only a small fraction of minority and indigenous pupils can use this possibility.

The report further notes that many minority and indigenous children face prejudice, harassment and negative treatment and many feel that they are being questioned for their minority/indigenous culture, traditions and language. There is a need to create “protected zones” and arenas where minority/indigenous children and youth are considered the norm and where they do not have to explain or defend themselves, and places where they are encouraged to use and develop their minority/indigenous language. There is also a need to strengthen the influence and participation of children and youth within the minority rights policy and in the municipalities. *As minority and indigenous organizations we urge policy makers to take the needs of minority and indigenous children and youth into consideration and to respect their minority and indigenous rights.*

¹³ <http://www.skolverket.se/skolformer/nyhetsarkiv/2014/svenskt-teckensprak-for-horande-ska-ge-meritpoang-1.215738>

¹⁴ ”Tio sätt att stärka barn och unga – ett minoritets- och urfolksperspektiv”, 2 April 2014, the report by Church of Sweden Hugo Valentin Centre/Uppsala University, The Sweden Finnish Delegation, National Association of Swedish Tornedalians and Swedish Finn Youth Organization, <http://www.sverigefinne.nu/julkaisut/tiosatt2014.pdf>

We also urge the monitoring bodies of the Council of Europe to carefully follow the current situation, so that Sweden's commitments under the Framework Convention and the European Language Charter will be fulfilled.

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