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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

Report of the Committee of Experts

Presented to the Committee of Ministers of the Council of Europe

in accordance with Article 16 of the Charter

Fourth Report

NORWAY

In accordance with Article 16 paragraph 3 of the Charter, the Committee of Experts of the European Charter for Regional or Minority Languages submits its fourth report on the application of the Charter in Norway to the Committee of Ministers of the Council of Europe. The report contains proposals for recommendations to be addressed by the Committee of Ministers to Norway. The Norwegian government has been given the opportunity to comment on the content, in accordance with Article 16 paragraph 3 of the Charter.

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making Recommendations for improving its legislation, policy and practices. The central element of this procedure is the Committee of Experts, set up under Article 17 of the Charter. Its principal purpose is to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, to examine the real situation of regional or minority languages in the State and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15.1, an outline for subsequent periodical reports that a Party is required to submit to the Secretary General. The report should be made public by the State. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee's first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned.

The Committee's role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee gathers information from the respective authorities and from independent sources within the State, with a view to obtaining a fair and just overview of the real language situation. After a preliminary examination of a periodical report, the Committee submits, if necessary, a number of questions to each Party concerned on matters it considers unclear or insufficiently developed in the report itself. This written procedure is usually followed up by an "on-the-spot visit" by a delegation of the Committee to the respective State. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages, and consults the authorities on matters that have been brought to its attention.

Having concluded this process, the Committee of Experts adopts its own report. This report is submitted to the Committee of Ministers, together with suggestions for recommendations that the latter may decide to address to the State Party.

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Chapter 1 - Background information

1.1 Ratification of the Charter by Norway

1. Norway signed the European Charter for Regional or Minority Languages (hereafter referred to as the Charter) on 5 November 1992 and deposited its instrument of ratification on 10 November 1993. The Charter entered into force in Norway on 1 March 1998. In accordance with Article 15, paragraph 1 of the Charter, the Norwegian authorities presented their fourth periodical report to the Secretary General of the Council of Europe on 1 July 2008. The instrument of ratification is set out in Appendix I of this report.

2. This fourth evaluation report is based on the information obtained by the Committee of Experts from the fourth periodical report of Norway, as well as through interviews held with representatives of the regional or minority languages in Norway and the Norwegian authorities during the "on-the-spot" visit, which took place from 3-6 February 2009. In accordance with Article 16 paragraph 2 of the Charter, the Committee of Experts also received written comments on the situation of the Kven language and the Lule Sámi and South Sámi languages.

3. The present report contains detailed observations which the Norwegian authorities are encouraged to take into account when developing their policy on regional or minority languages. On the basis of these detailed observations, the Committee of Experts has also established a list of general proposals for the preparation of a fourth set of recommendations to be addressed to Norway by the Committee of Ministers, as provided in Article 16, paragraph 4 of the Charter (see Chapter 4.2. of this report).

4. The present report was adopted by the Committee of Experts on 8 September 2009.

1.2 Presentation of the regional or minority language situation in Norway: up-date

5. The languages on the territory of Norway which are protected under the Charter are Sámi, Kven and the two non-territorial languages, Romani and Romanes. Sámi consists of four languages, namely North, South, Lule and Eastern Sámi (Skolt Sámi). The Committee of Experts refers to the relevant paragraphs of the first and second evaluation reports for the general presentation of the situation of these languages in Norway (ECRML (2001) 6 paragraphs 7-17 and ECRML (2003) 2 paragraphs 9-21).

6. The Norwegian authorities provide only rough estimates of the numbers of speakers of regional or minority languages in Norway. The reason for this is the absence of official statistics or other reliable data concerning the number of speakers. The estimates regarding the Kven speakers are not clear as the authorities refer to estimates according to which 10 000 to 15 000 speakers of Kven live in Norway (see page 4 of the fourth periodical report) and under another section, the authorities maintain their previous figures of 8 000 to 10 000 speakers (see page 5). However, the Norske Kveners Forbund/Ruijan Kveeniliittoo maintains that there are at least 50 000 - 60 000 Kvens in Norway.

7. As mentioned in the third evaluation report on Norway (paragraphs 16-17), it is important to have more reliable data concerning the number of users of regional or minority languages and their geographic distribution. The Committee of Experts encourages the Norwegian authorities to initiate such work in co-operation with the speakers of regional or minority languages (cf. for instance the Committee of Experts' second evaluation report on Sweden - ECRML (2006) 4, paragraph 13).

8. The Norwegian Government presented to the Parliament a White Paper on language policy on 27 June 2008¹. It contains *inter alia* proposed measures to protect and promote the regional or minority languages in Norway. The White Paper was debated in Parliament on 28 April 2009. It will be dealt with at appropriate places in this report.

9. The Norwegian Government also presented to the Parliament a White Paper on Sámi policy on 30 May 2008². The White Paper was debated in Parliament on 12 June 2009. It will be dealt with at appropriate places in this report.

¹ St.meld. nr. 35 (2007-2008) Mål og mening

² St.meld. nr. 28 (2007-2008) Samepolitikken

Kven

10. The Kven language comprises several varieties: the oldest variety of Kven is spoken in Porsanger, the western variety is spoken in the Troms, Alta, and Western Finnmark, and the eastern variety is used in Eastern Finnmark. The grammar and the vocabulary are close to the Meänkieli language spoken in Sweden (see paragraph 13 of the Committee of Experts' third evaluation report).

11. During the on-the-spot visit, the Committee of Experts was informed that many Kvens have moved to the south of Norway, particularly to Oslo. Representatives of the speakers claim that several thousand Kven-speakers live in Oslo. The Committee of Experts invites the authorities to clarify the number of speakers of Kven and their geographical situation, in order to develop an adequate structured policy to support the Kven language.

Romani and Romanes

12. The information provided on the Romani and Romanes languages is identical to that provided in the previous cycle and the number of speakers of Romanes remains uncertain (see paragraph 14 of the Committee of Experts' third evaluation report).

13. The Committee of Experts was informed that the Romani language³ is almost extinct in Norway and is mainly spoken by elderly people. During the on-the-spot visit representatives of the Romani-speakers expressed their wish to have teaching of the language made available.

Sámi languages

North Sámi

14. The territory where Part III applies for North Sámi consists of six municipalities. One of those, Kåfjord, is situated in the County of Troms, while the others are in the County of Finnmark. The Committee of Experts decided to look more explicitly into the situation for North Sámi in Kåfjord during this monitoring cycle, since the previous monitoring rounds have been concentrated on Sámi institutions which are located in municipalities in the County of Finnmark.

Lule Sámi and South Sámi

15. The Lule Sámi-speaking municipality of Tysfjord (County of Nordland) and the South Sámi speaking municipality of Snåsa (County of Nord Trøndelag) were included in the Sámi Administrative District in January 2006 and January 2008 respectively and the regulation was revised accordingly⁴. The potential consequences resulting from this inclusion are outlined in more detail in section 1.3 below.

16. Lule Sámi is spoken in Norway and Sweden. In Norway, there are around 500 active speakers, and most of them live in Tysfjord. During the on-the-spot visit, the Committee of Experts was informed that among the young generation, Lule Sámi is rarely used in everyday life. It was pointed out to the Committee of Experts that even if the language is used within the institutions (schools, municipal administration, cultural centres, etc), it is a matter of concern that it is so rarely used in daily life.

17. South Sámi is spoken in Norway and Sweden, but only by a few hundred persons in the two countries put together. In Norway, the South Sámi speakers are dispersed over an area covering parts of four counties.

18. According to the information provided in the fourth periodical report, the Ministry of Labour and Social Inclusion increased the budget of the Sámi Parliament for 2008 with NOK.5 million to cover the expenses of the incorporation of the municipality of Snåsa into the Sámi language Administrative District.

³ *Romani* is the self designation of the Norwegian Travelers of Roma origin (Taters) for their language. Linguistically this is a "mixed language" with predominantly Norwegian structures and some, mainly lexical elements from "inflected Romani". In the Norwegian context "inflected Romani", the so called "Gypsy language" which is spoken by Roma in different varieties all over Europe and beyond, is labelled *Romanes*.

⁴ Prior to the inclusion of Tysfjord, the municipalities of the Sámi administrative district were included in the act itself. However, to avoid a revision of the Sámi Act every time a new municipality became a part of the Sámi administrative district, the mention of concrete municipalities was moved to secondary regulation.

19. The Committee of Experts reiterates the concern it raised in previous monitoring rounds regarding the endangered position of Lule and South Sámi and the need for the authorities to take strong measures to protect and promote these languages.

Skolt Sámi (Eastern Sámi)

20. As regards Skolt Sámi, the Committee of Experts requested in the previous monitoring round more comprehensive information from the authorities regarding its traditional and actual presence in Norway, the number of speakers, and whether any measures were taken or envisaged to safeguard the Skolt Sámi language and culture.

21. The Committee of Experts has been informed that Skolt Sámi is almost extinct in Norway, but that it is used by approximately 400 speakers in Finland. The Norwegian authorities state in their fourth periodical report that they have supported the setting up of the "East Sámi Museum" in Neiden in Sør-Varanger and that a new building will be opened in 2009. The East Sámi Museum has been chosen by the Sámi Parliament to be the Sámi "Thousand-Years Place".

22. The Committee of Experts was informed during the on-the-spot visit of an emerging interest among people in the area to learn Skolt Sámi. In the third monitoring round, the Committee of Experts had been informed that an education project was envisaged for the teaching of Skolt Sámi (see the third evaluation report, ECRML (2007) 3, paragraph 23 and also the second evaluation report, ECRML (2003)2 paragraph 70). The Committee of Experts invites the authorities to find ways to meet the demand for learning Skolt Sámi, for example through co-operation with Finland. The Government states in the White Paper on Sámi policy that the East Sámi Museum will be an important centre for the revitalisation of East Sámi/Skolt Sámi language and culture, and for cultural exchange and co-operation across borders with Skolt Sámi in Finland and Russia.

Pite Sámi

23. The Committee of Experts has been informed that Pite Sámi, also known as Arjeplog Sámi, which is close to the Lule Sámi language, is spoken by a few speakers in Norway. A Pite Sámi centre, *Duoddará ráffe*, was established in Beiarn in 2003 with the task of safeguarding and developing the Pite Sámi language, culture and identity in the traditional Pite Sámi territory. The Committee of Experts invites the Norwegian authorities to provide more information on Pite Sámi in their next periodical report.

1.3 Particular issues arising from the evaluation of the report

Kven

24. The Committee of Experts has been informed that despite the measures taken by the authorities since the last monitoring round, the Kven language remains in a precarious situation. The Committee of Experts understands that the process of standardisation has been initiated since the setting up of the Kven Language Council. However, in parallel to this, other measures are also needed to promote the language in the meantime, such as providing for Kven in education, including adult education, and strengthening its position in broadcasting and literature. However, there seems to be an urgent need for stronger efforts in the work to standardise the language.

The status of Lule and South Sámi languages

25. The Sámi Act defines the Sámi Administrative District as an area where the concentration of Sámi-speakers justifies special measures. This area included from the outset the municipalities of Karasjok, Kautokeino, Nesseby, Porsanger, Tana and Kåfjord. The Committee of Experts has in its previous reports considered the Sámi Administrative District as the area where Part III applies. Since January 2006, Tysfjord municipality has been included in the Sámi Administrative District. In 2008, the municipality of Snåsa also became a part of the Sámi Administrative District. The question therefore arises whether Part III should also apply to the new areas included in the Sámi Administrative District, which would mean that Lule and South Sámi would consequently become "Part III languages".

26. The Norwegian instrument of ratification states that the chosen paragraphs and sub-paragraphs mentioned “*shall, in accordance with Article 3, paragraph 1, apply to the Sámi language*”. The periodical reports indicate that Norway has interpreted this to mean Sámi used in the Sámi Administrative District, which so far has been North Sámi.

27. Part II of the Charter applies to all languages in a state that fall under the definition of regional or minority languages in Article 1 of the Charter. Part III applies to languages specifically chosen by the ratifying state. Article 3 paragraph 1 states the following: *Each contracting State shall specify in its instrument of ratification, acceptance or approval, each regional or minority language, or official language which is less widely used on the whole or part of its territory, to which the paragraphs chosen in accordance with Article 2, paragraph 2, shall apply*”. There are arguments in favour of including Lule and South Sámi into Part III. One is that the instrument of ratification does not distinguish between different Sámi languages, and it could be argued that there is therefore no need to amend or change the instrument of ratification to include Lule and South Sámi. Another point of view is that the instrument of ratification must be interpreted to mean that Part III shall apply to Sámi traditionally spoken within the Sámi Administrative District, whether it is North, Lule or South Sámi. At the time of ratification, Sámi was considered to be one language with varieties, such as North, Lule and South Sámi. Another interpretation of the instrument of ratification is that, at the time of ratification, the chosen language was North Sámi.

28. The Committee of Experts encourages the Norwegian authorities to clarify the issue of the possible application of Part III of the Charter to Lule and/or South Sámi, and to notify the Council of Europe in the appropriate manner.

Chapter 2. Conclusions of the Committee of Experts on how the State authorities have reacted to the recommendations of the Committee of Ministers (RecChL(2007)3)

Recommendation No.1:

“Adopt a structured policy for the protection and promotion of the Kven language in co-operation with the speakers, in particular concerning the standardisation of Kven, the improvement of teaching in/of Kven at all appropriate stages, and the increase of the use of Kven in the public sphere”.

29. The Committee of Experts welcomes the fact that the Kven Language Council has been set up thanks to the increased support of the Norwegian authorities. In 2006, the earmarked allocation was increased to set up a Kven Language Council in connection with the recognition of Kven as a separate language. The Council is currently analysing different strategies for developing an infrastructure for the Kven language.

30. During the on-the-spot visit, the Committee of Experts was informed that despite the official recognition of Kven as a separate language and the efforts made by the authorities, the situation on the ground has not changed and the language is still in a very precarious situation. The Committee of Experts understands that further efforts are needed.

31. As far as education is concerned, the Committee of Experts notes that the measures described by the Norwegian authorities, notably the new Knowledge Promotion reform where a new subject curriculum for Finnish as a second language has been developed, refer to education in Finnish and more marginally to the Kven language. Education in Kven is not supported adequately in this field.

32. Regarding media, the Committee of Experts is pleased to note that the Norwegian authorities increased their financial support for the publication *Ruijan Kaiku* in 2008 (NOK 1 182 000).

33. However, representatives of the speakers informed the Committee of Experts during the on-the-spot visit that despite all these efforts, the authorities have not developed a structured policy to protect and promote Kven.

Recommendation No.2:

“Strengthen their efforts to provide teaching materials and teacher training for Kven, Lule and South Sámi, Romani and Romanes”.

34. As far as Kven is concerned, the Committee of Experts notes that a new subject curriculum for Finnish as a second language has been developed and includes cultural elements from the Kven culture. Seminars were organised in 2007 and 2008 by the County Governors of Troms and Finnmark and the University College of Tromsø for teachers of Finnish, where Kven teaching materials were discussed. However, the Committee of Experts has not been informed whether the situation in terms of teaching materials and teacher training for Kven has changed since the last monitoring round.

35. Regarding Lule Sámi, the Committee of Experts was informed that 2 schools are currently providing classes in this language. The Árran cultural centre runs a Lule Sámi kindergarten, *Árran mannagárdde*. Education in the language is therefore mainly taught through distance learning education, offered by the Árran cultural centre. The situation of teaching materials and teacher training remains unsatisfactory and strong measures are needed to remedy this situation.

36. As far as South Sámi is concerned, the County Governor of Nordland organised a conference on South Sámi Education in March 2008, which gathered school owners, teachers, pre-school teachers and representatives from higher education, to discuss teaching materials, teaching methods and distance education. The Committee of Experts noted during this monitoring cycle that there is still a clear lack of appropriate teaching materials and teacher training in South Sámi.

37. As regards Romani and Romanes, the authorities have reported on a pilot project directed towards Roma children at pre-school and primary school level, supported by the authorities, through the Queen Maud's College of Early Childhood Education and Care and a Romani association. This successful

programme will be extended, but it focuses on the education of Roma children and does not specifically deal with education in Romani or Romanes. During the on-the-spot visit, the Committee of Experts met with representatives of the Romani association involved in the project who expressed the wish to develop the language and culture. To date therefore, there are no training materials in Romani and Romanes, and teacher training is not available in these languages.

Recommendation No.3:

“Ensure that social and health care institutions within the Sámi administrative district offer services in Sámi”.

38. Problems identified in the previous round regarding the use of North Sámi in the health sector have not been solved and the Norwegian authorities underline difficulties met in training professional interpreters. The Directorate for Health and Social Affairs is therefore considering changing its strategy and trying to encourage Sámi speakers to follow basic training wherever they live, rather than following a college programme. Although Sámi doctors have been appointed, notably in Kautokeino, the situation is worrying and a solution is urgently needed.

39. In 2006, the Norwegian health authorities established a register concerning the needs of individuals who use or may use municipal care services (IPLOS). The aim is to support municipalities in determining what kind and volume of care services each individual should receive, but also to produce national statistics. In addition, as of autumn 2007, the Directorate for Health and Social Affairs has employed a Sámi-speaking senior adviser in community medicine. The Committee of Experts understands that the situation on the ground is still not satisfactory.

Recommendation No.4:

“Ensure that the national population registers and other public institutions accept Sámi names in their correct native form”.

40. The authorities acknowledge that the use of Sámi characters continues to be a problem and that the introduction of new standards that support Sámi characters will take some time before they are used in this data record. The authorities have informed the Committee of Experts that a norm for Sámi characters in computer technology was adopted in the autumn of 2007, with a view to most of the official registers in Norway being able to use the Sámi characters by the end of 2009.

Chapter 3 - The Committee of Experts' evaluation in respect of Parts II and III of the Charter

3.1. Evaluation in respect of Part II of the Charter

Article 7 - Objectives and principles

In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:

- a. *the recognition of the regional or minority languages as an expression of cultural wealth;*

41. The Committee of Experts has been informed of three White Papers (policy papers) that the Government presented to Parliament in 2008: St.meld. nr. 23 Språk bygger broer (language stimulation and education), St.meld. nr. 28 Samepolitikken (Sámi policy) and St. meld. nr. 35 Mål og meining (language policy). All these policy papers advocate protection and promotion of the regional or minority languages in Norway, a policy that has been endorsed by the great majority in Parliament.

42. In the White Paper on language policy the Norwegian Government states that "the language policy must protect and promote the languages of the national minorities, in order for them to safeguard and develop their own language".

Kven

43. In the third evaluation report (paragraph 26), the Committee of Experts encouraged the authorities to pursue and strengthen the dialogue with the speakers. As indicated by the authorities, support mainly of a financial type has been provided to the development of the language and cultural activities through the strengthening of the Kven Institute and the establishment of the Kven Language Council. However, speakers informed the Committee of Experts that they have not been consulted by the authorities and that there is room for improvement in that respect.

Romani and Romanes

44. Although the Committee of Experts acknowledged in the previous evaluation report (paragraphs 27-28) that public authorities had demonstrated their willingness to support both Romani and Romanes and the culture they reflect, in co-operation with the representatives of the speakers, it considered that there was room for improvement. The Committee of Experts referred in particular to the adoption of legislative measures for ensuring the promotion and protection of Romani and Romanes.

45. In their fourth periodical report, the Norwegian authorities have reported on a research programme⁵ and cultural projects, as well as the allocation of NOK 75 million to a Romani People's Funds following a resolution of the Storting, adopted on 18 June 2004 as a collective compensation for damages for earlier injustice and abuses committed against the Romani people. The Committee of Experts understands that the mandate and the use of funds is currently being discussed with representatives of Romani. It invites the authorities to clarify whether the mandate of this foundation also covers language matters and whether projects on developing books and material on the language could be supported.

- b. *the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;*

46. Since the previous monitoring round, Tysfjord and Snåsa municipalities have been included in the Sámi Administrative District. However, this has not created any new administrative divisions.

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

⁵ Programme entitled "the culture, language and the origin of the Romany people" which runs from 2004 to 2008.

Kven

47. Since its official recognition as a separate language, the Norwegian authorities have recognised the need to set up a linguistic infrastructure for Kven, including the standardisation of the language, the development of a grammar, dictionaries, textbooks and teaching materials. The Norwegian authorities have for several years provided funding for the Kven language and culture and in 2006, the earmarked allocation was increased to set up a Kven Language Council. The Council is currently analysing different strategies for developing an infrastructure for the Kven language. During the on-the-spot visit, the Committee of Experts was informed by representatives of the Kven-speakers that the budget allocated to the Kven Language Council is not sufficient to cover research activities on the Kven language.

48. The Committee of Experts was informed that despite the official recognition of Kven as a separate language, the situation on the ground has not changed and the language is still in a very precarious situation. Representatives of speakers also underlined that the existing legislation is not adapted to the change of status of the language. Resolute action is indeed needed since Kven is mainly a spoken language and only a few hundred speakers can read it. The Committee of Experts understands that some of the measures or activities described in the fourth periodical report, notably by the University of Tromsø, were done without specific financial support. The Kven-speakers criticized the lack of a structured policy to strengthen the Kven language.

49. In addition, the Committee of Experts notes that Kven-speakers are dispersed and live in scattered places. The cultural centre in Porsanger is not accessible to a large number of the speakers and the Committee of Experts has been informed of a wish to develop and reinforce a second cultural centre, Kveenibaikka, located in another region. The Committee of Experts invites the authorities to comment on this in their next periodical report.

50. In the White Paper on language policy, the Government lists the following measures that the Ministry of Church and Cultural Affairs will pursue in regard to the Kven language:

- The Ministry will continue its work to protect and promote the Kven language;
- The Ministry will consider inviting representatives of the Kven speakers, all relevant ministries and representatives from relevant professional/academic professions/institutions to a national conference on the revitalisation of the Kven language;
- The Ministry will discuss with responsible instances how the Ruijan Kaiku publication can be developed and strengthened;
- The Ministry will create conditions to intensify the work of gathering and registering [Sámi and] Kven place names;
- The Ministry will, when considering the economy and mandate of the Kven Institute, especially bear in mind the need to intensify the work on the standardisation of the Kven language.

51. The Committee of Experts invites the authorities to provide information in the next report on the follow-up to the measures listed above.

Romani and Romanes

52. In the previous evaluation report (paragraphs 49-52), the Committee of Experts encouraged the authorities to intensify their efforts to protect and promote Romani and Romanes, in co-operation with the speakers, especially in the field of education.

53. In the previous rounds, the Norwegian authorities formally recognised the need for resolute action in support of the Romani and Romanes languages in meetings with representatives of these communities, and efforts have been made to develop these languages, for instance by initiating different projects supported by the Arts Council and the Ministry of Local Government and Regional Development.

54. In their fourth periodical report (page 14-15), the authorities report on an initiative aimed at children of Romani speaking travellers from pre-school to lower secondary level. The successful pilot project, which has been carried out since 2004, will be made permanent as from 2009. The aim of this project is to make children of travellers attend school and to increase the teaching of Romani culture in pre-school and school. The Committee of Experts welcomes this project, but notes that it does not include the teaching of Romani. During the on-the-spot visit, representatives of the Romani association involved in the project expressed the wish to develop their language and make it accessible in education. The Committee of Experts invites the

Norwegian authorities to consider this request and provide support to the development of teaching materials in Romani.

55. The Committee of Experts understands that very important and successful measures have been taken regarding the education of Roma children (see also paragraph 103 below).

The Committee of Experts urges the authorities to intensify their efforts to protect and promote the Romani and Romanes languages, in co-operation with the speakers, especially in the field of education.

Sámi languages

Lule Sámi

56. In the third monitoring cycle the Norwegian authorities pointed out that Lule Sámi was losing ground to the majority language despite the teaching of the language in nursery schools and schools, that there were few social contexts where Lule Sámi was spoken, and that it was not often heard even in Sámi school playgrounds. Isolated Sámi rural districts have suffered from migration and the remaining population has partly shifted to Norwegian as their main language. As underlined by the Committee of Experts in its third evaluation report, "A decade ago, the number of Lule Sámi speakers was considerably higher. Naturally, this trend has a detrimental effect on the future prospects of Lule Sámi" (see third evaluation report on Norway, ECRML (2007) 3, paragraph 42).

57. In their fourth periodical report (pages 14-15), the Norwegian authorities point to measures and tools to promote the use of Lule Sámi, such as the Árran centre, as well as initiatives aimed at promoting the use of Lule Sámi in public life, notably through education. The Committee of Experts understands that teaching of Lule Sámi is mainly offered through distance learning education. According to the authorities, Lule Sámi is offered from pre-schools up to university colleges with an increase in pupils/students at all levels, including for vocational education. Tysfjord municipality has adopted an action plan to protect and promote Lule Sámi.

58. However, during the on-the-spot visit, non governmental sources drew the attention of the Committee of Experts to the fact that the number of students has not increased and that in any case they would not use Lule Sámi to interact in daily life, but only in institutions. Therefore the Committee of Experts understands that the situation, as described in the previous evaluation report, has not improved. The situation of Lule Sámi remains extremely difficult.

59. The Committee of Experts was also informed that the Árran centre is cooperating with other institutions such as the Sámi Parliament, the Sámi University College and the University College in Bodø, with schools and language nests, in particular in Sweden. However, the representative of the Árran Centre stressed that this cooperation needs to be strengthened.

60. The Committee of Experts recalls that there is a need for resolute efforts to be made in many areas, such as the shortage of teachers, the lack of knowledge of the language, research, media, literature, development and production of teaching and learning materials in Lule Sámi.

The Committee of Experts encourages the authorities to increase their efforts to protect and promote Lule Sámi.

South Sámi

61. The Norwegian authorities also report on a number of initiatives and projects which concern South Sámi, notably in the field of education. The Sámi Parliament has, among other activities, supported the successful Elgå project to revitalise the language⁶. Today the children in the project use South Sámi as their language of communication even if their parents do not speak the language. In addition, the South Sámi

⁶ A report of the Elgå project has been published in Diedut Nr. 1/2007 "Sámisk språk i Svahken Sijte" by the Sámi University College, Sámi Allaskuvla (www.Sámiskhs.no).

cultural centre situated in Snåsa in the County of North-Trøndelag, is an important cultural focal point for the South Sámi culture. The Aajege South Sámi language centre, set up in Røros in 2005, has between 2005 and 2009 been organising language meetings involving pupils from different levels (kindergarten, primary and secondary schools, upper secondary school as well as young people and adults).

62. During the on-the-spot visit the Committee of Experts was informed that in 2008, the Sámi Parliament ran one language project on South Sámi. The Committee of Experts met with the language consultant involved with the South Sámi language and culture project after Snåsa municipality had been included in the Sámi Administrative District. The Committee of Experts welcomes this project and invites the Norwegian authorities to report on the progress achieved through this project in their next periodical report.

63. The Committee of Experts was also informed that one of the topics in the White Paper on Sámi policy is how to strengthen the situation of the South Sámi language. It encourages the authorities to report on the measures envisaged in the White Paper and on the way they were implemented.

64. The Committee of Experts has been informed that the municipality of Snåsa in the South Sámi area was included in the Sámi Administrative District in 2008. Representatives of the Sámi Parliament indicated during the on-the-spot visit that despite there being funds available, there are few applications by the speakers. The Committee of Experts hopes that the inclusion of a South Sámi municipality into the Sámi Administrative District and the consequent funding will help improve the protection and promotion of South Sámi.

The Committee of Experts encourages the authorities to increase their efforts to protect and promote South Sámi, especially in the field of education.

Skolt Sámi (Eastern Sámi)

65. The Committee of Experts refers to its comments above about the situation of Skolt Sámi which is almost extinct in Norway. However, considering the wish expressed by speakers to have the language taught, the Committee of Experts urges the Norwegian authorities to investigate possibilities in co-operation with Finland to meet this demand.

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

Kven

66. The Committee of Experts refers to its comments made in its previous evaluation report (paragraphs 53-57), and in particular on the need to take urgent measures to strengthen the use of Kven in public life.

67. The Norwegian authorities provided information regarding cultural projects funded by the authorities: a Kven culture festival in the municipality of Nordreisa, safeguarding recordings of spoken Kven (the Linguistic and Cultural Heritage Electronic Network) and the use of written Kven in municipal archives. As regards literature, the Norwegian Arts Council has supported the publication of the first two novels published in Kven. The Committee of Experts encourages the authorities to further enhance their support for Kven culture, through general and/or specific funding mechanisms.

68. The Kven institute is co-operating with the University of Tromsø to develop the technical basis for an electronic Kven dictionary. The Committee of Experts was informed that further funds are needed to follow up this work.

69. In the field of media the Committee of Experts underlined in its previous report the urgent need for appropriate radio programmes in Kven, in particular for children and young people who are currently learning the language at school. In fact, the Committee of Experts noted that the weekly 12-minute radio broadcast, which is short and does not meet the needs of different Kven audiences, is primarily in standard Finnish and not Kven. The Committee of Experts was informed that since the Kven language has been recognised as a separate language, discussions were to be held between the Norwegian Broadcasting Corporation (NRK) and representatives of the speakers. However, no further information has been sent to the Committee of Experts and during the on-the-spot visit, it was made aware that the situation has not changed in practice.

The Committee of Experts therefore urges the Norwegian authorities to take measures to improve the presence of Kven in broadcasting.

The Committee of Experts urges the authorities to take appropriate measures to improve the presence of Kven in broadcasting.

70. As far as written media is concerned, the Committee of Experts is pleased to note that the subsidies allocated to the Ruijan Kaiku newspaper increased in 2008 and 2009. However, the Committee of Experts is concerned that the use of Kven in the newspaper has not increased accordingly.

71. The Committee of Experts remains concerned about the low presence of Kven in the media in general. The Committee of Experts urges the authorities to take measures to improve the presence of Kven, for instance through the training of journalists.

72. As far as place names are concerned, the newly amended Act on place names provides a better protection for place names in Kven, especially since the regulations of the Act entered into force in January 2007 (see p. 20 of the report). However, the authorities have not reported on how this new legislation has been implemented in practice for Kven place names. It was reported to the Committee of Experts that in practice Kven place names are not visible on signs outside Porsanger, and are only used in a few maps. The Committee of Experts urges the authorities to report on the practical implementation of this new regulation.

Romani and Romanes

73. The use of Romani in public life is, according to the authorities, partly hampered by the reluctance of some of the speakers to use the language publicly.

74. However, during the on-the-spot visit, representatives of speakers of Romani expressed the wish for their language, and not only their culture, to be taught to children. Support has been requested in particular to develop books for children (cartoons, etc). The Committee of Experts was pleased to note that in the framework of the project "The travellers from child to adult", many stories told by travellers have been recorded for use in pre-schools and primary schools and that they are being translated into Romani. The Committee of Experts encourages the authorities to support the project to publish a book out of these interviews.

75. In the previous report, the Committee of Experts noted that there were no media policy measures directed specifically towards Romani and Romanes. Speakers of Romani and Romanes have access to the same support measures as other minority groups, and in particular to the Norwegian Media Authority support schemes for local radios and newspapers in minority languages. However, the Committee of Experts has not been informed about any support given with a view to promoting Romani and Romanes in the media. It seems that the situation has not changed.

The Committee of Experts encourages the authorities to take measures to improve the presence of Romani and Romanes in public life.

Sámi languages

76. In the field of culture, the authorities informed the Committee of Experts that the Norwegian Film Institute has arranged for subtitling and dubbing of films in the three different Sámi languages, especially for children and young people. The sound versioning is done in co-operation with the NRK Sámi Radio and the Sámi Parliament. In the spring of 2007, the Norwegian Film Institute released the first DVD containing short films for children, dubbed into North Sámi, South Sámi and Lule Sámi languages.

Lule Sámi

77. The inclusion of Tysfjord in the Sámi Administrative District creates a basis for improving the use of Lule Sámi in the public life. However, the use of Lule Sámi in social contexts and daily life still seems to be a major challenge. The authorities should investigate the possibilities of stimulating the use of Lule Sámi, especially outside the institutions.

78. As far as the use of Lule Sámi in judicial proceedings is concerned, the Committee of Experts refers to projects carried out by the Ministry of Justice and the municipality of Tana on the development of Sámi legal terminology in criminal law and civil procedure law in North, Lule and South Sámi (see paragraph 139 of the previous evaluation report). The Committee of Experts invites the authorities to report on the outcome of this project in the next periodical report.

79. The Committee of Experts welcomes the Divvun - Sámi proof-reading tool initiative supported by the government and run by the Sámi Parliament. The first digital tool for spell checking in Lule and North Sámi was released in December 2007. At the time of the on-the-spot visit, this project was in its first phase, i.e. spell checkers and hyphenation for North and Lule Sámi.

80. With respect to the use of Lule Sámi with the administrative authorities, the Committee of Experts reported in the last monitoring round about the difficulty to use Lule Sámi in the local assembly of Tysfjord due to the lack of interpretation/translation facilities (ECRML (2007) 3, paragraph 156). The Norwegian authorities have not provided any information on this issue in their report. During the on-the-spot visit, representatives of the Sámi Parliament informed the Committee of Experts that there is a lack of Lule Sámi translators and interpreters. As regards the relations with the administration, the Committee of Experts has been informed that it is possible to use Lule Sámi, but that people tend mostly to use Norwegian. The Committee of Experts invites the relevant authorities to come back to this issue in the next periodical report. During the on-the-spot visit, representatives of the Ministry of Justice informed the Committee of Experts that a special section in the police action plan on language and culture training deals with Lule and South Sámi.

81. Since 2003, the government has endorsed the bilingual and trilingual names of local and regional authorities in Kven and North Sámi. During the on-the-spot visit, the Committee of Experts was informed that Lule Sámi is visible on public signs and buildings, and also in advertisements in local newspapers. It encourages the authorities to provide information in this respect in their forthcoming report.

82. The Norwegian authorities informed the Committee of Experts that in 2009, the Ministry of Local Government and Regional Development would translate the election brochure for local and regional elections into Lule Sámi.

83. Concerning media, the Committee of Experts took note in its previous evaluation report of the strategy plan for 2007-2012 which aimed at broadcasting daily news programmes in Lule Sámi on radio. According to the Norwegian authorities, weekly TV programmes are broadcast in Lule Sámi nationwide on NRK1. The Committee of Experts was also informed that the local branch of the NRK in Tysfjord was strengthened in 2007 and this contributed to a greater variety of contents and geographical diversity in the Sámi newscast in both radio and TV. However, during the on-the-spot visit, representatives of the speakers criticised the low presence of Lule Sámi in TV.

84. Regarding the print media, the Norwegian authorities support the regular contributions in Lule Sámi in the newspaper "NordSalten". However, the Committee of Experts was informed during the on-the-spot visit that there is only one page in Lule Sámi, which does not correspond to the needs expressed by speakers. During the on-the-spot visit, representatives of the speakers stressed that the visibility of Lule Sámi is inadequate.

South Sámi

85. In the previous monitoring round, the Committee of Experts noted the precarious situation of South Sámi. It has been informed that the inclusion of Snåsa municipality in the Sámi Administrative District might have a positive effect on the use of the language in the public sphere.

86. As far as the use of South Sámi in judicial proceedings is concerned, the Committee of Experts refers to projects carried out by the Ministry of Justice and the municipality of Tana on the development of Sámi legal terminology in criminal law and civil procedure law in North, Lule and South Sámi. The Committee of Experts invites the authorities to report on the outcome of this project in the next periodical report.

87. Since 2003, the government has endorsed the bilingual and trilingual names of local and regional authorities in Kven and North Sámi. The Committee of Experts has not been informed if Snåsa also has an official name in South Sámi. Therefore, it encourages the authorities to provide information in this respect in their forthcoming report. During the on-the-spot visit, the Committee of Experts was informed that road signs and public offices are written in South Sámi.

88. Problems in the health sector were reported during on-the-spot visit. The Committee of Experts was informed that an Office for Labour and Welfare is about to be set up in Snåsa which will serve the whole region. It is not clear to the Committee of Experts whether this centre will also deal with health issues. The Committee of Experts invites the Norwegian authorities to come back to this important aspect in their forthcoming report in addition to providing updated information about the Office.

89. Concerning the media, the Committee of Experts took note in its previous evaluation report of the strategy plan for 2007-2012 which aimed at broadcasting daily news programmes in South Sámi on radio. The Norwegian authorities report that the local branch of NRK in Snåsa was strengthened in 2007 and contributed to increasing the presence of South Sámi on both radio and television, and that weekly television programmes in South Sámi are broadcast nationwide on NRK1.

90. During the on-the-spot visit, representatives of the South Sámi speakers informed the Committee of Experts that a 15-minute radio programme is broadcast twice a week but there is no – or very little - presence of South Sámi on TV.

91. As regards the written press, the Committee of Experts has not been informed of any presence of South Sámi. During the on-the-spot visit, it was made aware of a periodical church magazine issued 4 times per year. The Committee of Experts encourages the authorities to provide information in this respect in the next periodical report.

- e. *the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;*

92. The Committee of Experts has not been informed of any establishment of such a forum as envisaged under this undertaking. The Committee of Experts has experienced that in other countries such fora have played a positive part in the protection and promotion of regional or minority languages and would therefore encourage the authorities to take new initiatives with a view to creating such a forum.

- f. *the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;*

Kven

93. The Committee of Experts refers to its previous report for a description of tuition in Finnish and Kven (see paragraphs 73-77). Although Kven has been recognised as a separate language, the Committee of Experts notes that the measures taken by the Norwegian authorities refer mainly to education in Finnish. During the third monitoring cycle, the Ministry of Education and Research expressed the view that both the structural linguistic differences and the cultural and social circumstances specific to Finnish and Kven can receive adequate attention in current education practice, and that Kven should adequately be mentioned in the new curriculum for Finnish as a second language in primary and secondary education. Against this background, the Committee of Experts encouraged the authorities to develop a separate curriculum for Kven in co-operation with the speakers.

94. In the fourth periodical report, extensive information has been provided on the new "Knowledge Promotion" reform where a new subject curriculum for Finnish as a second language has been developed, partly based on the Common European Framework of Reference of Languages (CEFR - see p. 10). Furthermore the authorities report that many cultural elements from the Kven are included in this curriculum.

95. Finally, in the "Languages Open Doors" White Paper, the Norwegian Ministry of Education and Research proposes to further develop the cooperation between schools and other learning environments with partner institutions in Finland and Sweden, to further develop new teaching materials, in digital and other forms, in Finnish and Kven, and to develop teachers' competencies in connection with the new subject Curriculum (see p. 11). However, this is a project at this stage, and it is not clear to the Committee of Experts whether the Norwegian authorities have adopted any concrete measures to put this White Paper into practice.

96. The Committee of Experts therefore notes that the place of Kven in education is marginal despite the recognition of Kven as a separate language. In the view of the Committee of Experts, there is a need for a special curriculum for Kven as a regional or minority language in Norway.

97. The Committee of Experts also refers to the recommendation adopted by the CM in the previous round regarding the need to improve teaching in/of Kven at all appropriate stages. Considering the difficult situation of the Kven language in education, due to the lack of teaching materials and the shortage of teachers, the Committee of Experts encouraged the authorities to take measures to improve the situation of the Kven language at all appropriate stages of education (see paragraphs 78-82 last report).

98. Problems were identified at pre-school level, for which the Committee of Experts encouraged the authorities to take stronger measures to develop opportunities for children to have the language taught at pre-school level, in line with the new legal framework. At that time the government had not granted specific support to kindergartens where the Kven language is used, despite the need expressed by speakers to set up and develop Kven nursery schools, as well as language nests. According to the information made available to the Committee of Experts, the kindergarten in Børselv where the Kven language was used has been closed down due to lack of funds.

99. Regarding primary and secondary level, except in Tromsø where there are teachers available, the County Governor of Troms indicated to the Committee of Experts that the number of pupils attending Kven courses is decreasing.

100. As far as teaching materials are concerned, the Committee of Experts was informed that the financial support provided by the authorities, and in particular the County of Finnmark ceased in 2009.

101. The Committee of Experts invites the Norwegian authorities to provide exact figures on the number of children attending Kven education at different levels.

The Committee of Experts urges the authorities to develop a special curriculum for Kven in co-operation with the speakers and to improve the situation of the Kven language at all appropriate stages of education.

Romani and Romanes

102. The Committee of Experts refers to the description of the situation in its previous report (see paragraphs 91-94). Although it noted the measures and projects carried out in order to improve the situation, it nevertheless observed that neither Romanes nor Romani was offered as a subject in schools in Norway.

103. Following the request made by the Committee of Experts, the authorities have provided information on the programme offered by Queen Maud's College of Early Childhood Education and Care in association with the University College in Sør-Trøndelag and a Romani association. This programme (which covers 10 schools in 6 municipalities) focuses on the education of Romani children with a view to reducing the drop-out rate at pre-school and primary school level, but it does not specifically deal with the Romani language. During the on-the-spot visit, the Committee of Experts met with representatives of the Romani community involved in the project and they underlined their wish to develop their language and culture, notably in the field of education. Books are in particular needed for the teaching of the history and culture of travellers. To date, there are no teaching materials in Romani and Romanes, nor any offer of training of teachers who wish to teach these languages or in these languages.

104. The Committee of Experts therefore encourages the authorities to pursue their efforts in co-operation with the speakers to develop alternative ways and appropriate forms of teaching Romani and Romanes and in particular to produce adequate teaching materials and to provide teacher training.

The Committee of Experts urges the authorities to take measures to develop teaching materials and to provide teacher training in Romani and Romanes.

Sámi languages

105. As regards the teaching of Lule and South Sámi, the Committee of Experts refers to the general presentation made in its previous evaluation reports (ECRML (2003)² paragraph 70 and ECRML (2007) 3, paragraphs 83-86).

Lule Sámi

106. In the third monitoring cycle, the Committee of Experts noted that special funding and support was to be granted for pre-school education, as a consequence of the inclusion of Tysfjord municipality in the Sámi Administrative District.

107. Despite the measures taken and the efforts made in the previous monitoring round, the Committee expressed its concerns about the assessment made by the Sámi Parliament which concluded that Lule Sámi was facing challenges that were particularly linked to schooling and the educational field and in particular about the shortage of teachers and the lack of teaching materials.

108. Regarding pre-school education, the Committee of Experts was informed during the third monitoring round of the closure of nursery schools for financial reasons. According to the information presented to the Committee of Experts during the on-the-spot visit, there is also a kindergarten in Bodo, and the Sámi kindergarten in Drag (run by the Árran Centre) plays an important role in the learning of Lule Sámi as a first or second language. The Committee of Experts encourages the authorities to provide an assessment of the situation of pre-school education in Lule Sámi in the next periodical report.

109. As regards primary and secondary education, the Árran centre provides distance learning facilities for Lule Sámi as a second language. The Committee of Experts was informed that municipalities, in which the pupils live, pay for the distance education (see fourth periodical report, p. 13). Lule Sámi is taught both as a first and second language. According to the White Paper on language education, in the school year 2005/2006, 29 pupils learnt it as a first language and 27 pupils learnt it as a second language. In the school year 2007/2008 the numbers were 25 and 54 pupils respectively.

110. The Norwegian authorities indicate that there is an increase in pupils/students at all levels for Lule Sámi (from pre-schools to university colleges see p. 11). However, the Committee of Experts was informed during the on-the-spot visit that Lule Sámi courses are not offered at the Sámi University College. The Committee of Experts invites the authorities to clarify the situation and indicate the number of students in the next periodical report.

South Sámi

111. The Committee of Experts refers to the description of education in South Sámi in its previous report (see paragraphs 87-90). Despite the measures taken and the efforts made, the Committee was concerned about the assessment made by the Sámi Parliament which concluded that South Sámi is facing challenges that are particularly linked to schooling and the educational field, notably about the shortage of teachers and the lack of teaching materials.

Pre-school and Primary School level

112. Since 1980, a South Sámi cultural centre (*Saemiensijte*⁷) has been operating in Snåsa in the County of North-Trøndelag. However, this centre is not involved in any direct teaching of the South Sámi language. In the previous monitoring round, the Committee of Experts was made aware that the Ministry of Education and Research and the Sámi Parliament were ready to discuss the need for more permanent actions directed towards pre-schools in the South Sámi district in connection with the implementation of a new competence plan for the sector. The Committee of Experts welcomes such an initiative and looks forward to receiving more information in the next periodical report.

113. The Norwegian authorities have indicated that the South Sámi kindergarten and primary school in Snåsa provide education through the medium of South Sámi. The Committee of Experts has been informed of the Elgå language motivating project⁸ supported by the Sámi Parliament and the Ministry of Labour and

⁷ www.saemiensijte.no

⁸ A report of the Elgå project has been published in Diedut Nr. 1/2007 "Sámisk språk i Svahken Sijte" by the Sámi University College, Sámi Allaskuvla (www.Sámiskhs.no)

Social Inclusion. This project has shown one way to revitalise a language. The Committee of Experts welcomes this initiative and is pleased to note that as a result children use South Sámi as their language of communication even if their parents do not speak South Sámi. In addition, the Committee of Experts was informed of a three-year Intereg-project, supported by the EU, the Sámi Parliament and the County Governor of Nordland, which began in 2008. As part of their curricula, pupils of 10 and 11 years from schools in Norway and Sweden who learn South Sámi develop contacts and co-operate in various projects. One of the projects is to attend a language camp for 3 weeks.

Primary and Secondary level

114. The Aajege language centre offers education in South Sámi to 40 pupils at primary and secondary school. According to the White Paper on language education, in the school year 2005/2006, 16 pupils learned South Sámi as a first language and 81 pupils learned it as second language. In the school year 2007/2008, the numbers were 16 and 89 pupils respectively. Regarding upper secondary level, South Sámi Distance Education is available as a permanent system and municipalities in which the pupils live, pay for the distance education. A committee develops and co-ordinates the initiatives of the South Sámi Distance Education (see p.13 of the fourth periodical report). The Aajege language centre offers education in South Sámi to 19 pupils at upper secondary level, with students in 4 different municipalities.

115. Finally, the County Governor of Nordland organised a conference on South Sámi Education in March 2008, which gathered school owners, teachers, pre-school teachers and representatives from higher education. Important subjects were addressed on this occasion, such as teaching materials, teaching methods and distance education, as well as future co-operation across the Norwegian and Swedish borders (see p.14 of the fourth periodical report).

116. During the on-the-spot visit, representatives of the Aajege language centre underlined several challenges they are currently facing, in particular the shortage of teachers in the South Sámi language, the need to develop a standard curriculum in South Sámi from kindergarten to adult education and the need to develop adequate teaching materials. Furthermore, they stressed that despite the need to update the offer at primary and secondary level following the 2008 Knowledge Promotion programme, there are many deficiencies due to the lack of teaching materials and of a complete curriculum in South Sámi.

Skolt Sámi

117. The Committee of Experts refers to its comments above (paragraph 16). Although it has been informed that Skolt Sámi is almost extinct in Norway, it was informed during the on-the-spot visit of parents' wish to have their children learn Skolt Sámi at school. The Committee of Experts invites the Norwegian authorities to find ways to meet the demand for learning Skolt Sámi, for example through co-operation with Finland.

The Committee of Experts urges the authorities to strengthen their efforts in improving education in Lule and South Sámi, in particular concerning the training of teachers and the production of teaching materials.

- g. the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it if they so desire;*

118. There are language learning facilities for non-speakers of South and Lule Sámi wishing to learn the language. The Committee of Experts was also informed during the on-the-spot visit of a programme developed by the University of Tromsø for teaching North Sámi to non-speakers. The Committee of Experts welcomes this initiative.

119. The Committee of Experts has been informed that Kven courses are offered at the University of Tromsø and that the offer is open to non-native speakers.

- h. the promotion of study and research on regional or minority languages at universities or equivalent institutions;*

Kven

120. The Committee of Experts refers to its comments made during the previous monitoring cycle and in particular the negative effect resulting from the lack of any specific research programme and the lack of

permanent teaching of Kven (see paragraph 97). Teaching and research are, according to the authorities, available in the Finnish department at the University of Tromsø, although the Committee of Experts was made aware during the on-the-spot visit that the courses on Kven language, literature and culture are not offered on a regular basis.

The Committee of Experts encourages the authorities to take measures to promote a permanent offer of Kven language courses at the University of Tromsø.

Romani and Romanes

121. In the previous monitoring cycle, the Committee of Experts was informed of several programmes carried out in co-operation with the speakers that were supported by the Norwegian authorities. However, the Committee of Experts noted that despite these initiatives, there is still a clear lack of qualified persons to carry out research on the Romani language.

122. The Committee of Experts has not received any new information regarding research and study related to Romani and Romanes languages at university or higher education institutions. It encourages the authorities to provide such information in the next periodical report.

Sámi languages

Lule Sámi

123. As regards Lule Sámi, the Norwegian authorities refer to the work done by the Árran centre on Sámi language issues, as a member of the University of the Arctic which coordinates the work of the Sámi Institutions Network on High North Affairs⁹ (see p. 13 of the fourth periodical report). It conducts research projects and publishes books, as well as a scientific journal and the journal "Bårjås" annually. In addition, Bodø University College (Nordland County) is responsible for the provision of study opportunities in Lule Sámi for future teachers, and always offers an optional half-year unit (30 ECTS) in Lule Sámi as part of its general and pre-school teacher training programmes (see p. 21 of the fourth periodical report).

124. During the on-the-spot visit, the Committee of Experts was informed that there was a lack of research in/on Lule Sámi in general. At the University of Tromsø there is only one master degree student in Lule Sámi. The Sámi university college does not at present offer study or research in/on Lule Sámi.

South Sámi

125. The Committee of Experts was informed during the on-the-spot visit that the University College of Hamar offers courses for bilingual language teachers, and that the courses are attended by South Sámi teachers from both Norway and Sweden (see p.14 of the fourth periodical report). The Committee of Experts encourages the Norwegian authorities to provide more information about this offer, including statistics on the number and profile of teachers trained.

126. The Committee of Experts has not been informed of any research or study projects presently carried out on the South Sámi language as such. During the on-the-spot visit, the Committee of Experts was informed that a student is currently doing a PhD in South Sámi literature in Tromsø and that an individual researcher is carrying out projects on the sociolinguistics of South Sámi.

- i. the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.*

127. The Committee of Experts has been informed of a number of exchanges and contacts between users of Part II languages and speakers from neighbouring countries using the same or similar language.

Paragraph 2

The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of

⁹ www.arran.no

these languages and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.

128. The Committee of Experts has not been made aware of any problems related to this undertaking and refers to its previous evaluation report (cf. ECRML (2007) 3, paragraph 108). The established Romani People's Fund, referred to above under paragraph 46, might also be a positive contribution in this respect.

Paragraph 3

The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.

129. The Committee of Experts has not been made aware of any problems related to this undertaking and refers to its previous evaluation report and in particular the successful pilot project involving young Sámi persons visiting secondary schools throughout the country to raise awareness of Sámi culture and identity (cf. ECRML (2007) 3, paragraph 109).

Paragraph 4

In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.

130. The authorities submitted the Committee of Experts' third evaluation report to the Sámi Parliament and other regional or minority language groups and consulted minority language speakers when drafting the fourth periodical report.

131. The Committee of Experts has received complaints from representatives of the Kven speakers on insufficient cooperation with the authorities in matters relating to the promotion and protection of the Kven language. It encourages the authorities to comment upon this in the next report.

Paragraph 5

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

132. In the case of Norway, Romanes and Romani are considered non-territorial languages. In evaluating their situation under Article 7, paragraphs 1 to 4, the Committee of Experts kept in mind that those principles should be applied *mutatis mutandis*.

3.2. Evaluation in respect of Part III of the Charter

133. Regarding North Sámi, most of the undertakings were fulfilled in the Sámi Administrative District during the previous monitoring round, except in the health sector and in the use of Sámi diacritics in ICT (Information and Communication Technology). This was concluded on the basis of information gathered from the report and from the on-the-spot visit, regarding in particular the municipalities of Karasjok, Kautokeino, Nesseby, Porsanger and Tana.

134. During the present monitoring round, the Committee of Experts has gathered more specific information on the use of North Sámi in the municipality of Kåfjord. The Committee of Experts was informed of the good relations with the Sámi Parliament and the measures taken to stimulate the use of North Sámi in this municipality. It welcomes in particular the work done by the Language centre which has been in operation since 1994. The Ája Sámi Centre in Kåfjord, while performing municipal activities, also houses, among others, the offices of NRK Sámi radio and the Sámi Parliament. The centre has expanded several times and is now planning a new expansion to house a museum and a Sámi library. The Committee of Experts invites the authorities to provide information in their forthcoming report in that respect.

135. A report from 2000 about bilingual services in municipal administration in the Sámi Administrative District points to the special situation in Kåfjord, since a great majority of municipal staff (80%) could not communicate in Sámi. The report concluded that Kåfjord needed interpretation and translation facilities in order to fulfil its obligations under the Sámi Act. A new evaluation report made by a research centre attached to the University of Tromsø (from 2004) stated that the original plan to create a bilingual municipal administration in general had been abandoned, and that Norwegian was to be the administrative language, with Sámi used on request. Efforts were concentrated on an active use of Sámi in certain fields of administration: health and social care, culture, education and language training.

136. Although a number of conflicts related to the implementation of the language regulation in the Sámi Act are mentioned in the University of Tromsø's 2004 evaluation report, the general conclusion is positive: "We have shown that there has been a substantial increase in activity, both in regard to language education and not least in regard to the revitalisation of the sea-Sámi everyday culture. After 1990, there has been no less than a cultural revival, spanning from the kindergartens and through all important institutions in the society to handicraft, art, culture and entertainment. The inclusion of Kåfjord under the Sámi Act, and the resources the municipality has received, has led to the recruitment of many clever and enthusiastic persons who do active work in all sectors. Not everything has worked according to expectations, either in public administration, kindergartens or schools, but changes happen, and it is important to note that there is a strong belief amongst the young and middle-aged that the sea-Sámi language and culture is worth fighting for, and that is an important part of the sea-Sámi identity".¹⁰

137. The evaluation report from 2007 states that supplementary information gathered through this evaluation work confirms the conclusion from 2004. It concludes that there has been a positive development with regard to the strengthening of Sámi language and culture that would not have been possible without the inclusion of Kåfjord into the Sámi Administrative District. The demands of the language regulation in the Sámi Act and the subsequent economic support for bilingualism in Kåfjord, contributed strongly to counteract the linguistic "Norwegianisation" that took place at the time of the entry into force of the Sámi Language Act in 1992. The report from 2007 makes a clear conclusion that without earmarked funds for bilingualism, nothing could have been done, primarily because of the weak position of the Sámi language and the municipality's difficult economic situation.

138. The Committee of Experts notes that despite the positive development which has taken place, North Sámi seems to be used first and foremost in institutions in the municipality, and much less outside the institutions.

139. In this section, the Committee of Experts will focus on problematic areas in the protection and promotion of North Sámi. It will therefore not assess the implementation of provisions which were fulfilled in the 3rd monitoring cycle, apart from such undertakings where the Committee of Experts has received new relevant information. The following provisions will not be commented upon:

¹⁰ Pedersen, Paul and Asle Høgmo (2004): *Kamp, krise og forsoning. Evaluering av samepolitiske tiltak i Kåfjord*. Rapport nr. 4 2004. NORUT Samfunnsforskning. Tromsø.

- Article 8 Paragraph 1 b iv, d iv, e ii, f ii, g, h, i
- Article 9 Paragraph 1d
- Article 9 Paragraph 2
- Article 10 Paragraph 1 a iii, c
- Article 10 Paragraph 2, c, d
- Article 10 Paragraph 3 b
- Article 11 Paragraph 1 a iii, b i, c ii, e i, f ii, g
- Article 11 Paragraph 2
- Article 12 Paragraph 2, 3
- Article 13 Paragraph 2 e
- Article 14 a and b

140. For these provisions, however, the Committee of Experts reiterates that they should apply to the whole Sámi Administrative District and therefore invites the authorities to report on how these undertakings are fulfilled with regard to the coastal area.

141. Finally the paragraphs and sub-paragraphs that are quoted in bold italics are the obligations chosen by Norway.

Article 8 - Education

142. The Committee of Experts invites the Norwegian authorities to provide specific information on the fulfilment of all undertakings in relation to education ratified by Norway in each of the municipalities covered by the Sámi Administrative District, especially the municipalities of Porsanger, Tana, Nesseby and Kåfjord, which the Committee of Experts has not had the possibility to visit during the on-the-spot visits so far.

143. During the on-the-spot visit, representatives of the Sámi Parliament informed the Committee of Experts that the situation for the teaching of Sámi as a second language has deteriorated since the previous monitoring round. However, in the White Paper on Sámi education policy, there is a chart indicating that at primary school, in the school year 2005/2006, 947 pupils learned Sámi as a second language (North Sámi 839, Lule Sámi 27, South Sámi 81), while in school year 2007/2008, 1 513 pupils learned Sámi as second language (North Sámi 1 370, Lule Sámi 54, South Sámi 89). The Committee of Experts invites the Norwegian authorities to clarify this issue in the next periodical report.

144. The Committee of Experts was also informed by the Norwegian authorities during the on-the-spot visit that they had received complaints that the teaching materials available in North Sámi were not adapted to the new reform on Knowledge promotion. The Committee of Experts encourages the Norwegian authorities, in co-operation with relevant bodies, to tackle this problem and find ways to develop adequate teaching materials in North Sámi.

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

Pre-school Education

- a.
 - i. *to make available pre-school education in the relevant regional or minority languages; or*
 - ii *to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
 - iii ***to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient;***

145. The Committee of Experts considered this undertaking fulfilled in the previous monitoring cycles (cf. ECRML (2001)6 paragraph 58, ECRML (2003)2 paragraph 90 and ECRML (2007)3 paragraph 126). However, it was found that providing pre-school education was sometimes difficult, in particular in relation to recruiting and training personnel at pre-school level.

146. A new Kindergarten Act entered into force in January 2006 and a new national Framework Plan for schools to implement this new legislation was adopted. The Committee of Experts requested the authorities to provide more information on the implementation of this new Act, and on the plan for upgrading skills in

pre-schools, including the measures taken to strengthen the co-operation with the Sámi Parliament in this field.

147. According to the Norwegian authorities, the above mentioned Framework Plan has been translated into the North Sámi language and a thematic leaflet on Sámi culture has been prepared by the Ministry and sent to all kindergartens in Norway. The Committee of Experts also understands that the Sámi Parliament will produce further supervisory materials.

148. During the on-the-spot visit, representatives of the Ministry of Education drew the attention of the Committee of Experts to the challenges relating to the transition between pre-school education and primary school and the drop-out of children attending Sámi education. They informed the Committee of Experts that an information brochure for parents on Sámi language education is available in all Sámi languages.

149. As far as the recruitment of teachers at pre-school level is concerned, the Ministry has laid down a strategic plan for improving the staff's competence in all kindergartens in Norway, and co-operates with the Sámi Parliament which has a competence to supervise the competence of teachers at that level.

150. The Committee of Experts welcomes these initiatives and considers the undertaking fulfilled.

Secondary Education

- c
 - i to make available secondary education in the relevant regional or minority languages; or
 - ii to make available a substantial part of secondary education in the relevant regional or minority languages; or
 - iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv **to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;**

151. In its previous report, the Committee of Experts considered the undertaking fulfilled as the situation of teaching at upper secondary level was satisfactory in the county of Finnmark, particularly in Karasjok and Kautokeino, and it noted that there were some schools offering education in the county of Troms. At that time however, the Sámi Language Board pointed out that none of the upper secondary schools outside Karasjok and Kautokeino provided for Sámi medium education, and made suggestions for improving the accessibility of this type of education to the pupils and raising awareness among parents. The Committee of Experts also asked for information about the foreseen new syllabus in Sámi at upper-secondary level (cf. ECRML (2007)3 paragraph 129).

152. According to the Norwegian authorities, a new curriculum for Sámi pupils "Knowledge Promotion – Sámi" has been developed by the Norwegian Directorate of Education and Training and the Norwegian Ministry of Education and Research in cooperation with the Sámi Parliament. The curriculum was introduced within the administrative area for Sámi languages and seventeen parallel subject syllabuses for specific Sámi subjects have been developed. Most of these subject syllabuses are now in use in Sámi primary, lower secondary and upper secondary schools. Among them are the language subject curricula for Sámi as a first language and Sámi as a second language based on the Common European Framework of Reference for Languages.

153. The Committee of Experts considers the undertaking fulfilled.

University and Higher Education

- e
 - ...
 - ii **to provide facilities for the study of these languages as university and higher education subjects;**

154. The Committee of Experts considered that the undertaking was fulfilled in the previous monitoring round. During the on-the-spot visit, it was informed about a new course at the University of Tromsø, where North Sámi is taught as a foreign language. The teaching of North Sámi as a subject at the University of Oslo has been changed to mother tongue education. The Sámi University College has recently been united with the Nordic Sámi Institute, creating an institution which deals with both teacher training and research in various Sámi subjects. The Committee of Experts welcomes these very positive developments.

155. The Committee of Experts considers that the undertaking is fulfilled and invites the authorities to provide information about the results of these developments in the next periodical report.

Paragraph 2

With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

156. Although the Committee of Experts considered this undertaking fulfilled in the previous round, it also considered that there was room for improvement, in particular as regards the lack of qualified teachers able to offer education in North Sámi and the lack of teaching materials (see paragraph 136). The Committee of Experts understands that most of the language teaching is provided through distance learning.

157. Furthermore, the Committee of Experts noted that there was (and still is) migration of Sámi-speakers from the Sámi land to the Norwegian capital. The Committee of Experts has not received any specific information about the number of Sámi living outside the Sámi homeland and whether their linguistic needs are being addressed. More generally, the Committee of Experts invites the relevant authorities from the Norwegian government and the Sámi Parliament to collect reliable data on the number and distribution of speakers and their degree of language competence for future language planning (see also the 3rd evaluation report on Finland ECRML (2007)7, paragraph 29).

158. In the previous monitoring round, the Committee of Experts noted that there was room for improvement with regard to pre-school education in Oslo and Tromsø. It invites the authorities to clarify if progress has been achieved in terms of accessibility.

159. During the on-the-spot visit, representatives of the Sámi Parliament informed the Committee of Experts that, as has been done with 7 counties throughout Norway, an agreement still needs to be made with Oslo City to ensure the possibility to learn Sámi at pre-school level.

160. The Committee of Experts cannot reach a conclusion on the fulfilment of this undertaking and looks forward to receiving clarification on the situation of Sámi education in Oslo in the next periodical report.

Article 9 - Judicial authorities

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

a *in criminal proceedings:*

- i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or*
- ii to guarantee the accused the right to use his/her regional or minority language; and/or*
- iii to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language; and/or*
- iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;"*

b *in civil proceedings:*

- i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or*
- ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or*
- iii to allow documents and evidence to be produced in the regional or minority languages,*

if necessary by the use of interpreters and translations;

161. In the third monitoring round, the Committee of Experts considered the undertakings fulfilled, as a result of the efforts made by the Norwegian authorities and the Sámi Parliament to improve access to the use of Sámi in courts (cf. ECRML (2007)3 paragraphs 137-142). The Committee of Experts noted in particular that the setting up of the bilingual Inner Finnmark District Court has had a positive impact on the use of Sámi in court proceedings. The Norwegian authorities informed the Committee of Experts that North Sámi is used in 20 to 25% of the cases.

162. At the same time, the Committee of Experts noted that there was a need to develop Sámi legal terminology on the one hand, and to train staff and law professionals in general to improve the use of Sámi in courts on a more general basis (cf. also ECRML (2007)3, paragraphs 139 and 140). For this purpose the University of Tromsø should consider offering courses in legal Sámi terminology. Increasing the recruitment of Sámi lawyers, judges or prosecutors could also contribute to overcoming the difficulties of using Sámi in courts.

163. The Norwegian authorities refer to the work done by the National Courts Administration in translating information related to the Judiciary into North Sámi, in co-operation with Inner Finnmark District Court, e.g. the translation of the national website for the Judiciary and the translation of templates in the courts' electronic case processing system. However, this work is complicated due to the fact that North Sámi does not contain the legal terminology that the templates require. The University of Tromsø is for the time being developing such legal terminology. Hopefully this development will help solve these problems.

164. The Committee of Experts welcomes these initiatives and invites the authorities to return to this issue in the next report. It also encourages the authorities to report on the training of lawyers and magistrates in the Sámi language and Sámi legal terminology.

165. The Committee of Experts understands that cases involving citizens from Kåfjord normally do not fall under the competence of the Inner Finnmark Court, but under the Nord Troms District Court with Hålogaland Court of Appeal. The Committee of Experts has not received any specific information regarding the use of Sámi before Nord Troms District Court and encourages the authorities to provide such information in the next periodical report.

166. The Committee of Experts also invites the authorities to return to the issue of the training of staff, lawyers and all relevant legal officers in legal terminology in North Sámi. The Committee of Experts understands that the National Courts Administration is currently assessing exchanges of the courts' experiences on handling cases with Sámi-speakers and the possibility of initiating steps to reinforce the recruitment of Sámi-speaking lawyers, in co-operation with the law faculties.

167. The Committee of Experts considers the undertaking fulfilled with regard to Inner Finnmark District Court. It asks the authorities to provide more information regarding the situation in Kåfjord in their next periodical report.

Paragraph 3

The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided.

168. Although the Committee of Experts considered the undertaking fulfilled in the previous round, it noted that there was a need to harmonise the translation of the laws and increase the accessibility of the translated texts (ECRML (2007)3 paragraphs 143-146).

169. Since the last monitoring round, regulations concerning the preservation of nature in Finnmark County are in the process of being or have been translated into North Sámi by the Ministry for the Environment. This is also the case for the agreement between the Sámi Parliament and the Ministry for the Environment on guidelines for protection plans according to the Nature Conservation Act.

170. The following acts and regulations have been translated since the previous monitoring round into North Sámi :

- The Act on Mental Health Care and the Act on Specialised Health Services;
- The new Norwegian Kindergarten Act (Act no. 64 of June 2005);

- The draft amendments to the regulations on press subsidies for Sámi newspapers (for further information, see under Article 11 below) were circulated for comments both in Norwegian and Sámi versions;
- The Cultural Heritage Act has been translated and there are also plans for translating the new Planning and Building Act.

171. The Committee of Experts considers the undertaking fulfilled.

Article 10 - Administrative authorities and public services

172. The report from 2007, commissioned by the Ministry of Culture and Church Affairs and carried out by the Nordic Sámi Institute, evaluates the implementation of the language obligations in the Sámi Act. It deals with municipal and county administration and with local state administration, especially in the health and social care sector. The conclusion is that there has been a positive development both in the state, county and municipal sectors. Nevertheless, the information available indicates that most public bodies do not comply with the regulation in the Sámi Act. The main problem seems to be the lack of competence in Sámi among the staff of these bodies. However, this varies greatly from one municipality to another in the Sámi Administrative District, and from one public body to another within a given municipality. The report concludes that there is a solid basis for further work towards full implementation of the language obligations in the Sámi Act.

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

...

- b** *to make available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions;*

173. In its previous report, the Committee of Experts considered the undertaking fulfilled, although the availability of administrative texts in Sámi could be improved, particularly the government texts which are translated into North Sámi (cf. ECRML (2007)3 paragraphs 149-152).

174. According to the Norwegian authorities, public information in North Sámi is available on the official Government website, www.regjeringen.no. All ministries have Sámi versions of their home pages, although the amount of information varies somewhat.

175. As far as tax services are concerned, the Norwegian authorities underline that most forms that may be relevant have been translated into North Sámi. The tax returns and instructions for self-employed taxpayers, private employees and retired taxpayers have been available in North Sámi since 2002, as has the pre-filled tax return form. The appendices to the tax return form for self-employed taxpayers are also available in North Sámi. Persons that hand in North Sámi tax returns will also receive their tax statements in Sámi. A birth certificate form and a residence certificate form in North Sámi are also available.

176. In addition, East Finnmark Police Authority has sent letters translated into North Sámi to people involved in civil proceedings, which correspond to approximately 200 "standard letters". The Committee of Experts praises the authorities for these initiatives that conform with regulations in the Sámi Law and safeguard the legal protection of the Sámi population.

177. The Committee of Experts considers that the undertaking is fulfilled.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

- a** *the use of regional or minority languages within the framework of the regional or local authority;*
- b** *the possibility for users of regional or minority languages to submit oral or written applications in these languages;*

...

- e *the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;*
- f *the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;*
- g *the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.*

178. The following figures regarding persons in the municipalities in the Sámi Administrative District who master Sámi have been provided to the Committee of Experts:

Municipality	population	%population who master Sámi	%municipal staff who master Sámi	%municipal staff who writes Sámi
Kautokeino	3068	95	80	40
Karasjok	2900	90	80	17
Porsanger	4400	(at least)35	21	8
Tana	3050	50	48	18
Nesseby	965	75	40	14
Kåfjord	2300	46	26	7

179. With regard to undertakings a) and b), the Committee of Experts considered in its last evaluation report that these undertakings were fulfilled though it requested further information regarding the percentage of Sámi speaking employees in the local authorities (ECRML (2007)3 paragraphs 154-159). The Committee of Experts has received the relevant information, see the chart above. The authorities indicate in the fourth periodical report that statistics in Sámi in the series Official Statistics of Norway (D384) are available both in Norwegian and in North Sámi.

180. As far as tax services are concerned, the Directorate of Taxes indicates that an adequate number of Sámi-speaking tax officials are working in the relevant municipalities and meet the need for interpretation into Sámi. Information has also been sent to subsidiary offices inviting them to use professional interpreters and interpretation services when this is necessary.

181. As far as the Police Authority is concerned, West Finnmark Police Authority requested the Sámi College to set up a course in North Sámi language and on Sámi culture for their employees starting in the autumn 2008. The Committee of Experts looks forward to receiving information on this programme, in particular whether the course took place, the number of officers, etc. The Committee of Experts was also informed that the Norwegian Police University College has strengthened its focus on recruiting Sámi speakers, and North Sámi is used when recruiting in the northern regions.

182. Finally, two Sámi-speaking officials are working in Tromsø prison. The authorities underline however that the Correctional Service has experienced difficulties in recruiting Sámi-speaking students to the Correctional Service of Norway Staff Academy. The Norwegian Correctional Service endeavours to ensure that there is a sufficient number of Sámi-speaking prison officers where they are most needed.

183. The Committee of Experts commends the authorities for these measures and encourages them to pursue their efforts.

184. With regard to undertakings e) and f), in the previous monitoring round, the Committee of Experts considered that the practice in local assemblies varied and that for instance Norwegian was used in Kåfjord, Porsanger and in the regional assembly of Troms (ECRML (2007)3, paragraph 156). Problems of translation were also reported in the local assembly of Tysfjord. The Committee of Experts stressed that these municipalities should be encouraged to take steps to increase the use of North and Lule Sámi respectively. The Committee of Experts looks forward to seeing further improvements, notably with the inclusion of Tysfjord in the Sámi Administrative District.

185. The Committee of Experts also requested information about the application for bilingual names in the County of Troms (ECRML (2007)3, paragraph 157). The Committee of Experts is pleased to note that as from 01.07.2006, the official name of the Troms County is indeed bilingual in Norwegian and North Sámi ("Troms - Romssa"). Furthermore, the Norwegian authorities indicate that the amended version of the Norwegian Act of 18 May 1990, No. 11 relating to Place names, entered into force in 1 January 2006 and

relevant by-laws as from 1 January 2007. Pursuant to the new act, individuals and local communities have the right to be heard in the decision process relating to the orthography of place names and linguists are also consulted to assess the orthography of the names in question. More precisely, a new *objects' clause* has been inserted providing for the special duty of safeguarding Sámi place names, in compliance with national statutory law and international treaties.

186. The Committee of Experts considers these undertakings fulfilled.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

- a translation or interpretation as may be required;*

187. The Committee of Experts considered in its last evaluation report that the undertaking was formally fulfilled and that the authorities should take additional measures to attract students to training programmes for professional interpreters (ECRML (2007)3, paragraph 160-163).

188. The Committee of Experts refers to its comments below (under Article 13). It recalls that interpretation and translation facilities are needed for administrative tasks and in public services. However, there seems to be a lack of professional interpreters, and as pointed out above, there is practically no recruitment of professional interpreters. The Committee of Experts has been informed of the offer made by the University college in Kautokeino to educate interpreters, but evidently almost no students follow the courses. Representatives of the Ministry of Education informed the Committee of Experts during the on-the-spot visit that Oslo University College started a course on Norwegian-Sámi translation in 2009. The Committee of Experts welcomes this initiative and looks forward to receiving information in the next periodical report on the number of students, etc.

189. The Committee of Experts considers that the undertaking is still formally fulfilled and it invites the authorities to report on the measures and the results of the new strategy adopted to attract students to training programmes for professional interpreters.

Paragraph 5

The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

190. In its previous evaluation report, the Committee of Experts considered this undertaking not fulfilled and urged the Norwegian authorities to ensure that the national population registers and other public institutions accept Sámi names in their original form (cf. ECRML (2007)3, paragraphs 164-169).

191. According to the information provided by the Norwegian authorities, a norm for Sámi characters in computer technology was adopted in the autumn of 2007 with a view that most of the official registers in Norway shall be able to use the Sámi characters by the end of 2009. At the same time, the authorities acknowledge that the implementation of Sámi characters continues to be an ICT (Information and Communication Technology) problem and that the introduction of new standards that support Sámi characters will take some time before Sámi characters are implemented in this data record (see the fourth periodical report, page 14).

192. According to the information received during on-the-spot visit, no changes have been made so far. The tax authorities recognised officially the problem in January 2008 but, as indicated during the on-the-spot visit, to date the problem is not solved.

193. Since no concrete changes in the register have been made so far, the Committee of Experts maintains its previous conclusions, and considers the undertaking not fulfilled.

The Committee of Experts strongly urges the Norwegian authorities to ensure that the national population registers and other public institutions accept Sámi names in their original form.

Articles 11 - Media and 12 - Cultural activities and facilities

194. All undertakings under articles 11 and 12 continue to be fulfilled. The Norwegian authorities provided updated information on media in Sámi and a number of cultural activities (see p. 35-39 of the fourth periodical report).

195. As far as the media are concerned, the Norwegian authorities reported on the presence of Sámi on public and private broadcasting as well as in the written press. Interesting information has been provided as regards new technology: in 2007, the NRK Sámi Radio moved its Internet service to nrk.no. The number of users has grown rapidly since the service was re-launched in March 2007. The average use per month has increased from under 14 000 unique users to approximately 21 000 unique users. The NRK Sámi Radio is now directing its efforts towards building up the website as the main platform for news updates both in Sámi and Norwegian.

196. Regarding the written press, the Ministry of Culture and Church Affairs revised the regulations on press subsidies for Sámi newspapers due to the fact that there was a considerable budget increase from 2007 to 2008 (NOK 5 million) and the merger of two of the three newspapers receiving such subsidies. After a public hearing and formal consultations with the Sámi Parliament, the Ministry adopted new regulations on 13 June 2008. The amendments imply that a larger share of the subsidies will go to newspapers using Sámi, and the aim is to protect and promote the use of Sámi languages in the public sphere.

197. During the on-the-spot visit, the Committee of Experts was informed that a number of students are applying to follow the journalist training offered by the Sámi University College (60 applicants for 18 posts). It also notes that in the municipality of Kåfjord, more should be done for broadcast media in North Sámi. It invites the authorities to provide more information in the next periodical report.

198. Concerning cultural activities, the authorities have provided information on the projects supported by the Arts Council Norway and the Norwegian Archives, Library and Museum Authority. In addition, financial support has been allocated to the film festival at Kautokeino and the culture festival Riddu Riddu. The Committee of Experts has in particular noted the positive development of the Sámi cultural festival Riddu Riddu in Kåfjord.

Article 13 - Economic and social life

Paragraph 2

With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:

...

- c** *to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons;*

199. The Committee of Experts considered in the previous evaluation report that this undertaking was only partially fulfilled and urged the authorities to ensure that social care facilities offer in practice the possibility for patients to communicate in Sámi with health personnel (cf. ECRML (2007)3, paragraphs 174-180). It believed that measures could be taken, in particular the inclusion of more teaching hours of Sámi in the education and in-service training of health personnel in the Sámi Administrative District.

200. In their fourth periodical report, the authorities indicate that the proposed Sámi Information Service for the health and social services has not been implemented, due to differing views from the health authorities and the Sámi Parliament on how this should be done. The Norwegian authorities acknowledge that there is still a problem in relation to the lack of interpretation services at hospitals and that there is a lack of interest shown by potential students. Therefore, the Directorate for Health and Social Affairs has been considering a change of strategy, in particular by trying to mobilise Sámi-speakers to follow basic training wherever they live, rather than following a college programme (Sámi College in Kautokeino).

201. Although the situation is of some concern, the authorities also refer to efforts made by the County Governor in Finnmark, in recruiting Sámi general practitioners in Alta, Karasjok, Kautokeino, Porsanger and Tana (available also for patients from Nesseby). For the moment the best case is in Kautokeino, where there are two Sámi-speaking doctors and two non-speakers who are learning North Sámi language.

202. During the on-the-spot visit, representatives of the Sámi Parliament underlined that apart from two bilingual municipalities, the situation is unsatisfactory and that distance learning for the municipal health sector should be considered. At the same time, the Norwegian authorities informed the Committee of Experts that in Porsanger, out of 35 nurses, 9 spoke Sámi, and some Sámi-speaking parishioners have been recruited, e.g. a dentist from Tromsø. Since September 2008, there has been a permanent offer of training for nurses in Porsanger. The Committee of Experts is pleased to note that 35 students are registered. The authorities' aim is for an interpreter to be made available at short notice when Sámi-speaking health personnel are not available. The shortage of staff cannot be solved otherwise.

203. In Norway, the municipalities are formally responsible for health and care services and for the recruitment of health and care personnel. The possible involvement of the central authorities in recruiting other personnel groups is both a matter of resources and of finding a proper approach respecting the principle of local self-government. The matter is of course even more delicate in municipalities outside the Sámi administrative area, where the Sámi needs may not be fully recognised by local administrators and politicians. In 2006, the Norwegian health authorities set up a register concerning the needs of individuals who use or may use municipal care services. The purpose of the register (IPLOS) is mainly to aid the municipalities in determining what kind and volume of care services each individual should receive, but also to produce national statistics. Information about the register and the right for users to have access to their personal data is translated into North Sámi. Information on the regulation concerning the right to individual plans for patients in requiring long-term comprehensive care services is in the process of being translated.

204. The Committee of Experts is pleased to note that since autumn 2007, the Directorate for Health and Social Affairs has been employing a Sámi-speaking senior adviser in community medicine. He acts as a travelling agent advocating Sámi language and Sámi cultural considerations within the services, through network building and knowledge transfer aimed at hospitals, municipalities, supervision authorities and other actors in the sector.

205. The Committee of Experts received information from this senior adviser about the result of an investigation on the Norwegian health care delivery system at primary care level and hospital care level. There is a dissatisfaction resulting from the poor understanding and communication between the Sámi patients and the health care providers¹¹. The authorities acknowledge that one of the main challenges is to increase awareness among staff about the culture and language of the Sámi population and that there is a problem of communication. In practice, hospitals and primary health care physicians are not prepared to receive Sámi patients and no arrangements are made to have an interpreter present. The Committee of Experts is concerned by the recent measures adopted by many hospitals in Norway to reduce their budget for interpreters.

206. The Committee of Experts believes that measures could be taken, in particular the inclusion of more teaching hours of Sámi in the education and in-service training of health personnel in the Sámi Administrative District. According to the senior advisor, the Ministry of Health and Care Services will have to put stronger pressure and make more funds available to the regional health care authorities and to the municipalities to increase the knowledge about the Sámi culture among all the health care providers. The Committee of Experts urges authorities to do so and to apply the existing legislation.

207. Therefore, the Committee of Experts considers that the undertaking is still partly fulfilled.

The Committee of Experts strongly urges the authorities to ensure that social care facilities offer in practice the possibility for patients to communicate in Sámi with health personnel.

¹¹ See also Tove Nystad 'Sámi speakers are less satisfied with general practitioners' services, Nystad T, Melhus M, Lund E, International Journal of Circumpolar Health IJCH 2008, 67 (1).

Chapter 4 – Conclusion and proposals for recommendations

4.1 Findings of the Committee of Experts in the fourth monitoring round

General situation

A. The Committee of Experts commends the Norwegian authorities for the excellent level of cooperation, and especially expresses its gratitude with regard to the preparation and organisation of the on-the-spot visit. This has allowed the Committee of Experts to obtain precise and relevant information on policy and legal developments in the promotion and protection of regional or minority languages in Norway. The Committee of Experts commends in particular the Norwegian authorities for their continued efforts to further improve the implementation of the Charter in Norway.

B. The Sámi Act defines the Sámi Administrative District as an area where the concentration of Sámi speakers justifies special measures. This area included from the outset the municipalities of Karasjok, Kautokeino, Nesseby, Porsanger, Tana and Kåfjord, where North Sámi is used. The Committee of Experts has in its previous reports considered the Sámi Administrative District as the area where Part III applies and consequently dealt with North Sámi as a Part III language. Since 2006 and 2007, the Lule Sámi-speaking municipality of Tysfjord and the South Sámi-speaking municipality of Snåsa respectively have been included in the Sámi Administrative District. There is a need to clarify if the inclusion of Tysfjord and Snåsa in the Sámi Administrative District also means that Part III of the Charter should apply to Lule Sámi and South Sámi in these areas.

C. Norway does not collect official statistics regarding the users of regional or minority languages. The figures at the disposal of the Committee of Experts are only rough estimates and surveys indicate that the actual figures may be higher. The lack of reliable statistical data limits the ability of the Norwegian authorities to plan and to take appropriate measures for the protection and the promotion of Norway's regional or minority languages. It also reduces the visibility of regional or minority languages in Norway. Methods that respect privacy and personal integrity but nevertheless provide more reliable information regarding the number of users of regional or minority languages, could be developed on a scientific basis, in co-operation with the speakers.

Overview of the situation of the regional or minority languages

Part III language

D. As far as North Sámi is concerned, most of the undertakings are fulfilled. The Norwegian authorities and the Sámi Parliament should pursue their efforts to maintain this trend. With respect to court proceedings and local and regional administration, efforts are still needed to train or to recruit staff who master the relevant legal and administrative terminology in North Sámi. Additional measures are also needed to attract students to training programmes for professional interpreters.

E. Regarding the health sector and social services, there are still not enough public service employees who master sufficiently North Sámi to meet the needs of the speakers.

F. The Committee of Experts has been informed of certain initiatives regarding the use of Sámi names in their original form by the national population registers and other public institutions. However, at present it is still not possible to use Sámi names in their original form in these registers.

Part II languages

G. The Norwegian authorities have recognised Kven as a separate language. The language is in a precarious situation and therefore resolute efforts are needed to protect and promote it. An important first step has been taken through the establishment of the Kven Language Council. The Council has already started on the work of standardising the Kven language. A comprehensive structured policy for Kven adopted in co-operation with the speakers would be the natural basis for such efforts. Immediate efforts are needed to improve the teaching in/of Kven at all appropriate stages, including the development of a special

curriculum, and finally to improve the use of the Kven language in the public sphere, in particular in broadcasting.

H. The inclusion of Tysfjord municipality into the Sámi Administrative District will enhance the protection and promotion of Lule Sámi in the future since the inclusion also means that additional state funding is granted. The Árran cultural centre in Tysfjord is an important tool for the promotion of Lule Sámi, especially in education and public institutions. However, the language remains in a difficult position. Further resolute action is needed, in particular in the field of education, where the recruitment of qualified teachers and the provision of appropriate teaching materials seems to be of highest priority. Innovative measures are needed to stimulate the use of Lule Sámi in daily life. The good contacts with Lule Sámi-speakers in Sweden contribute positively to the promotion of the language.

I. The inclusion of Snåsa municipality into the Sámi Administrative District will enhance the protection and promotion of South Sámi in the future, since the inclusion also means that additional state funding is granted. However, South Sámi is spoken by few people spread over a large area. The language is in a particularly precarious situation and a number of measures are urgently needed if it is to survive as a living language in Norway. Some institutions have been established with a view to protect and promote South Sámi, namely Aajege in Røros and "Saemien Sijte" in Snåsa. Regarding education, the Committee of Experts has been impressed by the results achieved by the Elgå project at pre-school level. However, resolute support and innovative solutions are still needed at all levels of education. The co-operation with South Sámi speakers in Sweden also contributes to the promotion of the language.

J. Romani and Romanes are protected as non-territorial languages under the Charter. Both remain largely absent from public life in Norway. Serious difficulties persist in the field of education as neither Romani nor Romanes are taught as a subject at school.

4.2 Proposals for recommendations on the basis of the results of the 4th monitoring cycle

The Committee of Experts, while acknowledging the efforts the Norwegian authorities have undertaken to protect the regional and minority languages used in their country, has in its evaluation chosen to concentrate on some of the most important deficiencies in the implementation of the Charter. The recommendations forwarded by the Committee of Experts to the Committee of Ministers should not, however, be interpreted as diminishing the relevance of the other, more detailed observations contained in the report, which remain valid in their own right. The recommendations proposed by the Committee of Experts are drafted accordingly.

The Committee of Experts of the European Charter for Regional or Minority Languages, in accordance with Article 16 paragraph 4 of the Charter, proposes on the basis of the information contained in this report, that the Committee of Ministers make the following recommendations to Norway.

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted by Norway on 10 November 1993;

Having taken note of the evaluation made by the Committee of Experts of the Charter with respect to the application of the Charter by Norway;

Bearing in mind that this evaluation is based on information submitted by Norway in its fourth periodical report, supplementary information given by the Norwegian authorities, information submitted by bodies and associations legally established in Norway and the information obtained by the Committee of Experts during its on-the-spot visit,

Recommends that the Norwegian authorities take account of all the observations of the Committee of Experts and, as a matter of priority:

1. ensure that social and health care institutions within the Sámi Administrative District offer services in North Sámi;
2. clarify the status of the Lule and South Sámi languages in relation to Part III of the Charter;
3. continue their efforts to provide teaching in/of Lule and South Sámi, including the development of teaching materials and teacher training;
4. continue their efforts to protect and promote the Kven language in particular in education and in the field of broadcast media;
5. take measures to develop language education in Romani and Romanes in co-operation with the speakers.

Appendix I: Instrument of ratification



Norway :

Declarations contained in the instrument of ratification, deposited on 10 November 1993 - Or. Engl.

We undertake to carry out the provisions contained in Parts I, II, IV and V of the Charter and also in accordance with Article 2, paragraph 2, the provisions contained in the following articles, paragraphs and sub-paragraphs of Part III of the Charter :

In Article 8 :

Paragraph 1, sub-paragraphs a (iii), b (iv), c (iv), d (iv), e (ii), f (ii), g, h, i
Paragraph 2

In Article 9 :

Paragraph 1, sub-paragraphs a (i-iv), b (i-iii), d
Paragraph 2, sub-paragraph a
Paragraph 3

In Article 10 :

Paragraph 1, sub-paragraphs a (iii), b, c
Paragraph 2, sub-paragraphs a, b, c, d, e, f, g
Paragraph 3, sub-paragraph b
Paragraph 4, sub-paragraph a
Paragraph 5

In Article 11 :

Paragraph 1, sub-paragraphs, a (iii), b (i), c (ii), e (i), f (ii), g
Paragraph 2

In Article 12 :

Paragraph 1, sub-paragraphs a, d, e, f, g, h
Paragraph 2
Paragraph 3

In Article 13 :

Paragraph 2, sub-paragraphs c, e

In Article 14 :

sub-paragraph b

The above-mentioned paragraphs and sub-paragraphs shall, in accordance with Article 3, paragraph 1, apply to the Sámi language.

Period covered: 1/3/1998 -

The preceding statement concerns Article(s) : 10, 11, 12, 13, 14, 2, 3, 8, 9