

## RIGHT OF DOMICILE

Right of domicile in Åland is a requirement for the right to:

- vote and stand for election in elections to the Parliament
- own and or be in possession of real property in Åland
- conduct a business in Åland.

The limitation in the right to own or be in possession of real property was introduced to ensure that the land would remain in the hands of the local population. It does not prevent people from settling in the Åland Islands.

Right of domicile is acquired at birth if it is possessed by either parent. Immigrants who have lived in Åland for five years and have an adequate knowledge of Swedish may apply for the status, provided they are Finnish citizens. The Åland Government can, occasionally, grant exemptions from the requirement of right of domicile for those wishing to acquire real property or conduct a business in Åland. Those who have lived outside Åland for more than five years lose their right of domicile.

## LANGUAGE RULES

Under the Autonomy Act Swedish is the only official language in Åland. This means, among other things, that Swedish is the language used by regional, municipal and State authorities in Åland. Publications and documents sent by Finnish Government agencies to Åland must also be in Swedish. The language of tuition in publicly funded schools is also Swedish.

## DEMILITARISATION

Åland is demilitarised. This means that there may be no military presence here and that the Islands may not be fortified. Åland is also neutralised, and must therefore be kept outside the theatre of war in case of conflict.

When Åland was incorporated into the Russian Empire in 1809 the Islands' new rulers initiated the construction of a large fortress at Bomarsund on the eastern side of the main island. During the

Crimean War French and British troops attacked and seized the fortress, and at the ensuing peace negotiations held in Paris in 1856 Åland was demilitarised through a one-sided commitment from Russia.

When the League of Nations resolved the issue of Åland's constitutional affiliation in 1921 a decision was also taken to draw up an international convention. The convention, which confirmed the demilitarisation of 1856 and also neutralised Åland, was signed by ten states. Russia is not a party to the 1921 convention, but the 1940 Moscow Treaty on the Åland Islands and the 1947 Paris Peace Treaty contain provisions on the demilitarisation of Åland. Neutralisation is not mentioned, however. Those who have right of domicile and moved to Åland before the age 12 are exempt from military service.

## ÅLAND IN THE WORLD NORDIC COOPERATION

Since 1970, Åland has had its own representation in the Nordic Council. The Parliament of Åland appoints two representatives to the Council, who together with the representatives appointed by the Åland Government, form the Ålandic delegation to the Nordic Council.



The Åland Government also participates in the work of the Nordic Council of Ministers.

## ÅLAND IN THE EU

Foreign affairs is not transferred to Åland under the Autonomy Act, but remains under the control of the Finnish Government. Even so, Åland has a degree of influence on international treaties that contain provisions relating to areas where Åland is the competent authority. The Autonomy Act states that an international treaty of this kind entered into by Finland requires the consent of the Parliament of Åland to become valid also in Åland.

Thus, when Finland became a member of the European Union in 1995, Åland's accession was dependent on the consent of the Åland Parliament. After the population had expressed its opinion in two separate referendums and it had been decided that Åland's relationship to the EU would be regulated in a special protocol, the Parliament of Åland expressed its consent. The protocol, which is part of Finland's treaty of accession, states that Åland shall be regarded as a third territory with respect to indirect taxation. It also contains certain special provisions relating to the purchase of real property and the right to conduct a business in Åland, and confirms Åland's special status under international law.



*Åland has had its own stamps since 1984.*

## ÅLAND AS A MODEL

Politicians, academics and journalists around the world often study Åland as an example of a successful solution to a minority conflict. The division of power between Åland and Finland, and the principle that any amendment to that division requires the consent of both parties, as well as the right of domicile, the restrictions on land purchases and Åland's power to influence international treaties are some of the aspects of Åland's autonomy that have attracted the interest of outside observers. Åland is considered a unique case for several reasons: its autonomy has existed for a long time, the solution was arrived at without force of arms, and Åland is both self-governing and demilitarised.



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# ÅLAND

- an autonomous region



## LAGTINGET – THE ÅLAND PARLIAMENT

Åland's autonomy gives it the right to pass laws in areas relating to the internal affairs of the region and to exercise its own budgetary power. Åland's legislature, its "parliament", is known as lagtinget. The Parliament appoints the regional Åland Government, landskapsregeringen.

Åland's autonomy is regulated by the Act on the Autonomy of Åland passed by the Parliament of Finland. An amendment of the Autonomy Act must follow the same legislative procedure as constitutional amendment and requires the consent of the Parliament of Åland. The division of power between Åland and Finland can thus only be changed on a consensual basis. The current Autonomy Act, the third in line, entered into force on 1 January 1993.

### In which areas is the Parliament entitled to pass laws?

The Autonomy Act lists the areas where the Åland Parliament has the right to pass legislation. The most important of these are: education, culture and the preservation of ancient monuments

- health and medical care, the environment
- promotion of industry
- internal transports
- local government
- policing
- postal communications, radio and television



In these areas Åland functions practically like an independent state with its own laws and administration.

### In which areas is the State the competent authority?

In those areas where the Åland Parliament does not have law-making powers, Finnish State law applies in the same way as in other parts of the country.

These include:

- foreign affairs
- most areas of civil and criminal law
- the court system
- customs

State taxation

To ensure that Åland's interests are taken into account also in these areas, Åland has a representative in the Finnish Parliament. Åland's Member of Parliament is elected in the same way as other Finnish MPs.

### How is the Åland Parliament elected?

The Parliament has 30 members, who are elected every four years by secret ballot under a system of proportional representation. The voting age is 18, but the right to vote and stand for election is also dependent on possession of right of domicile in Åland (see below).

Åland's political groups are independent from parties outside Åland, but have similar ideological foundations as their counterparts in Finland and other countries.

### Economic Autonomy

Apart from passing laws, the main task of the Parliament is to distribute the budget of Åland. The income consists of Åland's own revenues and a lump sum received from the Finnish Government, which constitutes a form of repayment of a part of the taxes paid by Åland to the Finnish State.

The State collects taxes, duties and fees also in Åland. In return, the Finnish Government places a sum of money at the disposal of the Åland Parliament. The sum is 0.45 per cent of total Government income,

excluding Government loans. Åland uses this "lump sum", about €190 million in 2007, to pay for services that would otherwise be provided by State authorities.

### Legislative Control

The laws adopted by the Åland Parliament are referred to the Finnish President, who has a right of veto only in two cases: if the Parliament has exceeded its legislative authority or if the bill would affect Finland's internal or external security.

The President bases his decision on the opinion of a body known as the Åland Delegation and occasionally also on the opinion expressed by the Supreme Court. Half the members of the Åland Delegation are appointed by the Finnish Government and half by the Åland Parliament.

## THE GOVERNMENT

The Åland Government, which may have up to eight members, is headed by the Chairman, lantrådet. The Åland Government is appointed by the Parliament according to parliamentary principles after negotiations among the various political factions. The objective is to achieve a government which enjoys the support of as wide a majority as possible, but a minority government is also possible.

### Administration

The Åland Government is assisted by an administration. The administration mainly comprises the regional civil service and has six departments. The Åland Government is responsible for all areas of government in which the Autonomy Act devolves authority to Åland. The regional government and civil service thus handle tasks which in other parts of Finland are handled by the Finnish Government and their ministries, the county administrations and various central government authorities.

## ÅLAND'S AUTONOMY – THE BACKGROUND

How can such a small people have such a wide autonomy?

As far back as we know the people of Åland have spoken Swedish

and had a culture that is similar to that in Sweden. Åland was also a part of the Swedish kingdom, enjoying periods of relative independence, up until the war of 1808-09, when Sweden was forced to relinquish Finland and Åland to Russia. As a result, Åland became part of the Grand Duchy of Finland.



When the Russian Empire began to fall apart in 1917 representatives of Åland's municipalities held a secret meeting at the Åland Folk High School, where they decided to seek reunification with their Swedish motherland. A delegation presented this request, which was backed by a mass petition signed by an overwhelming majority of the local adult population, to the Swedish King and Government.

In December 1917 Finland declared itself an independent republic, referring to the same principle of popular self-determination as had been invoked by the Ålanders in support of their claim for reunification with Sweden. Yet Finland was not prepared to meet the Ålanders' demands, and instead offered a form of internal self-government. The Finnish Parliament adopted a law regulating the proposed autonomy, but the Ålandic representatives rejected the initiative.

Due to the international character of what had now become known as the Åland Islands Question, the issue was referred to the newly formed League of Nations. In June 1921 the League's Council presented a compromise decision which offered something to each of the three parties to the conflict, Finland, Sweden and Åland.

Finland was granted sovereignty over Åland, but was placed under an obligation to guarantee to the population of the Islands their Swedish culture, language, local customs and the system of self-government that Finland had offered Åland in 1920. The decision was supplemented with an agreement between Finland and Sweden on how the guarantees were to be realised. The League also decided that a treaty governing Åland's demilitarisation and neutralisation should be drawn up to ensure that the Islands would never become a military threat to Sweden.

In 1922, after the 1920 Autonomy Act had been supplemented with a number of provisions relating to voting rights and the acquisition of land, the first elections to the Parliament of Åland were held. The landsting, as it was known at the time, convened for its first session on 9 June, and this day is now celebrated in commemoration of Åland's autonomy. The Autonomy Act has since been completely revised on two occasions, in 1951 and 1993.



*Åland has had its own flag since 1954.*