
Linguistic rights



MINISTRY OF JUSTICE
FINLAND

What are linguistic rights and who is entitled to them?

Linguistic rights are fundamental rights

Pursuant to the Constitution of Finland, the national languages of Finland are Finnish and Swedish. Every person has the right to use their language, either Finnish or Swedish, when using services provided by authorities and to receive necessary documents in this language.

As provided in the Constitution, the Sámi as an indigenous people as well as the Roma and other groups have the right to maintain and develop their language and culture.

The rights of persons using sign language and of persons in need of interpretation or translation aid owing to disability shall be guaranteed by an Act.

The public authorities shall provide for the cultural and societal needs of the Finnish-speaking and Swedish-speaking populations of the country on an equal basis.

The fulfilment of linguistic rights is a precondition for the realisation of other rights

The **Language Act** (423/2003) includes provisions on the right of Finnish and Swedish speakers to use their language before authorities.

The **Sámi Language Act** (1086/2003) includes provisions on the right to use the Sámi language before authorities.

According to the **Sign Language Act** (359/2015), authorities must promote the opportunities of sign language users to use their language and receive information in their language.

In addition to these, there are numerous other acts that include provisions on linguistic rights.

A citizen of another country has the same right as a Finnish citizen to use Finnish or Swedish when using services provided by authorities.

Every person in Finland has a registered native language

Native language

The language indicated by a person as their native language is listed in the Population Information System. Authorities must determine on their own initiative a person's registered native language. Authorities require this information so that they can, for example, contact the person and send decisions and other official documents to them. However, each person decides whether they wish to use Finnish or Swedish when using services provided by bilingual authorities.

Language in which services are used

If the language listed as a person's native language in the Population Information System is a language other than Finnish or Swedish, the person can specify in the Population Information System whether they wish to use services in Finnish or Swedish.

In which languages are authorities obligated to provide services?

The Language Act lays down specific provisions on the right to use both Finnish and Swedish before State authorities, the authorities of municipalities, courts and otherwise in the discharge of public administration duties (for example when an authority purchases services from a private actor). Authorities are not obligated to use languages other than Finnish and Swedish.

However, an authority can always provide better linguistic services than those required by the law.

The provision of services in one's language means that the authority providing the service uses the person's native language or chosen language and that both languages are visible in the authority's activities. A unilingual authority can use the services of an interpreter.

For example:

- A doctor must speak the language of the patient adequately, and an authority processing an administrative matter must

communicate directly with the customer in the customer's own language. A unilingual authority can use the services of an interpreter.

- The materials provided in a bilingual authority's lobby must be available in both languages.
- An authority cannot ask a person to change languages.

Every person has the right to use Finnish or Swedish in both written and spoken communication with State authorities.

- For example, Finnish or Swedish can be used when telephoning the Finnish Tax Administration or the Emergency Response Centre, during a traffic stop or when questioned by the police.

Every person has the right to use Finnish or Swedish before the courts.

- For example, a person can choose to use either language when being heard as a witness during a trial.

What are unilingual and bilingual authorities?

Under the Language Act, authorities are divided into unilingual and bilingual authorities. This determines whether the authority is obligated to use Finnish, Swedish or both languages.

The division into unilingual and bilingual authorities affects both the individual's linguistic rights and the authority's obligations concerning languages. A bilingual authority has a more extensive duty to provide services in both languages than a unilingual one.

Unilingual authorities are

- state authorities whose areas of jurisdiction include only municipalities in which the same language is spoken
- authorities of unilingual municipalities
- municipal joint authorities that include only municipalities in which the same language is spoken.

Unilingual authorities, *inter alia*

- provide services and communicate in the language used in their areas of jurisdiction
- use their language as the processing language in their administrative matters but can also use the other language to promote the rights and interests of concerned parties.

However, everyone has the right to use and be heard in their language also in matters that arise at the initiative of a unilingual authority, for example, when the matter is related to fundamental rights (such as matters concerning care and financial support).

The activities of a unilingual municipality are generally carried out in the language of that municipality.

Information relevant to the life, health and safety of individuals and to property and the environment is issued in both national languages throughout the country.

Bilingual authorities are

- central government authorities or other State authorities whose areas of jurisdiction include both Finnish and Swedish unilingual municipalities or at least one bilingual municipality
- authorities of bilingual municipalities
- joint municipal authorities that include both Finnish and Swedish unilingual municipalities or at least one bilingual municipality.

Bilingual authorities, *inter alia*

- see to it, on their own initiative, that linguistic rights are realised in practice and demonstrate that they use both languages in the services they provide to the public
- provide notifications, announcements and other notices to the public in both Finnish and Swedish

- ensure that the text printed on signs, traffic signs and other similar signposts they put up in bilingual municipalities is in both Finnish and Swedish. There are no provisions on the order of the texts; authorities are free to decide on this independently
- must use the language of the recipient when contacting people
- must provide services in both languages regardless of the majority language of the municipality.

Communications of a State and municipal authority addressed to the public must in a bilingual municipality be available in both Finnish and Swedish.

When can I use Finnish or Swedish ?

Every person has the right to use Finnish or Swedish when communicating with State authorities, authorities from bilingual municipalities or bilingual joint municipal authorities. This applies to both written and spoken communication.

For example

- when applying for daycare services or a building permit from a municipality
- when visiting the municipality's health centre or using social services
- when using the services of the hospital district's care units, laboratories or hospital wards.

A bilingual authority must, on its own initiative, demonstrate through its activities that it serves the public in Finnish and Swedish.

For example

- the authority's signs, forms and brochures must be available in both languages.

A bilingual municipality is obligated to see to it that services are provided in both languages, including in cases where the municipality has outsourced its social and health care services, for instance.

A bilingual authority must act in accordance with a person's choice of language, and they may not ask the person to change their language.

- For example, a State authority or an authority from a bilingual municipality must in an administrative matter, as a rule, draw up for example a decision in the same language in which the application was submitted.

What are the linguistic rights of the other language groups?

Linguistic rights of the Sámi

Under the Constitution, the Sámi as an indigenous people as well as the Roma and other groups have the right to maintain and develop their own language and culture.

The purpose of the Sámi Language Act is to guarantee the right of the Sámi to maintain and develop their own language and culture as well as to use their own language before the courts and other public authorities.

Three Sámi languages are spoken in Finland: Inari Sámi, Skolt Sámi and North Sámi.

Authorities are obligated to enforce and promote the linguistic rights of the Sámi people.

The Sámi Language Act prescribes the authorities to whom it applies. These include, for example, the municipalities and courts in the Sámi homeland and the State's regional and local authorities to whose area of jurisdiction the aforementioned municipalities belong.

The Sámi homeland comprises the municipalities of Enontekiö, Inari and Utsjoki and part of the Sodankylä municipality.

The Sámi Language Act lays down obligations that apply to authorities based in both the Sámi homeland and other parts of Finland.

The Sámi people have more extensive linguistic rights in their homeland than in other parts of Finland.

Authorities can always provide better service than what is required under the Language Act. This also means service in other languages.

Sign language users

There are two national sign languages used in Finland, the Finnish sign language and the Finnish-Swedish sign language, which are both covered by the Sign Language Act.

The Sign Language Act includes provisions on the authorities' duty to promote sign language. According to the Act, authorities must in their activities promote the opportunities of sign language users to use their own language and receive information in their own language.

The Sign Language Act also aims to increase the awareness of authorities about sign languages and sign language users as a linguistic and cultural group.

Numerous acts lay down provisions on the linguistic rights of sign language users. They include provisions on, for example, the right to interpretation and the right to education.

According to the Sign Language Act, a sign language user is a person whose own language is sign language. The core group of sign language users comprises the deaf and persons with severe hearing impairments who use sign language as their native language or first language. This refers to persons who are deaf, hard of hearing or deafblind. Sign language is also used by the hearing children of deaf parents (CODA).

Other languages

Acts such as the Administrative Procedure Act and acts concerning judicial procedure and social and healthcare services include provisions on the right to use languages other than Finnish, Swedish or Sámi before authorities.

The authorities are not obligated to use foreign languages themselves but can, instead, rely on interpretation or translation into a language the customer understands.

How is the realisation of linguistic rights supervised?

The Chancellor of Justice and the Parliamentary Ombudsman supervise the lawfulness of activities carried out by authorities and, therefore, also ensure that authorities comply with the Language Act and related legislation in all their activities.

The Non-Discrimination Ombudsman can handle complaints where language is the basis of discrimination or part of a discrimination case concerning the activities of an authority. The tasks of the Non-Discrimination Ombudsman are to oversee compliance with the Non-Discrimination Act, promote equality and prevent discrimination.

The Ministry of Justice is tasked with monitoring the implementation and application of the Language Act. The Ministry can issue recommendations on the application of the Language Act and make initiatives to rectify shortcomings. However, the Ministry does not have the right to resolve individual cases concerning the interpretation of the law.

Depending on the nature of the issue, you can also contact:

- the municipal Social Welfare Ombudsman
- the Patient Ombudsman of a health-care unit
- the minority language committees of bilingual hospital districts
- the Regional State Administrative Agencies, which manage and supervise, for example, the municipalities' social and healthcare services and educational services
- a higher instance, such as the ministry responsible for the matter.

Each authority is responsible for ensuring that its own activities comply with the Language Act. If you observe any shortcomings in linguistic services, you should first and foremost contact the authority in question.

The Ministry of Justice website provides further information on linguistic rights:
www.oikeusministerio.fi/en/linguistic-rights

Contact information:
kieliasiat-sprakarenden.om@om.fi



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