

Franet National contribution to the Fundamental Rights Report 2020

Finland

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Franet country study: policy and legal highlights 2019

Issues in the fundamental rights institutional landscape	New agency for the administration of courts: The National Courts Administration was established by an act of Parliament on 22 February 2019 with the aim of further strengthening the independence of the judiciary. The agency will start its operations on 1 January 2020.
EU Charter of Fundamental Rights	Ruling addresses the Charter in cartel case: The Supreme Administrative Court held that the lower court did not meet with the requirements arising from Article 47 of the Charter and the CJEU anti-trust case law when imposing the same penalties for all involved companies. The lower court failed to show in each individual case that the sanctions were in proportion to the gravity of the infringement.
Equality and non-discrimination	New Maternity Act and Digital Services Act into force on 1 April 2019: The Maternity Act ensures that both women in a same-sex couple are legally recognized as mothers from the moment of a child's birth. The Digital Services Act implements the Web Accessibility Directive (2016/2102/EU) and promotes digital services' accessibility, quality and security and enhances disabled persons' possibilities to use digital services on an equal basis. Reform of the Trans Act on the government agenda: A reform of the Trans Act was included in the new government programme .
Racism, xenophobia & Roma integration	Hate crimes: The European Commission against Racism and Intolerance (ECRI) published its fifth report on Finland , including 20 recommendations to combat racism and intolerance. According to Finland's strategy on preventive police work 2019–2023 , the resources of the police to prevent hate crime will be strengthened and people will be encouraged to report hate crimes to the police more actively. Roma integration: The implementation of the second National Roma Policy 2018–2022 (ROMPO2), adopted in 2018, started on 1 January 2019.
Asylum & migration	Unaccompanied children's access to services assessed: The Central Union for Child Welfare published a report on unaccompanied children's rights, needs and services on 16 December 2019. The report finds that the current Integration Act does not guarantee adequate services for unaccompanied children.
Data protection and digital society	National supervisory authority and the GDPR: On 1 January 2019, the new Data Protection Act came into force, enabling the Office of the Data Protection Ombudsman to implement and enforce the GDPR more effectively.
Rights of the child	Procedural safeguards for children who are suspects in criminal proceedings: On 29 January 2019, the Parliament approved amendments to eight laws required by the incorporation of Directive 2016/800/EU. Following the amendments, children suspects have an enhanced right to be informed of their rights in criminal proceedings.
Access to justice, including victims of crime	Promotion of rights of victims: The Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Finland welcomes the efforts made to strengthen the rights of victims of trafficking and identifies several areas in which the Finnish authorities still need to act. Combating violence against women: Despite positive developments regarding the availability of support centres and shelter services for victims of sexual violence, GREVIO's report on Finland's implementation of the Istanbul Convention identifies several areas requiring strengthened action.
Convention on the Rights of Persons with Disability	Finland's initial report on CRPD: Finland submitted its initial report to the CRPD .

Chapter 1. Equality and non-discrimination

1. Legal and policy developments in 2019 relevant to combating discrimination based on gender identity, religion or belief, disability, age or sexual orientation

The Act on Digital Services (*laki digitaalisten palvelujen tarjoamisesta/lag om tillhandahållande av digitala tjänster*, Act No. 306/2019)¹ implementing the Directive 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies entered into force on 1 April 2019. The aim of the Act is to promote digital services' accessibility, quality and security to enhance everyone's, especially persons' with disabilities possibilities to use digital services on an equal basis (Section 1). The supervising authority, the Regional State Administrative Agency of Southern Finland (*Etelä-Suomen Aluehallintovirasto/Regionförvaltningsverket i Södra Finland*), maintains a website providing online information and guidance documents and videos on the Act and thereto related standards and requirements.²

The reform of the Maternity Act (*äitiyslaki/moderskapslagen*, Act No. 253/2018) entered into force on 1 April 2019. The new act ensures that both women in a same-sex couple are legally recognised as mothers from the moment of a child's birth. In case a female same-sex couple has a child through fertility treatment, both women can be legally recognised as the child's parents before the child is born. Under the previous legislation, the partner not giving birth to the couple's child was required to adopt the child in order to receive legal status as a parent. This is still required in case of at-home insemination.³

A partial reform of the Non-discrimination Act (*yhdenvertaisuuslaki/diskrimineringslagen*, Act No. 1325/2014) that entered into force on 1 January 2015 is envisaged in the government programme which was adopted on 6 June 2019.⁴ An assessment of the Act commissioned by the Ministry of Justice (*oikeusministeriö/justitieministeriet*) is currently being carried out by the University of Helsinki. The results are expected to be available in March 2020. Issues warranting a review of the current legislation, identified by the Non-Discrimination Ombudsman (*yhdenvertaisuus–valtuutettu/diskrimineringsombudsmannen*) in the first report to Parliament, include strengthening access to justice for victims of discrimination by allowing the Non-Discrimination Ombudsman to refer cases to the Non-Discrimination and Equality Tribunal (*yhdenvertaisuus- ja tasa-arvolautakunta/diskriminerings- och jämställdhetsnämnden*) without identifying the victim, and allowing the Non-Discrimination and Equality Tribunal to order compensation for victims of discrimination. Ordering compensation is currently possible only by the courts.⁵

Among further legislative reform projects in the area of equality and non-discrimination included in the new government programme is a revision of the Trans Act (*laki transseksuaalin sukupuolen vahvistamisesta, lag om fastställande av transsexuella personers könstillhörighet*, Act No. 563/2002).

¹ Finnish Acts of Parliament can be retrieved from the [Finlex](#) database using the name or the number of the act.

² Finland, Regional State Administrative Agency of Southern Finland (*Etelä-Suomen Aluehallintovirasto/Regionförvaltningsverket i Södra Finland*) website on [Accessibility](#).

³ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*), '[Äitiyslaki voimaan huhtikuun alusta](#)', press release, 7 February 2019.

⁴ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 89.

⁵ Finland, Non-Discrimination Ombudsman (2018), [The report of the Non-Discrimination Ombudsman to the Parliament 2018](#), pp. 48–50.

According to the government programme, the reform will entail removing the requirement of infertility and separating medical treatments from the change of the legal gender. For an adult who presents a “reasoned account of his or her permanent experience of representing the other gender” the change of legal gender will be made possible upon application. Further, as part of the reform of personal identity codes, gender will no longer be specified in the personal identity code. Also, intersex children’s right to self-determination will be strengthened, and cosmetic, non-medical surgeries on young children’s genitals will no longer be performed. These reforms of the Trans Act aim to respond to demands repeatedly presented by international human rights supervisory organs and national human rights actors.⁶ The Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) has appointed a working group to prepare a memorandum on the reform of the Trans Act. The memorandum was scheduled to be published in the end of 2019, after which the actual drafting of the government proposal was expected to start.⁷

Improving the rights of the elderly is one of the priorities set forth in the government programme under the objective of “Fostering an age-friendly society”.⁸ The measures include preparing a horizontal programme on ageing in collaboration with ministries, municipalities, third sector organisations and other actors. An office of an ombudsperson on older people’s rights is also planned to be established. In addition, increasing the awareness of older persons and persons with disabilities of their rights and supporting a more effective exercise of these rights in practice are included as measures for enhancing the objective of strengthening “equality, non-discrimination and equal implementation of rights” under a programme heading titled “safe and secure Finland built on the rule of law”. An action plan on gender equality is also included in the government programme, as well as a third national action plan on fundamental and human rights (*perus- ja ihmisoikeustoimintaohjelma/handlingsplan för grundläggande och mänskliga rättigheter*).⁹

The second national youth work and policy programme 2020–2023 was adopted as a government resolution on 19 December 2019.¹⁰ VANUPO is a statutory cross-sectoral policy programme which is adopted every fourth year. One of the three main sets of objectives of the policy is to strengthen young people’s confidence in society through measures enhancing equality and safety. Discriminatory structures will be identified and young persons’ abilities to act against discrimination strengthened, e.g. in the framework of the Discrimination-free Zone -campaign. VANUPO refers to young disabled persons and young persons belonging to sexual and gender minorities among young people who are found to experience discrimination.¹¹

In a statement on the annual report of the Ombudsman for Equality (*tasa-arvovaltuutettu/jämställhetsombudsmannen*), the Non-Discrimination Ombudsman (*yhdenvertaisuusvaltuutettu/diskrimineringsombudsmannen*) demands that the EU Commission recommendations on standards for equality

⁶ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 87.

⁷ Finland, information obtained from LGBTI Rights in Finland – Seta by phone on 29 November 2019.

⁸ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, pp. 156–158.

⁹ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 88.

¹⁰ Finland, Finnish Government (2019), [Valtakunnallinen nuorisotyön ja -politiikan ohjelma 2020-2023, VANUPO/Riksomfattande programmet för ungdomsarbetet och ungdomspolitik 2020-2023, RUNGPO](#), Government resolution, 19 December 2019.

¹¹ Finland, Finnish Government (2019), [Valtakunnallinen nuorisotyön ja -politiikan ohjelma 2020-2023, VANUPO/Riksomfattande programmet för ungdomsarbetet och ungdomspolitik 2020-2023, RUNGPO](#), Government resolution, 19 December 2019, pp. 14–15.

bodies adopted on 6 June 2018 should be discussed in Parliament.¹² According to the Non-Discrimination Ombudsman, many of the standards set forth in the Commission recommendations are not respected, in particular, as concerns the resourcing of the Non-Discrimination Ombudsman, the Ombudsman for Equality and the Non-Discrimination and Equality Tribunal (*yhdenvertaisuus- ja tasa-arvolautakunta/diskriminerings- och jämställdhetsnämnden*).

The Ministry of Justice (*oikeusministeriö/justitieministeriet*) released a memorandum comprising a midterm assessment of the implementation of the second national action plan on fundamental and human rights 2017–2019 on 27 June 2019.¹³ According to the memorandum, 34 out of 43 projects included in the action plan had been implemented as planned by the end of June 2019. Four projects were still on-going and two projects were not realised. Among the non-realised projects was a comprehensive reform of the Disability Services Act (*vammaispalvelulaki/lag om funktionshindertjänst*, Act No. 380/1987). The Government Bill (*hallituksen esitys/regeringsproposition*, No. HE 159/2018 vp) was referred to Parliament on 27 August 2018, but lapsed as a consequence of the collapse of the previous government's reform of the entire social and health care system (SOTE) on 8 March 2019 (please see also Chapter 8).

Implementation of the Vive la différence! Plan on Operational Equality and Non-discrimination for 2019–2021, published by the Ministry of Transport and Communications (*liikenne- ja viestintäministeriö/kommunikationsministeriet*) on 31 December 2018, started on 1 January 2019.¹⁴ Measures to enhance awareness of equality and accessibility in transport and communications include development of data systems involving personal information to allow age and gender based specifications more extensively than what is currently possible, and measures to observe gender diversity when developing official registers, making a third option possible alongside recording male and female as a person's gender identity. Gender-specific information is currently produced e.g. regarding driver's licences and operator exams. In addition, development and use of accessibility and equality indicators will be continued.¹⁵

A new web-based guide for equality planning (*Yhdenvertaisuuden edistäminen - ohjeita työnantajalle*) observing also sexual orientation based discrimination was published by the Occupational Health and Safety Administration in Finland (*työsuojeluhallinto/arbetskyddsförvaltningen*).¹⁶ The guide stresses that the assessment of the equality situation at the work place, which is required as a pre-planning measure, should include all discrimination grounds covered by the Equality Act (*yhdenvertaisuuslaki/diskrimineringslagen*, Act No. 1325/2014), including sexual orientation and disability. On the other hand, it reminds the employer to ensure that information on sensitive issues, such as sexual orientation, is collected only at a general level, excluding personal information.¹⁷ The guide further emphasizes that equality is more than an obligation of non-discrimination, requiring also

¹² Finland, Non-Discrimination Ombudsman (*yhdenvertaisuusvaltuutettu/diskrimineringsombudsmannen*) (2019), [Yhdenvertaisuusvaltuutetun lausunto tasa-arvovaltuutetun kertomuksesta eduskunnalle](#), K 22/2018 vp, 21 January 2019.

¹³ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2019), [Kansallisen perus- ja ihmisoikeustoimintaohjelman 2017–2019 toimeenpano](#), Memorandum, VN/876/2018, 27 June 2019.

¹⁴ Finland, Ministry of Transport and Communications (2019), [Erilaisuus vahvistaa! Liikenne- ja viestintäministeriön hallinnonalan suunnitelma toiminnallisesta tasa-arvosta ja yhdenvertaisuudesta vuosiksi 2019–2021](#), Publications of the Ministry of Transport and Communications 12/2018, Helsinki.

¹⁵ Finland, Ministry of Transport and Communications (2019), [Erilaisuus vahvistaa! Liikenne- ja viestintäministeriön hallinnonalan suunnitelma toiminnallisesta tasa-arvosta ja yhdenvertaisuudesta vuosiksi 2019–2021](#), Publications of the Ministry of Transport and Communications 12/2018, Helsinki, pp. 26–28

¹⁶ Finland, Occupational Health and Safety Administration in Finland (*Työsuojeluhallinto/Arbetskydds-förvaltningen*) (2019), [Yhdenvertaisuuden edistäminen - ohjeita työnantajalle](#), Occupational Health and Safety Administration publications 4/2019, Helsinki.

¹⁷ Finland, Occupational Health and Safety Administration in Finland (*Työsuojeluhallinto/Arbetskydds-förvaltningen*) (2019), [Yhdenvertaisuuden edistäminen - ohjeita työnantajalle](#), Occupational Health and Safety Administration publications 4/2019, Helsinki, pp. 2–3.

active promotional measures. As an example of positive discrimination that may be needed in certain situations, the guide refers to recruitments to increase the share of disabled persons and persons over 55 years of age in the work force.¹⁸

The Association of Finnish Local and Regional Authorities (*Kuntaliitto/Kommunförbundet*) published a guide for operational equality planning in the municipalities, offering guidance for a systematic approach for integrating equality issues in municipal operations observing all discrimination grounds. The guide includes several examples of cases and measures observing diversity of gender and sexual orientation, as well as disability and religion based discrimination.¹⁹ The latter guide was produced as a part of the Ministry of Justice coordinated Rainbow Rights project, which was supported by the Rights, Equality and Citizenship (REC) Programme of the European Union.²⁰

The final report Digital Finland – Equal to All. Report of the Digi arkeen Advisory Board was published on 28 March 2019.²¹ The Advisory Board was set up in early 2017 for a two-year term to act as a channel of cooperation between NGOs, researchers and the Ministry of Finance, which is responsible for the digitalisation of public services. The Advisory Board stresses the need to prevent potential exclusionary effects of digitalisation. It refers to age as one of the factors potentially causing exclusion/discrimination in access to digital services. The report notes that especially among older people there are persons that have not at all used computers during their working life. Whereas there are approximately 1.18 million people over 65 years of age in Finland, Statistics Finland (*Tilastokeskus/Statistikcentralen*) assesses that in 2017 some 500,000 of them did not use information technology at all. Older people's organisations that are represented in the Advisory Board further estimate that out of those 500,000 older people who use information technology, a major part needs assistance at least occasionally. In the use of internet there is a big difference between the age groups 65–74 and 75–89: in the first one, two-thirds use internet, in the latter one, only one third.²² The report further observes that young people, even though using information technology with ease, may not be skilful at using digital services offered by authorities. This may pose a problem when they are expected to take care of their affairs independently. It is known that part of young people are in danger of exclusion; for example, there are approximately 70,000 young people that neither work nor study.²³

2. Research findings, studies or surveys on either experiences of discrimination or rights awareness

In the end of 2018, the previous government commissioned a study assessing the implementation of the Non-discrimination Act that entered into force on 1 January 2015. The research project is carried out by the University of Helsinki (*Helsingin yliopisto/Helsingfors universitet*) and Owl Group.²⁴ It started on 1 January 2019 and is expected to be finalised in March 2020 (see also above). The study focuses

¹⁸ Finland, Occupational Health and Safety Administration in Finland (*Työsuojeluhallinto/Arbetskydds-förvaltningen*) (2019), [Yhdenvertaisuuden edistäminen - ohjeita työnantajalle](#), Occupational Health and Safety Administration publications 4/2019, Helsinki, p. 1.

¹⁹ Laaja, J., Korhonen, J. and Mikola, S. (eds.) (2019), [Kaikkien kasvojen kunta. Opas yhdenvertaisuuden edistämiseen kunnan toiminnassa](#), Helsinki, The Association of Finnish Local and Regional Authorities.

²⁰ Finland, [Project Rainbow Rights Promoting LGBTI Equality in Europe](#) webpage maintained by the Ministry of Justice.

²¹ Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2019), [Digitaalinen Suomi – Yhdenvertainen kaikille. Digi arkeen -neuvottelukunnan toimintakertomus](#), Publications of the Ministry of Finance 2019:23, Helsinki.

²² Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2019), [Digitaalinen Suomi – Yhdenvertainen kaikille. Digi arkeen -neuvottelukunnan toimintakertomus](#), Publications of the Ministry of Finance 2019:23, Helsinki, p. 26.

²³ Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2019), [Digitaalinen Suomi – Yhdenvertainen kaikille. Digi arkeen -neuvottelukunnan toimintakertomus](#), Publications of the Ministry of Finance 2019:23, Helsinki, p. 27.

²⁴ Finland, A presentation of the research project [Aidosti yhdenvertaiset - Yhdenvertaisuuslain arviointi](#) is available at the website of the Finnish Government.

on case-law, comparing the application of the Non-discrimination Act to that of the Equality Act, the development of equality structures from the point of view of access to justice and the implementation of the obligation to promote equality in the workplace.

A study on the rights and experiences of intersex persons was published by the Ministry of Justice (*oikeusministeriö/justitieministeriet*) on 28 February 2019.²⁵ Carrying out the study was included in the national action plan on fundamental and human rights 2017–2019 as one of the measures promoting integrity and the right to self-determination of persons belonging to gender minorities.²⁶ The report is based on interviews with 12 intersex persons and 6 parents of intersex children, examining their experiences in the Finnish healthcare system and society from a fundamental and human rights perspective. The aim was to study how the decisions are made when an intersex child is born and how the treatments that the child receives in childhood and adolescence have affected their lives. The report also considers the support services for parents of intersex children. The negative experiences of the intersex persons were found to relate to situations where they had been treated in an indiscreet and prejudiced manner. The essential experience was that the persons had not been allowed to participate in the decision-making concerning them or their children. In these situations the lack of a clear medical ground for the treatments was highlighted. The main recommendation made by the interviewees in order to enhance intersex persons' equality was to increase information provision on intersexuality and gender diversity, especially for all professionals at educational establishments and workplaces, and in the society in general. Among the recommendations issued on the basis of the study is prohibiting unnecessary medical operations and treatment not based on the child's express and informed consent, provision of the treatment of intersex persons by multiprofessional teams that include psychological and psychosocial experts, and reforming the Trans Act to ensure the legal recognition of gender in a speedy and transparent process based on the right to self-determination.

The first national barometer on student welfare in high schools was released on 28 November 2019.²⁷ The results show high levels of bullying experienced by intergender students and students who did not wish to specify their gender. 29 % of them had experienced bullying by other students and 22.5 % by teachers. As regards various forms of discrimination, intergender students also reported experiences of discrimination on different grounds more often than female and male students.

A fundamental rights barometer is being carried out by the Ministry of Justice (*oikeusministeriö/justitieministeriet*) in cooperation with the Finnish Human Rights Centre (*Ihmisoikeuskeskus/Människorättscentret*).²⁸ Disabled people have been selected as a focus group for the barometer, alongside three language groups, namely Swedish, Russian and Arabic. The barometer is mapping viewpoints, experiences and awareness of fundamental rights and their equal realization by representatives of the four focus groups. The barometer project is also part of the national action plan on fundamental and human rights 2017–2019. It is expected to be published in the beginning of 2020.²⁹

On 5 September 2019, the Ministry of Justice released a publication on national data sources for measuring discrimination.³⁰ The report is based on information collected on the internet and through interviews with over 50 public officials and experts. It compiles information from the national structures of data collection, such as population surveys, statistics and administrative data, but also includes views of actors representing the target groups. According to the report, the quantity and quality of

²⁵ Oikarinen, T. (2019), [Ei tietoa eikä vaihtoehtoja: Selvitys intersukupuolisten ihmisten oikeuksista ja kokemuksista](#), Ministry of Justice Publications 2019:3, Helsinki.

²⁶ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2017), [National action plan on fundamental and human rights 2017–2019](#), Publications of the Ministry of Justice 25/2017, Helsinki, 16 February 2017.

²⁷ Finland, Opetuksen ja koulutuksen tutkimussäätiö, Otus (2019), [Lukiolaisbarometri/Gymnasiebarometern 2019](#), pp. 9–10.

²⁸ Finland, Ministry of Justice Fundamental rights barometer project ([Perusoikeusbarometri-tutkimushanke](#)).

²⁹ Finland, information obtained from the Finnish Human Rights Centre (*ihmisoikeuskeskus/människorättscentret*) by email on 2 December 2019.

³⁰ Mannila, S. (2019), [Syrjinnän seurannan kansallisest tietolähteet/ Nationella informationskällor för uppföljningen av diskriminering](#), Ministry of Justice publications 2019:35, Helsinki.

discrimination related information has increased significantly during the last 12 years. It is, however, still very scattered, which may make it difficult to form a comprehensive picture of the state of discrimination.

Chapter 2. Racism, xenophobia and related intolerance

1. Legal, policy developments and measures relating to the application of the Racial Equality Directive

The European Commission against Racism and Intolerance (ECRI) published its fifth report on Finland on 10 September 2019. ECRI presents 20 recommendations for Finland to combat racism and intolerance. As regards hate speech and hate crimes, ECRI recommends setting up a comprehensive data collection system for hate speech and hate crime cases and the development of a comprehensive strategy to tackle the problem of hate speech. According to ECRI, the training activities of law enforcement officials and the judiciary must be scaled up and the investigation of these alleged offences strengthened. ECRI repeats its recommendation to set up a body which is independent of the police and prosecution authorities and entrusted with the investigation of alleged cases of racial discrimination and misconduct by the police. The diversity in the police should be increased to better reflect the diversity of the population. ECRI also stresses the need to provide sufficient funding for the National Roma Strategy (2018–2022)³¹ and to increase awareness of the Sámi culture among the majority population.³²

The Council of Europe Advisory Committee delegation on the Framework Convention for the Protection of National Minorities (FCNM)³³ visited Finland 18–22 March 2019. The fifth opinion on Finland was published on 31 October 2019.³⁴ The opinion addresses, among other things, the issues of hate speech and hate crime. According to the Advisory Committee, hate speech and hate crime have been recognised and addressed by the authorities at a policy level, but the approach has yet to be consolidated. The response of the police in cases of alleged hate crime is still not considered sufficiently effective and prompt and, as a contributing factor, the Advisory Committee points to a lack of resources and training for the police. As a promising means to devise more targeted measures, the Advisory Committee points to the 2017 addition of the motive “bias against Roma” in the national hate crime statistics. The Advisory Committee also proposes that the authorities consider adding “language” as another bias motive, both in the Criminal Code (*rikoslaki/strafflag*, Act No. 39/1889) and in the statistics.³⁵

The project “Proximity Policing against Racism, Xenophobia, and Other Forms of Intolerance” (PROXIMITY) was completed on 31 March 2019. The aim of the project was to prevent racism, xenophobia and other forms of intolerance through local level capacity building and cooperation between different actors, the police, in particular. The Ministry of Justice coordinated Finland’s participation in the project in cooperation with national project partners. In 2019, the project issued a manual called “Local Action Plan: Addressed to local authorities and proximity police for tackling racism, xenophobia and other forms of intolerance”. The manual was produced for local authorities in developing and coordinating their preventive work and joint responses to combat racism. Local police

³¹ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2018), [Suomen romanipoliittinen ohjelma \(Rompo\) 2018-2022](#) (*Finland’s National Roma Policy (ROMPO) 2018-2022*), Publications of the Ministry of Social Affairs and Health 3/2018, Helsinki.

³² Council of Europe, European Commission against Racism and Intolerance (ECRI) (2019), [ECRI Report on Finland \(fifth monitoring cycle\)](#), 18 June 2019, Strasbourg, CRI(2019)38.

³³ Council of Europe, Framework convention for the protection of national minorities, CETS No. 157, 1995.

³⁴ Council of Europe (2019), [Finland: publication of the 5th Advisory Committee Opinion](#), press release, 31 October 2019.

³⁵ Council of Europe, Advisory Committee on the Framework convention for the protection of national minorities (ACFC) (2019), [Fifth opinion on Finland](#), 27 June 2019, Strasbourg, ACFC/OP/V(2019)001.

and authorities from two Finnish municipalities (Vantaa and Forssa) have been engaged in the development of the manual, which also includes concrete case examples.³⁶

The policy priorities of Finland's strategy on preventive police work 2019–2023 include enhancing the safety and security and the sense of security of different population groups, preventing violence as well as promoting good relations between population groups and non-discrimination, and preventing polarisation. According to the strategy, people will be encouraged to report hate crimes to the police more actively, referring hate crime victims to crime victim services will be made more efficient, and the resources of the police to prevent hate crime will be strengthened. The police will, according to the strategy, identify and take into account the needs of the children and young people belonging to minority groups in police work. One of the aims is that “[t]he police will provide young people with information on hate crimes, how to act when one suspects of being a victim of a hate crime and what the police will do to investigate hate crimes and to bring suspects to justice”.³⁷ However, the 2019 action plan prepared for the strategy does not contain any specific measures addressing the dissemination of information on hate crimes amongst young people.³⁸ The Police Department of the Ministry of the Interior will prepare a report on the implementation of the strategy each year.³⁹ Information on the implementation of the strategy will be collected by the end of 2019, and the first report on the implementation of the strategy will be published during the first half of 2020.⁴⁰

2. Legal, policy developments and measures relating to the application of the Framework Decision on Racism and Xenophobia

On 14 November 2018, the Ministry of the Interior (*sisäministeriö/inrikesministeriet*), the Ministry of Justice (*oikeusministeriö/justitieministeriet*) and the Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) launched a project with the task of drafting proposals for more efficient eradication of hate speech punishable under the Criminal Code (*rikoslaki/strafflag*, Act No. 39/1889) and harassment prohibited by law. In the course of its work, the working group also dealt with hate campaigns and targeting. In the report “Words Are Actions: More Efficient Measures against Hate Speech and Cyberbullying” published on 27 August 2019, the working group presents 13 recommendations for developing more efficient measures to tackle hate speech and cyberbullying. The working group considers hate speech such a serious problem that policies for its eradication must be included in the government programme or another similar document, and a specific action plan against hate speech must be drawn up.⁴¹ While an action plan against hate speech is not

³⁶ Moua, M., Palosaari T. and Baines M., Ministry of Labour, Migration and Social Security of Spain (2019), [Local Action Plan: Addressed to local authorities and proximity police for tackling racism, xenophobia and other forms of intolerance](#), Madrid.

³⁷ Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*) (2019), [Finland's strategy on preventive police work 2019–2023](#), Publications of the Ministry of the Interior 2019:11, Helsinki, p. 27.

³⁸ Finland, information obtained from the Ministry of the Interior (*sisäministeriö/inrikesministeriet*) by email on 24 September 2019.

³⁹ Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*) (2019), [Finland's strategy on preventive police work 2019–2023](#), Publications of the Ministry of the Interior 2019:11, Helsinki, p. 39.

⁴⁰ Finland, information obtained from the Ministry of the Interior (*sisäministeriö/inrikesministeriet*) by email on 25 September 2019.

⁴¹ Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*) (2019), [Words Are Actions: More Efficient Measures against Hate Speech and Cyberbullying](#), Publications of the Ministry of the Interior 2019:30, Helsinki, p. 68.

specifically mentioned in the 2019 government programme, the government aims to draw up an action plan against racism and discrimination.⁴² The drafting of the action plan will begin in early 2020.⁴³

According to the government programme, the government will ensure sufficient resources and competence for the prevention and detection of systematic harassment, threats and targeting that pose a threat to the freedom of expression, official activities, research and media freedom. Various provisions already apply to harassment and threats (e.g., obstruction of a public official, public incitement to an offence, dissemination of information violating personal privacy, defamation, menace, stalking and harassing communications), but the Finnish criminal legislation does not contain an established definition for “targeting”. The need for measures will be assessed and the potential measures will be carried out cross-administratively. Aside from penal provisions, the assessment may concern whether the public prosecutor should be entitled to bring charges where, for example, this is judged to be in the public interest for reasons of safeguarding the activities of the authorities or the media.⁴⁴ The schedule for the assessment and implementation process remains open.⁴⁵

With regard to the most serious forms of organised racism, the government will assess the need to address them through legislation. A harsher sentence may already be imposed when the motivation for participation in the activity of an organised criminal group is, among other things, the victim’s race, skin colour, descent, national or ethnic origin. In addition, an association which acts substantially against law or good practice can be declared terminated by a court. As the assessment for the need to address the most serious forms of organised racism through legislation is included in the government programme, the Ministry of Justice will assess whether the criminal legislation corresponds to the provisions of the United Nations Convention on the Elimination of Racial Discrimination⁴⁶ and whether the national legal provisions are sufficiently clear and comprehensive. Should the need arise, the authorities will prepare legislative amendments based on the conclusions of this assessment.⁴⁷ The schedule for the assessment remains open.⁴⁸

The national action plan on fundamental and human rights is implemented until the end of 2019.⁴⁹ An independent assessment on the implementation of the action plan will be commissioned in 2020.⁵⁰ The action plan includes a project on launching cooperation between authorities, providers of community services and non-governmental organisations for enhancing the forms of addressing hate speech. The purpose of the cooperation is to implement in Finland the code of conduct, which is published by the

⁴² Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 79.

⁴³ Finland, information obtained from the Ministry of Justice (*oikeusministeriö/justitieministeriet*) by email on 7 January 2020.

⁴⁴ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 95 and information obtained from the Ministry of Justice (*oikeusministeriö/justitieministeriet*) by email on 16 September 2019.

⁴⁵ Finland, information obtained from the Ministry of Justice (*oikeusministeriö/justitieministeriet*) by email on 26 September 2019.

⁴⁶ United Nations (UN), International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), 21 December 1965.

⁴⁷ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 94 and information obtained from the Ministry of Justice (*oikeusministeriö/justitieministeriet*) by email on 16 September 2019.

⁴⁸ Finland, information obtained from the Ministry of Justice (*oikeusministeriö/justitieministeriet*) by email on 26 September 2019.

⁴⁹ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2017), [National action plan on fundamental and human rights 2017–2019](#), Publication of the Ministry of Justice 25/2017, Helsinki.

⁵⁰ Finland, information obtained from the Ministry of Justice (*oikeusministeriö/justitieministeriet*) by email on 26 September 2019.

EU Commission and certain information technology companies, on countering illegal hate speech online.⁵¹ The national implementation of the code of conduct will be monitored by the sub-group on countering hate speech online, which operates under the EU Commission’s High Level Group on combating racism, xenophobia and other forms of intolerance. In February, May and November 2019, the Finnish Ministry of Justice convened authorities as well as service providers and representatives of online platforms to a roundtable discussion. The parties were offered the possibility to commit to the code of conduct and to participate in the European cooperation, as well as provided with information on jurisprudence with regard to hate speech. The project will continue, and the aim is also to include non-governmental organisations in the discussions.⁵²

On 19 December 2019, the Finnish government issued a resolution on the national action plan 2019–2023 for the prevention of violent radicalisation and extremism. The action plan includes, among other things, measures to combat illegal hate speech and to prevent recruitment by violent extremist groups.⁵³ The aims of the action plan include exposing and investigating hate crimes as well as offering support for the victims and recognising the effects of hate crime on the victim’s reference group.⁵⁴ As regards hate speech, the resolution refers to the 13 recommendations presented in the report “Words Are Actions: More Efficient Measures against Hate Speech and Cyberbullying”.⁵⁵ According to the resolution, the responsible ministries will decide together on the concrete measures to be taken with regard to the recommendations.⁵⁶

The project “Against Hate” is coordinated by the Finnish Ministry of Justice with the participation of Victim Support Finland and the Croatian organisations Centre for Peace Studies, Human Rights House Zagreb and GONG. The project is supported by the Rights, Equality and Citizenship (REC) Programme of the European Union. The focus of the project is on the development of hate crime reporting, the enhancement of the capacity of the police, prosecutors and judges to combat hate crime and hate speech, and the development of support services for victims of hate crime. The report “Victims’ Experiences of Hate Crimes in Finland 2014–2018” was published as a part of the project on 7 March 2019. Unlike the report on hate crimes by the Police University College, this report pursued qualitative rather than statistical data. The aim of the report is to examine the experiences of the victims of hate crime, including the victims who have not reported the crime to the police, and different groups of people. According to the report, the victims’ main reasons for not reporting a hate crime to the police included suspicions about both the attitudes and actions of the police with regard to hate crimes. The data examined in the report consists of responses to an online questionnaire (N=106) and interviews conducted over the phone (N=5). The participants were recruited by contacting various non-governmental organisations working with different minority groups. Those who signed up as volunteers in the questionnaire were interviewed for the report. Responses were collected from victims of hate

⁵¹ European Commission (2016), *Code of conduct on countering illegal hate speech online*, 30 June 2016, Brussels.

⁵² Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2019), ‘[Kansallisen perus- ja ihmisoikeustoimintaohjelman 2017–2019 toimeenpano](#)’, Memorandum, 27 June 2019, VN/876/2018, Helsinki, p. 27, and information obtained from the Ministry of Justice by email on 16 September 2019 and 7 January 2020.

⁵³ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), ‘[Valtioneuvoston periaatepäätös kansallisesta väkivaltaisen radikalisoitumisen ja ekstremismin ennalta ehkäisyn toimenpideohjelmasta 2019–2023](#)’, 19 December 2019, Helsinki, and Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*) (2019), ‘[New action plan on violent radicalisation and extremism](#)’, press release, 19 December 2019.

⁵⁴ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), ‘[Valtioneuvoston periaatepäätös kansallisesta väkivaltaisen radikalisoitumisen ja ekstremismin ennalta ehkäisyn toimenpideohjelmasta 2019–2023](#)’, 19 December 2019, Helsinki, pp. 23–24.

⁵⁵ Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*) (2019), *Words Are Actions: More Efficient Measures against Hate Speech and Cyberbullying*, Publications of the Ministry of the Interior 2019:30, Helsinki.

⁵⁶ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), ‘[Valtioneuvoston periaatepäätös kansallisesta väkivaltaisen radikalisoitumisen ja ekstremismin ennalta ehkäisyn toimenpideohjelmasta 2019–2023](#)’, 19 December 2019, Helsinki, p. 37.

crimes, friends and relatives of victims, as well as eyewitnesses.⁵⁷ In May 2019, the project organised training sessions on hate crimes for a total of 120 police officers, prosecutors and judges in five cities (Helsinki, Tampere, Oulu, Mikkeli and Joensuu). The aim of the training sessions was to increase the professionals' ability to recognise hate crimes and hate speech and to increase their awareness of both international and national legislation on hate crimes and hate speech, as well as to develop cooperation between authorities.⁵⁸ During the autumn of 2019, the project will organise a training session on hate crimes for public legal aid attorneys and a training session on non-discrimination planning for police officers, with 20-30 people projected to participate in each session. For the general public, the project with the participation of the Ministry of Education and Culture, the Non-Discrimination Ombudsman (*yhdenvertaisuusvaltuutettu/diskrimineringsombudsmannen*) and the Ombudsman for Equality (*tasa-arvovaltuutettu/jämställdhetsombudsmannen*) published material in February 2019 on recognising punishable hate speech online.⁵⁹ The visibility of the video material was increased by means of both a social media campaign and a campaign broadcasted by the Finnish public service broadcasting company Yle during the first week of February 2019. The videos were seen by 1.6 million viewers.⁶⁰

As a part of the project "Against Hate", the Ministry of Justice issued a memorandum on 2018 hate crime statistics in district courts, as well as summaries of the decisions, on 24 May 2019. According to the memorandum, the statistical recording of hate crimes is a challenge in Finland: with the exception of a few crime types (e.g., ethnic agitation), collecting statistics of specific crime types is not sufficient for monitoring hate crimes statistically, as any crime can constitute a hate crime. However, the police classifies cases as hate crimes using a specific hate crime code, and it is possible to search the Finnish judicial administration's reporting, statistical and archival system for cases marked with the code. In 2018, district courts resolved 55 cases which the police had classified as hate crimes. As regards specific crime types, district courts resolved 31 cases in 2018, in which the main crime was ethnic agitation. In a clear majority of the cases, the events took place on Facebook, and the agitation typically concerned the victims' ethnic background, religion or both. In 2020, the Police University College will conduct a pilot study on the flow of hate crimes reported in 2017 through the legal system, i.e., from the police to prosecutors and courts.⁶¹

The Police University College (*Poliisiammattikorkeakoulu/Polisyrkeshögskolan*) published its annual report on hate crimes on 4 November 2019.⁶² According to the Police University College, the number of alleged hate crimes in 2018 (N=910) dropped by 22% in comparison with the previous year, decreasing to the long-term average level prior to the peak year 2015. Assault was the most common type of crime. Roughly a quarter (26%) of the cases which the Police University College identified as hate crimes were also classified as hate crimes by the police. The majority (69.7%, N=634) of the alleged hate crimes were related to ethnic or national background, which is 22% less than in 2017. In the majority of the cases, prejudice or hostility was directed towards a member of a minority by a member of the majority population. In this category, most of the alleged hate crimes were assaults and defamations. The alleged infringements in this category most often took place in a public setting (e.g.,

⁵⁷ Finland, Victim Support Finland and the National Forum for Cooperation of Religions in Finland (CORE Forum) (2019), [Victims' Experiences of Hate Crimes in Finland 2014–2018](#), 7 March 2019, Helsinki and information obtained from the Ministry of Justice by email on 13 September 2019.

⁵⁸ Finland, information obtained from the Ministry of Justice (*oikeusministeriö/justitieministeriet*) by email on 17 September 2019.

⁵⁹ Finland, [hate speech related material](#) published on the website equality.fi maintained by the Ministry of Justice.

⁶⁰ Finland, information obtained from the Ministry of Justice (*oikeusministeriö/justitieministeriet*) by email on 13 September 2019.

⁶¹ Aaltonen, M., (2019), [Viharikokset käräjäoikeuksissa vuonna 2018](#) (*hate crimes in district courts in 2018*), Helsinki, Ministry of Justice (*oikeusministeriö/justitieministeriet*), and information obtained from the Ministry of Justice by email on 16 September 2019.

⁶² Finland, Police University College (2018), [The number of hate crimes decreased last year](#), press release, 4 November 2019.

street, road or market square). The only type of suspected hate crime to increase (by 22%, N=73) in 2018 was hate crimes motivated by sexual orientation, gender identity or gender expression.⁶³

The Police University College organises an English language course called “Hate Crimes” as a part of the study module for Erasmus+ higher education exchange students. The course is offered as an elective course also for other students at the Police University College, and it is open for students in other institutions of higher education in the city of Tampere.⁶⁴ Altogether 25 students participated in the course.⁶⁵

⁶³ Rauta, J., (2019), [Poliisin tietoon tullu viharikollisuus Suomessa 2018](#) (*hate crimes reported to the police in Finland in 2018*), Reports of the Police University College of Finland 15/2019, Tampere.

⁶⁴ Finland, information obtained from the Police University College (*Poliisiammattikorkeakoulu/Polisyreshögskolan*) by email on 12 September 2019.

⁶⁵ Finland, information obtained from the Police University College (*Poliisiammattikorkeakoulu/Polisyreshögskolan*) by email on 13 September 2019.

Chapter 3. Roma integration

1. Measures and developments addressing Roma/Travellers segregation

In the fifth monitoring report on Finland, published on 18 June 2019, the European Commission against Racism and Intolerance (ECRI) raises questions concerning Roma segregation.⁶⁶ These relate to low enrolment rates in education and to obstacles in accessing employment that continue to cause social marginalisation.⁶⁷ According to information obtained by ECRI, 20 % of Roma children do not complete their basic education. As concerns the Roma unemployment rate, it was estimated at two-thirds and even higher by NGO sources. ECRI notes that limited formal education and prevalent prejudices against Roma also lead to discrimination in the labour market and demands adequate teaching of Roma history and culture in schools to address stereotypes. ECRI further expresses concern over anti-Roma sentiments, including alleged verbal insults and harassment reported by Roma users of social services, warning that these may pose significant obstacles to the official aim of tailoring social services to better address the problems faced by Roma. ECRI strongly encourages the Finnish authorities to take measures to prevent harassment in social services, including placing anti-discrimination information in relevant locations “to convey the message that harassment will not be tolerated on the premises of public institutions”. ECRI’s principal recommendations to Finland concerning Roma are to ensure that 1) sufficient funding is provided to implement the national Roma policy (2018–2022); 2) local and regional authorities are fully committed to the implementation of the national policy, and the reform of regional authorities does not interrupt funding and implementation of Roma-related activities; 3) completion rates of basic education increase substantially among Roma children; and 4) the unemployment rate among Roma is significantly reduced, e.g., by supporting the increased use of vocational training programmes.⁶⁸

Hate crimes targeting Roma was added as a sub-category to the hate crime specification in the annual monitoring of hate crimes for the first time in 2018.⁶⁹ In 2019, 12 % of all hate crime reports based on ethnic or national background (altogether 634 reports) targeted a person of Roma background, defamation being the most common type of suspected crime.⁷⁰

The second national youth work and policy programme 2020–2023, adopted as a government resolution on 19 December 2019, identifies young Roma as one of the groups of young people that face discrimination, and stresses the need to combat this discrimination in different ways (see also under Chapter 1).⁷¹ The policy also highlights the importance of young Roma recognizing the discriminatory situations and being aware of the means available to access justice. The central objective, however, is set at dissolving discriminatory structures, patterns and cultures. All persons engaged with the youth, in particular at schools and educational institutions, are addressed the primary responsibility in this work. Simultaneously, measures are also aimed at building Roma youth’s capabilities to act to enhance

⁶⁶ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2019), [ECRI Report on Finland](#) (fifth monitoring cycle), CRI(2019)38, Strasbourg, 18 June 2019.

⁶⁷ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2019), [ECRI Report on Finland](#) (fifth monitoring cycle), CRI(2019)38, Strasbourg, 18 June 2019, paras. 81–86, pp. 29–30.

⁶⁸ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2019), [ECRI Report on Finland](#) (fifth monitoring cycle), CRI(2019)38, Strasbourg, 18 June 2019, para. 86, p. 30.

⁶⁹ Rauta, J. (2018), [Poliisin tietoon tullut viharikollisuus Suomessa 2017](#), Reports of the Police University College of Finland 131/2018, Tampere, p. 40.

⁷⁰ Rauta, J. (2019), [Poliisin tietoon tullut viharikollisuus Suomessa 2018](#), Reports of the Police University College of Finland 15/2019, Tampere, p. 4.

⁷¹ Finland, Finnish Government, [Valtakunnallinen nuorisotyön ja -politiikan ohjelma 2020-2023, VANUPO/Riksomfattande programmet för ungdomsarbetet och ungdomspolitik 2020-2023, RUNGPO](#), Government resolution, 19 December 2019.

equality. Regional training workshops for Roma youth will be organised and linked to the implementation of the second national Roma policy for the years 2018–2022 (ROMPO2).⁷²

A national meeting of Roma women was held in Jyväskylä on 4 February 2019.⁷³ The event focused on the theme of civic participation alongside with that of health and wellbeing. Among the participants were representatives from Roma organisations and projects from different parts of Finland. One of the group discussions focused on advancing the political participation of Roma women. It was noted that especially young women may experience discrimination in political life and should be supported, e.g. by mentoring programs. One observation was that Roma women's organisations have not yet anchored themselves in women's political organisations and that enhancing this process would benefit from support from the regional chapters of women's political organisations. Also the European level Phenjalipe strategy (Strategy on the Advancement of Romani Women and Girls 2014–2020) to advance Roma women's and girls' status was discussed.⁷⁴

2. Policy and legal measures and developments directly or indirectly addressing Roma/Travellers inclusion

The new national Roma policy (ROMPO2) was published on 18 May 2018.⁷⁵ It will be supplemented by local and regional Roma operational programmes (MAARO programmes). The preparation of these programmes continued in 2019.⁷⁶ The development and implementation of the MAARO programmes is intended to strengthen the participation of local Roma populations and organizations in matters that affect them. Consultative meetings have been organised in the counties in the framework of the EU funded Roma Platform 2 project (*Sanoista tekoihin 2*) to raise awareness of ROMPO2 and to support the preparatory work of the MAARO programmes. Representatives of local and regional Roma organisations, activists and representatives of county and municipal level authorities and other stakeholders have participated in the meetings.

A guide for local and regional actors to support the implementation of ROMPO2 was published by the Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) on 4 September 2019.⁷⁷ The MAARO guide reviews the responsibilities of the local actors and steers the development of the local and regional level operational programmes. The MAARO programmes will be derived from the national programme reflecting and incorporating the wishes and needs of the local Roma population and the existing service structures. The preparatory work is still on-going; no MAARO programmes were adopted in 2019. There is no budget funding available for the MAARO programmes or implementation of ROMPO2, but the MAARO programmes are intended to be financed

⁷² Finland, Finnish Government, [Valtakunnallinen nuorisotyön ja -politiikan ohjelma 2020-2023, VANUPO/Riksomfattande programmet för ungdomsarbetet och ungdomspolitik 2020-2023, RUNGPO](#), Government resolution, 19 December 2019, p. 15.

⁷³ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2019), [Romaninaisten kansallinen tapaaminen 4.2.2019](#), summary of the meeting available at the Ministry's website.

⁷⁴ Council of Europe, [Strategy on the Advancement of Romani Women and Girls 2014–2020](#).

⁷⁵ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2018), [Suomen kansallinen romanipoliittinen ohjelma 2018–2022/Programmet för romsk politik i Finland 2018–2022](#), Publications of the Ministry of Social Affairs and Health 3/2018, Helsinki.

⁷⁶ Finland, Ministry of Social Affairs and Health (2019), [Upscaling the Roma Platform, newsletter 2](#), 1/2019.

⁷⁷ Huttu, H. and Vauhkonen, K. (eds.) (2019), [MAARO-OPAS, Romanipoliittisen ohjelman alueellinen toimeenpano](#), Publications of the Ministry of Social Affairs and Health 2019:24, Helsinki.

with project funding.⁷⁸ For this purpose, the MAARO guide includes a list of potential funding sources.⁷⁹

A study mapping the Roma employment, entrepreneurship and integration in labour market, commissioned by the Ministry of Economic Affairs and Employment (*työ- ja elikeinoministeriö/arbets- och näringsministeriet*) as part of the implementation of ROMPO2 was released on 25 November 2019.⁸⁰ The study is based on desk research and interviews with the Roma, experts, and relevant authorities (N=72, out of which 16 were individual interviews with representatives of the Roma population). The report notes a positive development in the area of the Roma employment and entrepreneurship over the past 10 years. Also the average level of education of the Roma is found to have risen, even though Roma education paths are observed to be often more fragmented than those of the rest of the population. Unemployment, however, continues to be higher than among the mainstream population. Employer attitudes are found to continue to represent a barrier in this respect. The Roma dress code and other specific traditions are also mentioned, stressing the importance of individual and workplace-specific solutions. Barriers are further identified in the employment services. The key recommendations for the promotion of Roma employment and entrepreneurship issued for the employment services and administration include creating coordinating structures, making the structures more accessible to enable Roma participation, implementing equality planning and employing more Roma in the employment services. Recommendations issued to employers suggest creating different type of mentoring and partnership programmes, furthering attitudinal changes and implementing equality planning. As regards the Roma communities, developing and increasing the effectiveness of the regional and local level Advisory Boards for Roma Affairs is recommended. Further recommendations include lodging more complaints of discrimination and continuing the discussions on the impact of traditional customs on Roma employment within the communities.⁸¹

⁷⁸ Finland, information obtained from the Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) by email on 19 November 2019.

⁷⁹ Finland, information obtained from the Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) by email on 19 November 2019.

⁸⁰ Jauhola, L., Ärling, M., Karinen, R., Luukkonen, T., and Oosi, O., Owl Group Oy (2019), [Romanien työllisyys, yrittäjyys ja työmarkkinoille integroituminen](#), Publications of the Ministry of Economic Affairs and Employment 2019:58, Helsinki.

⁸¹ Jauhola, L., Ärling, M., Karinen, R., Luukkonen, T., and Oosi, O., Owl Group Oy (2019), [Romanien työllisyys, yrittäjyys ja työmarkkinoille integroituminen](#), Publications of the Ministry of Economic Affairs and Employment 2019:58, Helsinki, pp. 119–128.

Chapter 4. Asylum, visas, migration, borders and integration

Unaccompanied children reaching the age of majority

Area of support	Description
<p>Residence permit</p> <p><i>Reception conditions Directive (article 6 and 7) and Qualification Directive (articles 24 and 31)</i></p>	<p><i>Please explain whether unaccompanied children (non-asylum seekers and asylum seekers) get temporary permits and if they expire when turning 18. Please elaborate on which type of permit is granted when they reach 18 years and under which conditions (e.g. being enrolled in education, or having an employment contract.)</i></p> <p>In practice, almost all unaccompanied children who arrive in Finland seek asylum. A few unaccompanied children every year apply for residence permit, e.g., on grounds of a family tie.⁸² The numbers of asylum applications submitted by unaccompanied children have reduced drastically in recent years after the peak of 3,022 applications in 2015, and are currently below the level of 2014 (196). (2016: 292, 2017: 142, 2018: 109, 2019: 68, by the end of November 2019).⁸³</p> <p>In the overwhelming majority of cases unaccompanied children who seek asylum receive positive decisions either on grounds of international protection or on other grounds, e.g., in 2017 in 79.6 % and in 2018 in 81 % of the cases, whereas the percentages of negative decisions were 8.9 and 1.8, respectively.⁸⁴ In accordance with Section 53 of the Aliens Act (<i>ulkomaalaislaki/utlänningslagen</i>, Act No. 301/2004), the permits on grounds of international protection (asylum or subsidiary protection) are granted for four years. In the majority of cases, unaccompanied children have</p>

⁸² European Migration Network (2017): [Unaccompanied Minors Following Status Determination: Approaches in EU Member States and Norway – National Report of Finland](#), EMN Study 4/2017, Helsinki, p. 4.

⁸³ Finland, [statistics available on the Finnish Immigration Service’s website](#) and European Migration Network, [Annual Report on Migration and Asylum –Finland 2014](#), p. 37 and [Annual Report on Migration and Asylum –Finland 2018](#), Helsinki, p. 36.

⁸⁴ Finland, [statistics available on the Finnish Immigration Service’s website](#).

been granted international protection on grounds of subsidiary protection.⁸⁵ If grounds for international protection are not found, unaccompanied children have been granted permits on other grounds, usually for individual compassionate reasons, in accordance with Section 52 of the Aliens Act.⁸⁶ When making the decision, particular attention is paid to the applicant's vulnerable situation and the circumstances the child would be in, if returned.⁸⁷ The first permit on individual compassionate grounds is always granted for one year.⁸⁸

The permits may be renewed. When applying for an extension, the grounds for the permit are reassessed. An extension of a permit that have been granted on individual compassionate grounds may be granted for 1–4 years. Some of the unaccompanied children who arrived in 2015, for instance, were granted one year extensions, some of them two year extensions. In most cases the extension is granted for two years.⁸⁹ The fact that an applicant has reached majority when seeking extension is not a ground for denying extension, if grounds for the permit still exist. Such is the case, e.g., if the applicant's studies and integration still continue, which is usually the situation.⁹⁰ In 2016–2017 the number of positive decisions on applications for extended permits for unaccompanied children turning 18 was 456, in 2018 it was 775, whereas the numbers of negative decisions were 31 and 52, respectively. It may be noted that the earlier practice was to grant four year extension permits (and permanent permits after that), but after 2017 when the decision-making on extensions was shifted from the Police to the Finnish Migration Service this practice was changed.

Residence permits on grounds of study are granted if the young person has received a study place in a Finnish educational institution and has sufficient means for studying in Finland. The studies must lead to a degree or a vocational qualification. A residence permit can be issued for other studies, which do not lead to a degree or a vocational

⁸⁵ Finland, [statistics available on the Finnish Immigration Service's website](#).

⁸⁶ European Migration Network (2019), [Annual Report on Migration and Asylum – Finland 2018](#), Helsinki and [Aliens Act](#) (*ulkomaalaistaki/utlänningslagen*), Act No. 301/2004, amendments up to 1152/2010 included.

⁸⁷ Finland, Finnish Immigration Service (2018), '[Jatkolupa yksintulleille alaikäisille myönnetään tällä hetkellä yleensä 2 vuodeksi](#)', press release, 5 April 2018

⁸⁸ Finland, Finnish Immigration Service (2018), '[Jatkolupa yksintulleille alaikäisille myönnetään tällä hetkellä yleensä 2 vuodeksi](#)', press release, 5 April 2018.

⁸⁹ Finland, Finnish Immigration Service (*Maahanmuuttovirasto/Migrationsverket*), '[Jatkolupa yksintulleille alaikäisille myönnetään tällä hetkellä yleensä 2 vuodeksi](#)', press release, 5 April 2018. See also Ministry of the Interior (*sisäministeriö/inrikesministeriet*) (2018), [International Migration 2017–2018 – Report for Finland](#), Ministry of the Interior publications 25/2018, Helsinki, p. 20.

⁹⁰ Finland, Finnish Immigration Service (*Maahanmuuttovirasto/Migrationsverket*) (2018), '[Jatkolupa yksintulleille alaikäisille myönnetään tällä hetkellä yleensä 2 vuodeksi](#)', press release, 5 April 2018. Please see also '[Children who arrive in Finland unaccompanied are in a special position as asylum seekers](#)', 23 December 2016, information available at the website *AsylumFinland*, maintained by the Ministry of the Interior (*sisäministeriö/inrikesministeriet*) and the Finnish Immigration Service (*Maahanmuuttovirasto/Migrationsverket*).

	<p>qualification, only on reasonable grounds not further specified. Applying for an extended permit later requires that the student is able to show enough credits in the study record.⁹¹</p> <p>An asylum seeker's right to work starts either three or six months after filing the asylum application. The period is three months in cases where valid personnel or travel documents exist and has been presented to the authorities; in other cases, it is six months.⁹²</p>
<p>Guardianship (representative under Reception Conditions Directive Article 24.1)</p>	<p><i>Please elaborate on how the role of guardians is affected when the child reaches 18, and of any initiatives to expand the guardian's support, for example transforming the guardian into a 'mentor' supporting the child until a certain age.</i></p> <p>According to Section 43(1) of the Reception Act (<i>laki kansainvälistä suojelua hakevan vastaanotosta sekä ihmiskaupan uhrin tunnistamisesta ja auttamisesta/lag om mottagande av personer som söker internationellt skydd och om identifiering av och hjälp till offer för människohandel</i>, Act No. 746/2011) the duties of a representative expire when the represented child comes of age. Section 27(2) of the Integration Act (<i>laki kotoutumisen edistämisestä/lag om främjande av integration</i>, Act No. 1386/2010) enables young persons, who have been granted residence permit, to receive different types of support measures until they reach the age of 21.⁹³ This is called child protection after-care (<i>jälkihuolto</i>). The state reimburses the municipalities the costs effectuated of these support measures, the contents of which are planned in the municipalities. These measures may include the provision of support persons or mentors' support. There are no known cases in practice where guardians would have continued to represent young persons after they have come of age.⁹⁴ Civil society sources point out that in practice it varies greatly what type of support the municipalities offer.⁹⁵ As regards the possibilities for the guardians to continue representing young persons after they turn 18 years, there are no official plans or concrete initiatives to this effect.⁹⁶</p>

⁹¹ Finland, information for [students](#) available at the Finnish Immigration Service's website.

⁹² Finland, '[Asylum seeker's right to work](#)', information available at the Finnish Immigration Service's website.

⁹³ Finland, [Act on the Promotion of Immigrant Integration](#) (*laki kotoutumisen edistämisestä/lag om främjande av integration*, Act No. 1386/2010).

⁹⁴ Finland, Ministry of Economic Affairs and Employment (*työelämä- ja elinkeinoministeriö/arbets- och näringsministeriet*), information obtained by email on 27 September 2019.

⁹⁵ Finland, information obtained from the Central Union for Child Welfare (*Lastensuojelun Keskusliitto/Centralförbundet för barn*) by email on 4 October 2019.

⁹⁶ Finland, information obtained from the Central Union for Child Welfare (*Lastensuojelun Keskusliitto/Centralförbundet för barn*) by email on 4 October 2019.

<p>Accommodation <i>Reception Conditions Directive Article 24.2</i></p>	<p><i>Please explain what children reaching 18 years are entitled to in terms of accommodation, for example extension of foster care programmes until the age of 21, only transfer to an adult accommodation, or other accommodation support.</i></p> <p>A person who is under the age of 18 and who has arrived in Finland alone to apply for asylum will be accommodated in a group home or a supported housing unit. Group homes are intended for children below 16. Supported housing units are for young people who are 16 or 17 years old. In group homes, some of the residents may be over 16 years of age. Young people reaching the age of 18 usually move out from the supported housing units to rented flats to live on their own.⁹⁷ Their income is often based on unemployment benefits (unemployment allowance and the labour market subsidy). They have the right to seek general housing allowance from the Social Insurance Institution of Finland (<i>Kansaneläkelaitos/Folkpensionsanstalten, Kela/Fpa</i>). This is a general form of subsidy and not part of the child protection after-care.⁹⁸ Implementation of a new hybrid model concerning accommodation of young asylum seekers, allowing them to continue living in the same facility even after they turn 18 years or become protection status holders, was started initially in the municipality of Hämeenkyrö in 2017, and was expanded to two other municipalities in 2019 (please see the annex for promising practices).⁹⁹</p> <p>An independence promotion plan and an integration plan are prepared for unaccompanied children who are granted a residence permit. These children are also prioritised in municipal placements.¹⁰⁰</p>
<p>Return <i>Return Directive, Article 10</i></p>	<p><i>Please explain whether there are any special measures to prepare unaccompanied children for a return procedure and whether young adults receive any form of free assistance during eventual return procedures</i></p> <p>The different forms and categories of assistance available for returnees in the framework of voluntary return are regulated in the decree concerning assistance for voluntary returns (<i>sisäministeriön asetus vapaaehtoisen paluun avustuksesta/inrikesministeriets förordning om bidrag för frivillig återresa</i>, Decree No. 1278/2018, Section 6, and thereto annexed table). In practice, unaccompanied children returning to their home countries are always granted an adult's return assistance, e.g., in the case of Afghanistan, which is an A category country, it amounts to € 1,500.¹⁰¹</p>

⁹⁷ Finland, information obtained from the Ministry of Economic Affairs and Employment (*työ- ja elinkeinoministeriö/arbets- och näringsministeriet*) by email on 27 September 2019.

⁹⁸ Finland, information obtained from the Ministry of Economic Affairs and Employment (*työ- ja elinkeinoministeriö/arbets- och näringsministeriet*) by email on 27 September 2019.

⁹⁹ Finland, information obtained from the Finnish Immigration Service by email on 3 January 2020.

¹⁰⁰ Finland, information obtained from the Ministry of Economic Affairs and Employment (*työ- ja elinkeinoministeriö/arbets- och näringsministeriet*) by email on 27 September 2019.

¹⁰¹ Finland, information obtained from the Ministry of Economic Affairs and Employment (*työ- ja elinkeinoministeriö/arbets- och näringsministeriet*) by email on 27 September 2019.

This amount may also be increased up to € 2,000 if sufficient grounds exist. Such grounds may be the returnee's age, disability, illness, family situation or some other comparable personal ground, or if the returnee is a victim of human trafficking. The increase is possible to all countries (no matter the category, A–D) up to € 2,000.¹⁰²

Another alternative for assistance is in-kind support. In cases of unaccompanied children also this assistance is always equal to adult's in kind assistance. To the A category countries it is € 5,000 and to B–D category countries € 3,000 per child. A smaller part of this is paid in cash in Finland and upon return in the home country, and the rest can be used for, e.g., studies, to set up a small enterprise or for health services etc. The Finnish Immigration Service considers this to be a suitable form of assistance for underage children and young adults.¹⁰³

There have been very few cases of forced return of unaccompanied children.¹⁰⁴ When selecting the removals for monitoring, the Non-discrimination Ombudsman, who's statutory task is to monitor removals from the country in accordance with Section 152 (b) of the Aliens Act, places emphasis on persons in a vulnerable position.¹⁰⁵ In a series of cases from 2017 and 2018 (KHO 2017:172, KHO 2017:173 and KHO 2018:138), the Supreme Administrative Court has stressed with reference to Article 10(2) of the Return Directive that in order to guarantee the adequacy and safety of the return circumstances, the Finnish authorities need to establish cooperation with either the competent authorities or the parents or legal guardians in the receiving country. Merely the fact that the child maintained contacts with the family (KHO 2017:172), or returned in the company of an uncle (KHO 2017:173), was not considered as an adequate guarantee.¹⁰⁶

¹⁰² For more information about the different forms and categories of assistance available for adults and children with families, please see '[Assistance for voluntary return by country](#)' at the website of the Finnish Immigration Service (*Maahanmuuttovirasto/Migrationsverket*).

¹⁰³ Finland, information obtained from the Finnish Immigration Service (*Maahanmuuttovirasto/Migrationsverket*) via the Ministry for Economic Affairs and Employment by email on 27 September 2019. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/09a_finland_unaccompanied_minors_en.pdf and <https://engi.eu/projects/monitoring-of-returned-minors/>

¹⁰⁴ European Migration Network (2017): [Unaccompanied Minors Following Status Determination: Approaches in EU Member States and Norway – National Report of Finland](#), EMN Study 4/2017, Helsinki, pp. 51, 53.

¹⁰⁵ Finland, [information on monitoring removals from the country](#) available at the website of the Non-discrimination Ombudsman (*yhdenvertaisuusvaltuutettu/diskrimineringsombudsmannen*) and [Non-discrimination Ombudsman's report to Parliament](#) (*Yhdenvertaisuusvaltuutetun raportti eduskunnalle 2018*) No. 6/2018, p. 69.

¹⁰⁶ Finland, Supreme Administrative Court (*korkein hallinto-oikeus/högsta förvaltningsdomstolen*) decisions Nos. KHO 2017:172, KHO 2017:173 and 2018:138.

<p>Others</p>	<p><i>e.g. special permissions to stay based on education or employment programme, etc.</i></p> <p>An extension of a permit is available if the grounds for the permit continue to exist and there are no reasons for denying the permit (e.g., criminal record). A permit can also be sought on grounds of work or studies.</p> <p>The new government programme entails an examination of problems relating to family reunification and the income limits applied to family reunification sponsors who have been granted international protection. Most importantly, the government promises to discontinue application of a requirement for sufficient financial resources to underage family reunification sponsors who have been granted international protection. A government proposal to this effect is scheduled to be submitted to Parliament in April 2020.¹⁰⁷</p> <p>A legislative amendment implementing the judgment of the CJEU of 12 April 2018 in the case of <i>A, S v. Staatssecretaris van Veiligheid en Justitie</i> (C-550/16, 26 October 2017)¹⁰⁸ concerning family reunifications of unaccompanied children who reach maturity during the asylum process was approved by Parliament on 27 February 2019 and entered into force on 1 June 2019.¹⁰⁹ The Finnish Immigration Service's relaxed its policies to this effect, that is, allowing young asylum seekers to continue the family reunification process even after they turn 18 years, if they have sought asylum before adulthood, already in May 2018.¹¹⁰</p>
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¹⁰⁷ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 87.

¹⁰⁸ Court of Justice of the European Union (CJEU), C-550/16, [A, S v. Staatssecretaris van Veiligheid en Justitie](#), 26 October 2017.

¹⁰⁹ Finland, [Government proposal \(hallituksen esitys/regeringens proposition\) No. 273/2018](#) and respective decision of Parliament (*eduskunta/riksdagen*) [EV 270/2018 vp – HE 273/2018 vp](#), 27 February 2019.

¹¹⁰ Finland, Finnish Broadcasting Company (*Yleisradio/Rundradion*) (2018), ["EU:n tuomioistuin pakottaa Suomen helpottamaan perheenyhdistämistä – se ei enää auta satoja alaikäisenä saapuneita pakolaisia, joiden vanhemmat jäivät kotimaahan"](#), News, 11 May 2018.

Chapter 5. Information society, data protection

1. Activities developed and launched by national data protection supervisory authorities (SAs) to implement and enforce the GDPR

Since the GDPR came into force, the workload of the Office of the Data Protection Ombudsman (*Tietosuojavaltuutetun toimisto/Dataombudsmannens byrå*) has increased considerably. In 2017, a total of 3,957 cases were initiated, out of which 3,438 were processed. In 2018, 9,617 cases were initiated, out of which 7,133 were GDPR or GDPR related. In total 6,716 cases were processed, out of which 3,601 were GDPR or GDPR related.¹¹¹ These translate into a nearly 2.5 times increase in the number of initiated cases, and respectively almost double the amount of processed cases.

While the statistics for the year 2019 are not yet complete, based on the available statistics up to the end of August 2019, the growth in the number of initiated cases has slowed significantly (to 828 cases per month from 801 per month, which is a 3.3% increase) from the 2018 average. Most importantly, the number of processed cases has increased by more than 28% in 2019 (to 718 cases processed per month from 560 per month) from 2018.¹¹² However, the Office of the Data Protection Ombudsman expects the total annual number of cases to remain at the same level as last year, which the Office attributes to the increase in its human resources.¹¹³

The budget for the Office of the Data Protection Ombudsman was increased for the year 2019. In 2018, the Office of the Data Protection Ombudsman was allocated funding of € 2,223,000 for its operating expenses, which in the end was raised to € 2,372,000. In the budget proposal for 2019, drawn up by the Ministry of Finance (*valtionvarainministeriö/finansministeriet*), the Office was allocated € 3,106,000 for operating expenses for the year 2019. This was mainly as a reaction to the increased workload from the GDPR.¹¹⁴

Many structural and human resource changes were introduced in the Office of the Data Protection Ombudsman. Important changes, which related to the implementation of the GPRD, were introduced already in 2018, such as the establishment of process teams ensuring the uniform processing of personal data

¹¹¹ Finland, The Office of the Data Protection Ombudsman (*Tietosuojavaltuutetun toimisto/Dataombudsmannens byrå*) (2019), [Tietosuojavaltuutetun toimiston toimintakertomus 2018](#), p. 26. For an English summary of the annual report, see the Office of the Data Protection Ombudsman (2019), [Annual report 2018](#).

¹¹² Finland, information obtained from the Office of the Data Protection Ombudsman by email on 13 September 2019.

¹¹³ Finland, The Office of the Data Protection Ombudsman (2019), [Tietosuojavaltuutetun seuraamuskollegio aloitti työnsä – vireille tulevien asioiden määrä tasaantuu](#), press release, 15 October 2019.

¹¹⁴ Finland, Ministry of Finance (*valtiovarainministeriö/finansministeriet*) (2018), [Talousarvioesitys 2019 \(Draft budget proposal 2019\)](#), 14 September 2018.

breach notifications.¹¹⁵ The number of staff members was increased from 31 in 2018 to 45 in 2019.¹¹⁶ The most important human resource change was the appointment of two Deputy Data Protection Ombudsmen in April 2019. The Deputy Ombudsman has the same powers in their areas of work as the Data Protection Ombudsman. One of the Deputy Data Ombudsmen is in charge of GDPR related matters and, together with the Data Protection Ombudsman, of other tasks based on EU legislation. The other Deputy Ombudsman is in charge of matters related to the Data Protection Law Enforcement Directive.¹¹⁷ The establishment of Deputy Data Protection Ombudsmen and their powers are based on Section 16 of the Data Protection Act, while the division of tasks is based on the internal rules of procedure of the Office of the Data Protection Ombudsman. In addition to sharing the workload with the Data Protection Ombudsman, the recruitment was important in order to establish and begin the work of the Sanctions Board (*seuraamuskollegio/påföljdskollegiet*) that is required by the new Finnish Data Protection Act. The Sanctions Board is an internal body of the office which is responsible for determining administrative fines for violations of the GDPR.¹¹⁸ The Sanctions Board does not impose administrative fines on public authorities or bodies. The Board is chaired by the Data Protection Ombudsman¹¹⁹ and it started working during late September 2019.¹²⁰

Another important structural change was the establishment of the Expert Board (*asiantuntijalautakunta/sakkunnignämnd*) that “issues, upon request of the Data Protection Ombudsman, opinions on significant questions related to the application of the legislation governing the processing of personal data”.¹²¹ The Board comprises a chairperson, a deputy chairperson and three members with personal deputies.¹²² The government appoints the board for a term of three years.¹²³ Provisions on criminal and tort liability apply to the Board.¹²⁴ The members are experts independent of the Office of the Data Protection Ombudsman. The task

¹¹⁵ Finland, The Office of the Data Protection Ombudsman (2019), [Tietosuojavaltuutetun toimiston toimintakertomus 2018](#), p. 14.

¹¹⁶ For 2018 human resources, see The Office of the Data Ombudsman (2019), [Tietosuojavaltuutetun toimiston toimintakertomus 2018](#), p. 21. 2019 statistics obtained from the Office of the Data Protection Ombudsman via email on 5 September 2019.

¹¹⁷ Directive (EU) 2016/680 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA.

¹¹⁸ Finland, The Office of the Data Protection Ombudsman (2019), [Tietosuojavaltuutetun toimiston toimintakertomus 2018](#), p.7.

¹¹⁹ Finland, The Office of the Data Protection Ombudsman, '[Office of the Data Protection Ombudsman](#)'.

¹²⁰ Finland, The Office of the Data Protection Ombudsman (2019), '[Tietosuojavaltuutetun seuraamuskollegio aloitti työnsä – vireille tulevien asioiden määrä tasaantuu](#)', press release, 15 October 2019.

¹²¹ Finland, Data Protection Act (*Tietosuojalaki/Dataskyddslag*, Act No. 1050/2018), Section 17, para. 1.

¹²² Finland, Data Protection Act (*Tietosuojalaki/Dataskyddslag*, Act No. 1050/2018), Section 12, para. 1.

¹²³ Finland, Data Protection Act (*Tietosuojalaki/Dataskyddslag*, Act No. 1050/2018), Section 12, para. 2.

¹²⁴ Finland, Data Protection Act (*Tietosuojalaki/Dataskyddslag*, Act No. 1050/2018), Section 12, para. 4.

of the Expert Board is to issue statements concerning significant questions about the application of personal data processing legislation at the request of the Data Protection Ombudsman.¹²⁵ The Board may also consult external experts.¹²⁶ The Board should be appointed by the end of 2019.¹²⁷

The communication tasks of the Office of the Data Protection Ombudsman have increased as a result of the GDPR. The specialists of the office have been providing public lectures and seminars on data protection. Overall, the Office of the Data Protection Ombudsman publishes articles and disseminates information on their activities and recent events on their website.

According to Finnish law, decisions and statements of the Office of the Data Protection Ombudsman are generally available to the public. Access can be fully or partially limited in order to protect private or public interests recognized by law. The documents can be accessed generally by making an appointment and visiting the Office of the Data Protection Ombudsman. All the statements of the Data Protection Ombudsman concerning legislative drafting are published.¹²⁸ However, despite the large number of cases, the office only makes a limited number of cases openly available for the public, that is, cases that are deemed to have general significance or steering impact.¹²⁹ What counts as an important decision is decided within the Office of the Data Protection Ombudsman. The Office has communicated that there is room for improvement in this regard.¹³⁰

The introduction of the GDPR has increased the cross-border collaboration between European supervisory authorities and the European Data Protection Board (EDPB). In the Office of the Data Protection Ombudsman the coordination of cross-border and international cases were concentrated to one chief inspector, assisted by one inspector. They will also be participating in the work of the EDPB.¹³¹ No information was found concerning concrete collaboration between civil society organizations active in data protection and the Office of the Data Protection Ombudsman.

¹²⁵ Finland, The Office of the Data Protection Ombudsman, '[Office of the Data Protection Ombudsman](#)'.

¹²⁶ Finland, Data Protection Act (*Tietosuojalaki/Dataskyddslag*, Act No. 1050/2018), Section 17, para. 2.

¹²⁷ Finland, The Office of the Data Ombudsman, '[Office of the Data Protection Ombudsman](#)'.

¹²⁸ Finland, information confirmed by the Office of the Data Protection Ombudsman (*Tietosuojavaltuutetun toimisto/Dataombudsmannens byrå*) via email on 5 September 2019.

¹²⁹ Finland, The Office of the Data Protection Ombudsman (*Tietosuojavaltuutetun toimisto/Dataombudsmannens byrå*), '[Tietosuojavaltuutetun päätöksiä kootaan Finlexin tietokantaan](#)', press release, 20 June 2019.

¹³⁰ Finland, The Office of the Data Protection Ombudsman (*Tietosuojavaltuutetun toimisto/Dataombudsmannens byrå*) communicated this through their Twitter profile as a part of a discussion concerning complications, where an academic researcher found it difficult to get access to the cases and decisions made by the Finnish DPA. This discussion is available in Finnish [on Twitter](#).

¹³¹ Finland, The Office of the Data Protection Ombudsman (*Tietosuojavaltuutetun toimisto/Dataombudsmannens byrå*) (2019), '[Tietosuojavaltuutetun toimiston toimintakertomus 2018](#)', pp. 18–19.

2. Artificial intelligence and big data

MS	Actor*	Type**	Description	Are Ethical concerns mentioned? (yes/no)	Are Human Rights issues mentioned?(yes/no)	Reference
FI	Government /Parliamentary	National Draft Act	Government Bill No. 18/2019 vp for an Act on personal data legislation in the field of immigration administration. The purpose of the act is to modernize and update regulative frameworks on the administrative processes in the field of immigration to correspond to the changes in the operating as well as legal environment. The proposed new act includes a section on automated decision-making for individual cases of immigration matters, where making the decision would not require hearing the parties. The Bill is still pending in the Parliament. During the legislative process, the Finnish Constitutional Law Committee highlighted in its Opinion that the section poses challenges to	Yes	Yes (Right to privacy, good governance, effective remedy, discrimination, child rights)	Finland, Government Bill (hallituksen esitys/regeringsproposition) No. 18/2019 vp for an Act on personal data legislation in the field of immigration administration.

			fundamental rights and proposed to drop the section from the Act.			
FI	Government	National legislative plan	Government action and legislative plan for automatisisation of traffic. In November 2019, the Finnish Ministry of Transport and Communication initiated a project to prepare an action and legislative plan concerning automatization of all forms of transportation. The project also aims to address related ethical and legal issues arising from digitalisation and automatisisation of various forms of transportation such as cyber security and data protection. The preparation has reached the stage of stakeholder hearings.	Yes	Yes (Data protection, privacy)	Finland, Ministry of Transport and Communication (<i>liikenne- ja viestintäministeriö/kommunikationsministeriet</i>) (2019), Government action and legislation plan for automatisisation of traffic LVM059:00/2019 , Helsinki.
FI	Government	Report	Leading the way into the era of artificial intelligence. Final report of Finland's Artificial Intelligence Programme 2019. In 2017, the former government set the goal of turning Finland into one of the forerunners in the field of artificial intelligence. Five tasks were specified, all addressing critical aspects to be	Yes	Yes (Data protection, privacy)	Finland, Steering group and secretariat of the Artificial Intelligence Programme (2019), Leading the way into the era of artificial intelligence. Final report of Finland's Artificial Intelligence Programme 2019 , Publications of the Ministry of Economic Affairs and Employment 2019:41, Helsinki.

			<p>included in the development of a national strategy in the field.</p> <p>In the report, the steering group set to implement the programme and the secretariat commented on the progress made and gave recommendations for the future through 11 key actions. The key actions concerned mainly socio-economic themes, but also a number of ethical and fundamental right issues were addressed, such as steering AI development into a trust-based, human centric direction, challenges concerning security, privacy and transparency of algorithm-based decision-making.</p>			
FI	Academia	Report/Study	<p>The overall view of artificial intelligence and Finnish competence in the area. The research was conducted as a part of the government's analysis, assessment and research activities initiated in the beginning of 2018 to recognize Finnish competences in ten areas of AI. The focus was to analyse and describe Finnish AI competences in the fields of</p>	Yes	No	<p>Ailisto, H., Neuvonen A., Seppälä, S., Halén, M. and Nyman, H. (2019), <i>The overall view of artificial intelligence and Finnish competence in the area</i> (<i>Tekoälyn kokonaiskuva ja kansallinen osaamiskartoitus – loppuraportti</i>), Publications series of the Government's analysis, assessment and research activities 4/2019, Helsinki, Prime Minister's office (<i>valtioneuvoston kanslia/statsrådets kansli</i>).</p>

			research, business and higher education. The report identified Finnish strengths and competence gaps as well as presented recommendations in order to improve Finnish AI technology competences. The report led to a policy brief, in which it was recommended to emphasize research and education resources towards AI, and start piloting the use of algorithmic decision-making in non-critical tasks, as well as promote digitalisation plans for the public sector.			
FI	Academia	Report	Algorithm as a decision-maker? The possibilities and challenges of artificial intelligence in the national regulatory environment. The report was connected to one of the key projects of the previous government programme, “Digitalisation, experimentation and deregulation”. The report mapped out the legal framework for the use of algorithmic decision-making in the context of state administration. It recognized that a comprehensive and coherent legislative strategy is needed so	Yes	Yes (Data protection, Privacy, Good governance, discrimination, freedom of expression, right to life,	Koulu, R., Mäihäniemi, B., Kyyrönen, V., Hakkarainen, J, and Markkanen, K. (2019), <i>Algorithm as a decision-maker? The possibilities and challenges of artificial intelligence in the national regulatory environment</i> , (<i>Algoritmi päätöksentekijänä? : Tekoälyn hyödyntämisen mahdollisuudet ja haasteet kansallisessa sääntelyympäristössä</i>), Publication series of the Government’s analysis, assessment and research 2019:44, Helsinki, Prime Minister’s office.

			<p>that algorithmic decision-making can be used increasingly without endangering the due process rights of the citizens; more specifically, a “coherent and technology neutral legislative strategy through general law and special legislation”. In addition, the report proposed introducing a mechanism for auditing the effects of such systems. In this regard, the report proposed using algorithmic impact assessment processes, which aims at both understanding potential effects as well as to minimise harms to due process and good governance.</p>		<p>effective remedies, child rights)</p>	
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FI	Academia	Research	Artificial intelligence in authority use – ethical and societal acceptance issues. This research addresses the ethical and societal acceptance of AI in the use of government agencies by studying actual cases of application, including through questionnaires. The research considered risks and impacts related to the recognition of human perspectives, credibility and know-how of government agencies, responsibility and liability, as well as the public opinion. It found that AI can perform discretionary tasks, which have the potential to transform the whole service process of government agencies, thus, ethical issues must be considered.	Yes	Yes (privacy, data protection and discrimination. Gender as well, but not systematically)	Koivisto, R., Leikas, J., Auvinen, H., Vakkuri, V., Saariluoma, P., Hakkarainen, J. and Koulu, R. (2019), Artificial intelligence in authority use – ethical and societal acceptance issues (Tekoälyviranomaistoiminnassa - eettiset kysymykset ja yhteiskunnallinen hyväksyttävyyys) , (Tekoälyviranomaistoiminnassa - eettiset kysymykset ja yhteiskunnallinen hyväksyttävyyys), Publications of the Government’s analysis, assessment and research activities 14/2019, Helsinki, Prime Minister’s office.
FI	Government	Other project	AuroraAI – Towards a human-centric society: Development and implementation plan 2019–2023 based on the preliminary study on the Aurora national artificial intelligence programme. AuroraAI is a multi-stakeholder project lead by the Ministry of Finance to create a human-centric	Yes	Yes (privacy, data protection)	Finland, Ministry of Finance (valtiovarainministeriö/finansministeriet) (2019), AuroraAI – Towards a human-centric society: Development and implementation plan 2019–2023 based on the preliminary study on the Aurora national artificial intelligence programme , Helsinki, Ministry of Finance.

			and proactive public network of infrastructure around smart and AI services. The goal is to combine various private and public service providing smart and AI solutions into a network, which can personalize these into tailored packages for individuals. Based on the available data, the network of smart applications learns to compare different alternatives and anticipate the needs of individuals. In 2019, the Ministry of Finance released an implementation plan to advance the project based on the preliminary study.			
FI	Parliament	Policy Statement	<p>Parliamentary communication on the government report on information policy and artificial intelligence</p> <p>In December 2018, the previous government delivered its report on the information policy and artificial intelligence to the Finnish Parliament. In 2019, the Parliament responded with a communication in which it required that the government:</p>	Yes	Yes (Not directly, but via the Statement of the Government: right to privacy, discrimination)	<p>Finland, Parliament (<i>Eduskunta/Riksdagen</i>) /2019), Parliamentary communication on the government report on information policy and artificial intelligence (Eduskunnan kirjelmä EK 53/2018 vp - VNS 7/2018vp / Riksdagens skrivelse Statsrådets redogörelse om informationspolitiken och artificiell intelligens RSk 53/2018 rd - SRR 7/2018 rd), 14 March 2019.</p>

			<p>1. Continues to concretise the principles that it introduced in its statement particularly from the perspective of information policy and ethical aspects of artificial intelligence;</p> <p>2. Adopts measures to facilitate citizens' understanding of digitalisation and artificial intelligence, as well as strengthens the skills required for the development of the sector and the international competitiveness on different levels of education and scientific disciplines;</p> <p>3. Investigates the fiscal treatment of open block chains and cryptocurrencies and in relation to that takes action to clarify and rectify the fiscal situation.</p>			
FI	Government	Other project	Automatic anonymisation and content description of documents containing personal data (Anoppi project). The Anoppi project aims to implement two language technology-based self-learning AI anonymisation tools “for automatic anonymisation and	Yes	Yes (privacy, data protection, access to	Finland, Ministry of Justice (<i>Oikeusministeriö/Justitieministeriet</i>), Anoppi project , OM042:00/2018 Development.

			content description of court decisions and other official decisions issued by authorities” in order to improve the electronic availability of documents.		information)	
FI	DPA	Guidelines	Automated decision-making and profiling. Guidelines for organizations, which cover topics such as what counts as profiling and automated decision making, when is automated decision-making permitted and obligations of data processors using automated decision-making and profiling.	Yes	No	Finland, The Office of the Data Protection Ombudsman (<i>Tietosuojavaltuutetun toimisto/Dataombudsmannens byrå</i>), Automated decision-making and profiling .

*For the actors, please pick from the following suggestions:

- Government/ Parliamentary
- DPA
- NGO/Other Non Profit
- Academia
- Domestic Courts
- Business
- Independent State Institution
- Other

** for the type, please pick from the following suggestions:

- National Draft Acts / Adopted Acts
- report/study
- other projects

3. Data retention

In 2019, there were numerous changes in the Finnish data privacy regime. However, they did not introduce new data retention obligations for electronic communications service providers. The Information Society Code regulating data retention obligations of the electronic communications services, was renamed Act on Electronic Communications Services (*laki sähköisen viestinnän palveluista/lag om tjänster inom elektronisk kommunikation*, Act No. 917/2014).

The new Act on Telecommunication Intelligence in Civilian Intelligence (*laki tietoliikennetiedustelusta siviilitiedustelussa/lag om civil underrättelseinhämtning avseende datatrafik*, Act No. 582/2019) was adopted in June 2019 to address serious cross-border threats to national security such as terrorism, proliferation of weapons of mass destruction and espionage. The legislation allows the Finnish Security Intelligence Service to retain data as long as it is necessary to prevent a serious security threat. If the data gathered using intelligence methods is no longer necessary, it must be destroyed without delay.¹³² The Act makes several crossreferences to other existing legal acts concerning retention periods and removal of personal data.¹³³ For instance, the data that is no longer necessary for the protection of national security can be, and in some cases must be, transferred to other public authorities. Grounds for transfers such as for the purposes of the prevention of serious crime are regulated in the Police Act (*poliisilaki/polislag*, Act No. 872/2011) Chapter 5 a, Sections 44–46. The Civilian Intelligence Act and most of the acts modified in relation to its legislative change have incorporated paragraphs underlining that all activities taken under the acts must respect constitutional and fundamental rights, principles of proportionality, minimum intervention and purposefulness. During the legislative process, the Finnish Constitutional Committee raised in its opinion the impact of *Tele2 Sverige* and *Home Secretary v. Watson*¹³⁴ on the conditions of data retention.¹³⁵

Some of these legislative amendments had only minor impact on the existing national data retention regime and were introduced in the course of implementing the GDPR and the GDPD. For instance, the Data Protection Act (*tietosuoja laki/dataskyddslag*, Act No. 1050/2018) that specifies and supplements the EU's GDPR came into force on 1 January 2019. The Act made some clarifications on conditions for lawfulness of processing personal data and introduced an age limit of 13 years for services provided to children.

¹³² Finland, Act on Telecommunication Intelligence in Civilian Intelligence (*laki tietoliikennetiedustelusta siviilitiedustelussa/lag om civil underrättelseinhämtning avseende datatrafik*, Act No. 582/2019), Section 15.

¹³³ Finland, Act on Telecommunication Intelligence in Civilian Intelligence (*laki tietoliikennetiedustelusta siviilitiedustelussa/lag om civil underrättelseinhämtning avseende datatrafik*, Act No. 582/2019), Sections 15 and 17.

¹³⁴ Court of Justice of the European Union (CJEU), Joined Cases C-203/15 and C-698/15, *Tele2 Sverige AB v. Post- och telestyrelsen* and *Secretary of State for the Home Department v. Tom Watson and Others*, 21 December 2016.

¹³⁵ Finland, Parliament, Constitutional Law Committee (*perustuslakivaliokunta/grundlagsutskottet*) (2018), [Statement of the Constitutional Law Committee, PeVL/35 2018 vp - HE 202/2017 vp](#), 15 November 2018.

The Act on the Processing of Personal Data in Criminal Matters and in Connection with Maintaining National Security (*laki henkilötietojen käsittelystä rikosasioissa ja kansallisen turvallisuuden ylläpitämisen yhteydessä/lag om behandling av personuppgifter i brottmål och vid upprätthållandet av den nationella säkerheten*, Act No. 1054/2018) implementing Directive 2016/680 came into force on 1 January 2019 and is applied within that subject matter. In addition, the Act is applied as well where the Finnish Defense Forces, the Border Guard or the Finnish Security Intelligence Service process personal data to protect national security. The Act regulates responsibilities of competent authorities in the processing of personal data, rights of data subjects, tasks of the supervisory Data Protection Ombudsman, as well as legal remedies and sanctions.

The Act on the Processing of Personal Data in Customs (*laki henkilötietojen käsittelystä Tullissa/ lag om behandling av personuppgifter inom Tullen*, Act No. 650/2019) replaced the identically named act (639/2015) and came into force on 1 June 2019. The Act was introduced to update the national legislation concerning the processing of personal information in customs in the context of its tasks in criminal matters to be in conformity with the requirements of EU data protection legislation. It also made changes to retention periods for personal data in the context of criminal matters.

There were no important case law developments concerning data retention in 2019. The Finnish Market Court continued processing cases concerning requests to close information of internet subscribers initiated by representatives of copyright holders against Internet Service Providers. However, there have been no important changes since the decision of 12 June 2017¹³⁶ in which the Market Court started applying *Tele2 Sverige* and *Home Secretary v Watson* decisions, which lead to more restrictive and defined interpretation concerning closure of personal data of internet subscribers.

¹³⁶ Finland, The Market Court (*Markkinaoikeus/Marknadsdomstolen*), [MAO:333/17](#), 12 June 2017.

Chapter 6. Rights of the child

1. Procedural safeguards for children who are suspects in criminal proceedings

Legislative changes	<p><i>e.g. reform of the criminal code</i></p> <p>On 29 January 2019, the Parliament approved the legislative amendments required by the incorporation of the Directive 2016/800/EU on procedural safeguards for children who are suspects or accused persons in criminal proceedings. The amendments were promulgated on 15 March and entered into force on 11 June. In total eight laws were amended, including the Criminal Investigation Act (<i>esitutkintalaki/förundersökningslagen</i>, Act No. 805/2011), the Coercive Measures Act (<i>pakkokeinolaki/tvångsmedelslagen</i>, Act No. 806/2011) and the Criminal Procedure Act (<i>laki oikeudenkäynnistä rikosasioissa/lagen om rättegång i brottmål</i>, Act No. 689/1997).</p> <p>With the reform the obligation to inform young suspects of their rights was extended to include information on the right of the guardian to be present during the hearing, alternatives to detention (e.g., travel ban), and the possibility to conduct the trial behind closed doors. In addition, the reform removed the possibility to ignore the need to draw up a pre-sentence report (<i>seuraamusselvitys/påföljdsutredning</i>) in case the young suspect is a foreign citizen with permanent residence abroad. During the parliamentary proceedings it was decided that the pre-sentence report can be disregarded only if this can be motivated with special circumstances, supporting the best interest of the young suspect.¹³⁷</p> <p>According to Section 5 of the Young Suspect Investigation Act (<i>laki nuoren rikoksesta epäillyn tilanteen selvittämistä/lag om utredning av unga brottmisstänkta situation</i>, Act No. 633/2010), the Criminal Sanctions Agency (<i>rikosseuraamuslaitos/brottspåföljdsmyndigheten</i>) is responsible for drawing up a pre-sentence report in case the suspect is 15–20 years old. In the report the social situation of the young suspect is assessed and the information is used in connection with the consideration of charges, sentencing and enforcement of the sentence.</p>
Policy developments	<p><i>e.g. guidance or training for law enforcement officers on the treatment of child suspects; amendment of police academy curriculum; training of judges; developing indicators to monitor the situation of child suspects and improve data collection</i></p>

¹³⁷ Finland, Ministry of Justice (*oikeusministeriö/justitieministerium*) (2019), '[Rikoksesta epäillyn lapsen oikeuksia parannetaan](#)', press release, 14 March 2019.

	<p>The legislative amendments have been taken into account in law enforcement guidelines, operative activities and training, including in internal protocols and information notes for suspects.¹³⁸</p> <p>The Parliamentary Ombudsman decided a complaint on the time-frame of the criminal investigation in a case concerning a 14 year old offender on 10 October 2019.¹³⁹ The investigation was concluded 1.5 years after the report of the offence. According to Section 11 of the Criminal Investigation Act, the criminal investigation has to be conducted urgently when the offender is below 15 years. The Ombudsman confirmed that the procedure took too long and that the urgency has to be upheld even if criminal liability is not applicable on persons under 15 years.</p>
<p>Other measures or initiatives</p>	<p><i>E.g. relevant activities to promote alternatives to detention; community involvement or general initiatives related to the dissemination and information in relation to the entering into force of the Directive.</i></p> <p>On 27 March 2019, the Ministry of the Interior (<i>sisäministeriö/inrikesministeriet</i>) published a manual on the multi-professional national Anchor work targeting children and adolescents under 18 years of age to promote their wellbeing and prevent crime, including radicalisation into violent extremism.¹⁴⁰ The Anchor teams are composed of professionals from the police, social services, health services and youth services. They work among others with children, who have committed crimes or are suspects of crimes.</p> <p>The manual facilitates the provision of unified services to children and youth in the whole country. Further, the government commits to securing the implementation of the Anchor model nationally in the new youth policy program for the years 2020–2023 adopted on 19 December 2019.¹⁴¹</p> <p>A research team published findings from a study on services for young people who have committed crimes. The report adopts a holistic view encompassing both the criminal procedure and the available support system. Based on literature review, surveys (64 municipalities), case studies (4 municipalities), and interviews (21 focus and individual), the team proposes, among other things, the development of a support system for young offenders with severe problems, increased awareness of how to intervene in crimes, including the available mediation procedure, and the need for new</p>

¹³⁸ Finland, information obtained via email from the National Police Board (*poliisihallitus/polisstyrelsen*) on 5 September 2019.

¹³⁹ Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens ombudsman*) (2019), [Lapsia koskevat estitutkinnat toimitettava viipymättä](#), EOAK/1084/2019, 10 October 2019.

¹⁴⁰ Moilanen, T., Airaksinen, M. and Kangasniemi, M. (2019), [Ankkuritoiminnan käsikirja. Moniammatillinen yhteistyö nuorten hyvinvoinnin edistämiseen ja rikosten emaltaehkäisemiseen](#), Publications of the Ministry of the Interior 2019:16, Helsinki.

¹⁴¹ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Valtakunnallinen nuorisotyön ja –politiikan ohjelma vuosille 2020-2023](#), Government resolution, 19 December 2019.

	<p>studies to assess the competence and resources of prosecutors in the field.¹⁴²</p> <p>On 19 December 2019, the government adopted the national action plan for the prevention of violent radicalisation and extremism 2019–2023. The education sector is listed as one of the key actors in charge of implementing the Plan. In this context, the measures to be adopted are based on the REDI Model for supporting resilience, democracy and dialogue against violent radicalization and extremism in educational institutions. In addition to measures that are integrated in the curriculum of educational institutions, the REDI Model includes measures that aim at countering violent extremism in collaboration with external actors such as multiprofessional Anchor teams.¹⁴³</p>
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2. Legal and policy measures or initiatives developed about child internet safety

The new government programme, which was adopted on 6 June 2019, includes a reference to measures for the strengthening of support services to help children to avoid and manage online problems.¹⁴⁴ To support this work, the National Audiovisual Institute (*Kansallinen audiovisuaalinen instituutti/Nationella audiovisuella institutet*) continues, within a new project period, to coordinate the Finnish Safer Internet Centre (FISIC) in collaboration with Save the Children (*Pelastakaa lapset/Rädda barnen*) and the Mannerheim League for Child Welfare (*Mannerheimin lastensuojeluliitto/Mannerheims barnskyddsförbund*). The Centre focuses on enhancing media literacy, supporting parenting, and protecting children from sexual harassment and abuse.¹⁴⁵

On 17 May 2019, the Ministry of the Interior (*sisäministeriö/inrikesministeriet*) published a working group report including 12 recommendations for developing more efficient measures to tackle hate speech and cyberbullying.¹⁴⁶ Children and youth are targeted in Recommendation No. 9 on measures enhancing media literacy and Recommendation No. 10 on strengthening the basic and in-service teacher training in media literacy.

On 13 March 2019, the Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*) opened a call for financial support to the arrangement of staff training in educational institutions on sexual crimes, including grooming, against children and youth.¹⁴⁷ Social media is explicitly mentioned as a context where such crimes take place. The material to be produced should, according to the funding guidelines, be transferrable to other locations and contexts. On 21 August

¹⁴² Haikkola, L., Hästbacka, N. and Pekkarinen, E. (eds.) (2019), [Kuka vastaa nuorten rikoksiin? – Ammattilaisten, nuorten ja kustannusten näkökulmia palveluihin](#), Publication series of the Government’s analysis, assessment and research 2019:34, Helsinki, Prime Minister’s Office, p. 156.

¹⁴³ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Kansallinen väkivaltaisen radikalisoitumisen ja extremismien ennalta ehkäisyn toimenpideohjelma 2019-2023](#), Government resolution, 19 December 2019, pp.52–58.

¹⁴⁴ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 84.

¹⁴⁵ Finland, information obtained from the National Audiovisual Institute (*Kansallinen audiovisuaalinen instituutti/Nationella audiovisuella institutet*) via email on 12 September 2019.

¹⁴⁶ Mäkinen, K. and working group (2019), [Words are actions. More efficient measures against hate speech and cyberbullying](#), Publications of the Ministry of the Interior 2019:23, Helsinki.

¹⁴⁷ Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*) (2019), [’Opetushallituksesta rahoitusta opetustoimen henkilöstökoulutuksiin, joilla ehkäistään lapsiin ja nuoriin kohdistuvia seksuaalirikoksia’](#), press release, 13 March 2019.

2019, the Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) opened a call supporting the development of practices to guide and train school children to act more consciously on social media.¹⁴⁸

In 2019, the Finnish Competition and Consumer Authority (*kilpailu- ja kuluttajavirasto/konkurrens- och konsumentverket*) adopted guidelines in line with the Consumer Protection Act (*kuluttajansuojalaki/konsumentskyddslagen*, Act No. 38/1978) instructing companies and influencers how commercial cooperation should be communicated to consumers in targeted influencer marketing.¹⁴⁹ The guidelines include reference to the need to pay attention to the age of the target audience when choosing cooperation partners, marketing methods, and products being marketed. In this regard, reference is made to a decision by the Consumer Ombudsman (*kuluttaja-asiamies/konsumentombudsmannen*) establishing that the marketing on Instagram of cosmetic surgery procedures may not target children.¹⁵⁰

The transposition of the Audiovisual Media Services Directive 2018/1808/EU commenced in the beginning of the year. A draft government proposal with legislative amendments, for example, to the Act on Audiovisual Programmes (*kuvaohjelmalaki/lag om bildprogram*, Act. No. 710/2011), which concerns the limitation of the access of children to audiovisual programmes, was submitted for consultation on 20 November 2019. The open online consultation process ends on 16 January 2020 and the government bill will be submitted to the Parliament during the spring of 2020. According to the draft government proposal, video-sharing platform providers have to implement adequate measures to protect children from programmes that could be harmful to children's development. The measures should be in proportion to the nature of the programmes and their possible harm in relation to the size of the video-sharing platform and the nature of the service. Stricter measures should be applied to more harmful programmes (Section 7(a)). The National Audiovisual Institute is proposed to monitor the implementation of the measures adopted by video-sharing platform providers and, in this context, it may order a notice of conditional fee (*uhkasakko/vite*) to pressure the platform provider to act (Section 25).¹⁵¹

On 26 November 2019, the Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) published the action plan for the prevention of violence against children 2020–2025. The plan includes measures aimed at preventing sexual harassment, sexual exploitation and negative consequences of sexual violence taking place in or through digital media. These are continuing education of persons working with children, skills training on safety issues for children in selected municipalities, increased awareness of available services, national agreement on the swift removal of illegal material from the internet, and provision of sufficient resources required for interference in sexual crimes against children.¹⁵²

¹⁴⁸ Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*) (2019), '[Lasten ja nuorten houkuttelua ja hyväksikäyttöä estäviin toimenpiteisiin haettavissa avustusta](#)', press release, 21 August 2019.

¹⁴⁹ Finland, Finnish Competition and Consumers Authority (*kilpailu- ja kuluttajavirasto/konkurrens- och konsumentverket*) (2019), '[Influencer marketing in social media](#)', The Consumer Ombudsman's guidelines.

¹⁵⁰ Finland, Consumer Ombudsman (*kuluttaja-asiamies/konsumentombudsmannen*) (2018), '[Decision No. KKV/228/14.08.01.05/2017](#)', 27 July 2018.

¹⁵¹ Finland, Ministry of Transport and Communication (*liikenne- ja viestintäministeriö/kommunikationsministeriet*) (2019), '[Sähköisen viestinnän palveluista annetun lain uudistaminen](#)', Request for opinion VN/9020/2019, 20 November 2019.

¹⁵² Korpilahti, U., Kettunen, H., Nuotio, E., Jokela, S., Nummi, V.M., Lillsunde, P. (eds.) (2019), '[Väkivallaton lapsuus. Toimeenpidesuunnitelma lapsiin kohdistuvan väkivallan ehkäisyksi 2020–2025 Osa II](#)', Publications of the Ministry of Social Affairs and Health 2019:27, Helsinki, pp. 573–576.

Chapter 7. Access to justice including crime victims

One of the objectives of the government programme, published on 6 June 2019, is to promote well-functioning judicial proceedings and legal protection, including access to justice irrespective of one's socio-economic status.¹⁵³ The government will ensure sufficient resources for the administration of justice and take measures to shorten the total length of judicial proceedings. The proceedings will be made smoother, for example by utilising digitalisation and by enhancing the special expertise of judges in the different branches of law. Criminal proceedings will be expedited by developing cooperation between prosecutors and the police. The oral evidence in district courts will be recorded, and the recordings will be used as a primary means of evidence in the courts of appeal. The government will explore the possibilities to raise income limits for legal aid and examine the possibilities to reduce the risk of excessive litigation costs incurred to the parties of legal proceedings.

The government will reinforce the legal protection of asylum seekers, for example, by improving the provision of general legal advice, by assessing the quality of the asylum procedure and the pursuit of the best interests of the child, and by ensuring the competence and diligence of lawyers assisting asylum seekers.¹⁵⁴ The Ministry of Justice has initiated a legislative project to extend the coverage of free legal aid at asylum interviews, to reintroduce hourly rates for legal aid provided by private counsels, and to restore the shortened appeal periods in asylum proceedings to normal appeal periods applicable in administrative proceedings.¹⁵⁵ The government proposal is scheduled to be presented to Parliament in April 2020.¹⁵⁶

1. Victims' Rights Directive

The Ministry of Justice's (*oikeusministeriö/justitieministeriet*) targets for 2019–2020 include enhancing the awareness of victims' rights in line with the proposals of the committee on good practices for recognising the needs of victims in criminal proceedings.¹⁵⁷ To a large extent, the measures will be implemented in 2020.¹⁵⁸

The National Police Board (*poliisihallitus/polisstyrelsen*) has updated the guidelines on the referral of crime victims and mediation in criminal matters by adding instructions on the provision of information to the victim. In the covering letter of the guidelines, the National Police Board reminds that the rights laid down in the Victims' Rights Directive must be taken into account in all activities

¹⁵³ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 91.

¹⁵⁴ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 92.

¹⁵⁵ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*), [Turvapaikanhakijoiden oikeusturvan vahvistaminen](#), Statute drafting OM019:00/2019.

¹⁵⁶ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Government legislative plan for 2019–2020](#) (Pääministeri Rinteen hallituksen lainsäädäntösuunnitelma 2019/2020), p. 25.

¹⁵⁷ Ruuskanen, E., Sarimo, M. (2018), [Uhri rikosprosessissa – ehdotus hyvistä menettelytavoista uhrien tarpeiden huomioon ottamiseksi](#), Publication of the Ministry of Justice 44/2018, 31 October 2018.

¹⁵⁸ Finland, information obtained from the Ministry of Justice by email on 7 November 2019.

of the police. The police departments must ensure practices and competencies so that victims' rights are appropriately put into practice.¹⁵⁹

The new government programme involves various measures to improve the position of crime victims and to protect their rights. Low-threshold channels for reporting crime will be enhanced, and related practices of public authorities will be strengthened to help particularly vulnerable victims. Crime victims and persons close to homicide victims will be provided with better support and opportunities to receive compensation from the State Treasury (*valtiokonttori/statskontoret*). The range of services offered at support centres for victims of sexual violence will be extended, and their coverage across the country will be improved. The government will draw up a plan for the implementation of the Lanzarote Convention to prevent sexual violence against children¹⁶⁰ and to ensure all necessary services for victims of such violence. Mediation will not be used in situations where it might compromise the legal protection of the victim. The conditions for releasing the most dangerous offenders sentenced for a violent crime will be thoroughly assessed. The aim to shorten the duration of the criminal proceedings by increasing the resources of the police, prosecutors and courts is likely to facilitate crime victims' access to justice.¹⁶¹

On 5 June 2019, the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) published the second evaluation report¹⁶² on the implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings in Finland.¹⁶³ The report is based on information received from the Finnish authorities and civil society as well as an evaluation visit to Finland from 11 to 15 June 2018. The report covers the situation up to 22 March 2019.

GRETA welcomes the efforts that have been made, by adopting legislative and other measures, to combat trafficking in human beings (THB) and to strengthen the rights and protection of the victims. Besides legislative measures, the positive developments involve research on different aspects of THB, training of professionals on issues related to THB, awareness raising efforts and continuous state funding available to two specialised anti-trafficking NGOs. GRETA also welcomes the measures taken to improve the provision of information to victims of THB about possibilities to seek compensation as well as opening of an office within the official assistance system in Oulu and the first specialised shelter for female victims of trafficking. Furthermore, the Association of Finnish Local and Regional Authorities (*Kuntaliitto/Kommunförbundet*) has issued guidance to municipalities regarding assistance to be given to victims of THB.

Despite the progress achieved, GRETA identifies several areas in which the Finnish authorities should take further action. As a matter of priority, GRETA urges the Finnish authorities to adopt a national action plan addressing all forms of THB, including concrete measures and clearly defined responsibilities of stakeholders for their implementation, allocation of budgetary resources as well as a mechanism for monitoring its implementation and evaluating its impact (para. 26). The Finnish authorities should enhance their efforts in the prevention of child trafficking by paying increased attention to unaccompanied and separated children arriving in Finland and by ensuring the provision of a protective environment for them (para. 71). Steps must also be taken to ensure that all victims

¹⁵⁹ Finland, National Police Board (*poliisihallitus/polisstyrelsen*) (2019), Rikoksen uhrin ohjaaminen ja rikosasioiden sovittelu -ohjeen päivittäminen, 21 October 2019.

¹⁶⁰ Council of Europe, Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, CETS No. 201, 2007.

¹⁶¹ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, pp. 92–95.

¹⁶² Council of Europe, Group of Experts on Action against Trafficking in Human Beings (GRETA) (2019), [Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Finland, Second evaluation round](#), 5 May 2019.

¹⁶³ Council of Europe, Convention on Action against Trafficking in Human Beings, CETS No. 197, 2005.

of trafficking are identified as such and can benefit from the assistance and protection provided for by the Convention (para. 111). GRETA urges the Finnish authorities to set up a national referral mechanism for the identification and referral to assistance of child victims of THB (para. 143). Such a mechanism should take into account the particular circumstances and needs of victims, involve child specialists, and ensure that the best interests of the child are the primary consideration in all proceedings relating to child victims of THB and children at risk.

GRETA emphasizes the need to ensure that the assistance provided is guaranteed to all victims of THB across the country, and that it is adapted to their specific needs (para. 131). All police and border guard officers should be issued with clear instructions stressing the need to apply the recovery and the reflection period as defined in the Convention, i.e., not making it conditional on the victim's cooperation and offering it to victims before formal statements are made to investigators (para. 153). GRETA urges the Finnish authorities to ensure that all victims of THB are covered by the Act on Compensation for Crime Damage (*rikosvahinkolaki/brottsskadelag*, Act No. 1204/2005), irrespective of residence status, and that they can benefit from free legal aid when applying for compensation (para. 175). Moreover, further steps must be taken to ensure that the non-punishment provision can be applied to all offences that victims of THB were compelled to commit, and to develop relevant guidance for police officers, prosecutors and judges (para. 203).

On 21 March 2019, the European Institute for Crime Prevention and Control (HEUNI) (*Euroopan kriminaalipoliittikan instituutti*) published a report which examines trafficking in children and young persons 18–21 years of age in Finland.¹⁶⁴ The report covers exploitation of children and young persons who are members of the majority population or with a foreign background, including asylum seekers, and it is based on information obtained from an online survey directed at professionals, interviews with experts, statistics of the assistance system for victims of human trafficking, and case descriptions of THB experienced by children. The report includes cases of exploitation that took place or were identified in Finland. The report was prepared as part of the IHME project, which was carried out during the period 1 September 2017 to 31 May 2019. The aim of the project was to strengthen anti-human trafficking action in Finland, to enhance expertise in identifying and helping the victims of human trafficking, and to promote equal treatment of the victims by the public authorities. The project received funding from the European Union's Internal Security Fund (ISF-P), and it was coordinated by the Finnish assistance system for victims of human trafficking (*ihmiskaupan uhrien auttamisjärjestelmä/hjälpsystemet för offer för människohandel*).

According to the report, children and young people have been subjected to sexual exploitation, exploitation in criminal activities, forced marriage, and labour exploitation. Sexual exploitation and forced marriages are the most common forms of exploitation experienced by children and young people in their home country or country of origin. Exploitation that takes place in Finland is most commonly sexual exploitation, such as forced prostitution, commercial sexual exploitation, or sexual exploitation via the internet. The report reveals that the understanding of trafficking in children and young persons varies among municipalities and authorities. The authors point out that awareness of trafficking in human beings by public authorities and other actors must be increased so that such cases can be identified and prevented. The report highlights the need for clear guidelines on intervening in human trafficking of children and young persons, as well as sufficient assistance and support for those who have been victimised.

¹⁶⁴ Kervinen, E. and Ollus, N. (2019), [Trafficking in children and young persons in Finland](#), Publication Series No. 89b, Helsinki, European Institute for Crime Prevention and Control (HEUNI). The English version was published on 18 October 2019.

Improvement of the status of victims of human trafficking is included in the new government programme¹⁶⁵ and action plan.¹⁶⁶ Access to protection, assistance, welfare and health services, as well as provision of safe and supported housing services for victims of human trafficking will be improved through legislative measures. An action plan against trafficking in human beings will be adopted in December 2020 for the period 2021–2022.¹⁶⁷

The Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd*) (THL) published a report which examines the investigation of violence against children from the viewpoint of police officers and family centres.¹⁶⁸ According to the report, the main challenges experienced by the police are due to limited resources, which results in the prolonging of the investigations. Cooperation with social workers and specialists of the forensic psychiatric unit is mainly perceived as successful, although some needs for improvement were identified. In particular, police officers wish to work in pairs, to receive training on encountering children with special needs, and to concentrate the investigation involving children in specialised units. The report was a preparatory study for the Barnahus project, which was launched on 3 June 2019.¹⁶⁹

The Barnahus project aims to establish practices in accordance with the Barnahus standards in conducting investigation of violence against children, as well as in supporting and treating children exposed to abusive treatment. The objectives of the project include development of the content and coordination of support for victimised children and their families, ensuring child-friendly approaches and facilities for hearings in legal contexts, promoting and implementing interprofessional cooperation models, speeding up the criminal investigation, and creating online training programmes for professionals who encounter violence against children. The project will engage in broad-based cooperation with various actors whose tasks include recognising and investigating violence against children, as well as supporting and treating minors subjected to violence such as the police, prosecutors, child welfare, health care, early childhood education and schools. The Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) is funding the project and the Finnish Institute for Health and Welfare is coordinating it in broad-based collaboration with the hospital districts, the police and prosecutor organisation, universities and higher education institutions, NGOs, and the future centres of expertise and support. Promoting the expansion of the Barnahus model is included in the new government programme.¹⁷⁰

¹⁶⁵ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, pp. 80, 93–95

¹⁶⁶ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Government action plan. Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Publications of the Finnish Government 2019:27, Helsinki, p. 28.

¹⁶⁷ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Government action plan. Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Publications of the Finnish Government 2019:27, Helsinki, p. 33.

¹⁶⁸ Huittinen, M. (2019) [Lapsiin ja nuoriin kohdistuvien väkivaltaepäilyiden tutkiminen lapsen edun mukaisesti. Selvitys poliisin ja perhekeskustoiminnan näkökulmasta](#) (Investigation of suspected violence against children and adolescents in the best interests of the child), Working paper 21/2019, Helsinki, National Institute for Health and Welfare.

¹⁶⁹ Finland, National institute for health and welfare, [Barnahus project](#)

¹⁷⁰ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, pp. 80 and 95

2. Violence against women

Reducing violence against women is one of the objectives of the government action plan for gender equality 2016–2019.¹⁷¹ The final report of the action plan was published on 1 March 2019. According to the report, during the government term 2015–2019, the Nollalinja telephone helpline was opened and services for victims of sexual violence were strengthened. Funding for shelters for victims of domestic violence was raised by 70 per cent to € 19.5 million between 2015 and 2019, which has resulted in a 77 % increase in the number of family places, that is, from 114 to 202.¹⁷² In 2019, € 2 million in additional funding was allocated to the shelter services, and the number of family places rose from 187 to 202 (February 2019). However, the number of family places is still less than half of the Council of Europe’s recommendation of 550 places. According to the new government programme, the number of family places and the resources allocated to shelter services will be increased to the level required by the Council of Europe.¹⁷³ The state budget for 2020 includes an increase of € 3 million for increasing the number of family places and developing the services.¹⁷⁴

In 2019, three Seri-support centres (*Seri-tukikeskus*) for victims of sexual violence have been established at the university hospitals in Turku,¹⁷⁵ Tampere and Kuopio.¹⁷⁶ Victims of sexual violence have the right to the low-threshold services of these centres whether or not they decide to report the incident to the police. The support centres are open 24/7, and the services are free of charge. The first Seri-support centre was established in 2017 in Helsinki.¹⁷⁷ At the moment there is a support centre at four university hospitals, and one more support centre will be opened in Oulu in February 2020.¹⁷⁸ The state budget for 2020 includes € 0.3 million for developing the services.¹⁷⁹

An evaluation report of the EPRAS-project (Enhancing professional skills and raising awareness on domestic violence, violence against women and shelter services) was published on 15 August 2019.¹⁸⁰ The project focused on encounters with and interventions on domestic violence, particularly from the perspectives of the social and health care sectors and the police. The project developed an online training programme Create trust – Stop the violence¹⁸¹ for social and healthcare professionals and police officers who encounter victims of intimate partner violence (IPV) in their work. The training package aims to improve professionals’ skills to understand and recognise IPV. It also presents methods for intervention and cooperation between authorities, including systematic

¹⁷¹ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2017) [Government action plan for gender equality 2016–2019](#), Publications of the Ministry of Social Affairs and Health 2017:3.

¹⁷² Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2019), [Hallituksen tasa-arvo-ohjelma 2016–2019. Loppuraportti](#), Reports and Memorandums of the Ministry of Social Affairs and Health 2019:19, Helsinki, pp. 36–39 and information obtained from the Finnish Institute of Health and Welfare (*Terveyden ja hyvinvoinninlaitos/Institutet för hälsa och välfärd*) by telephone on 3 January 2019.

¹⁷³ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 94

¹⁷⁴ Finland, Finnish Parliament (*eduskunta/riksdagen*), [Parliamentary Statement \(Eduskunnan kirjelmä EK 24/2019 vp\) on the Government budget proposal \(HE 29/2019 vp\)](#), 20 December 2019.

¹⁷⁵ Finland, Turku University Hospital, [Seri Support Centre](#).

¹⁷⁶ Finland, information obtained from the Finnish Institute of Health and Welfare by email on 20 November 2019.

¹⁷⁷ Finland, Helsinki University Hospital, [Seri Support Centre](#).

¹⁷⁸ Finland, information obtained by email from the Finnish Institute of Health and Welfare on 20 November 2019.

¹⁷⁹ Finland, Finnish Parliament (*eduskunta/riksdagen*), [Parliamentary Statement \(Eduskunnan kirjelmä EK 24/2019 vp\) on the Government budget proposal \(HE 29/2019 vp\)](#), 20 December 2019.

¹⁸⁰ Niklander, E., Notko, M., Husso, M. (2019) [Intervening in domestic violence, and training social and health care professionals and police. Evaluation report of the EPRAS project](#), Report 13/2019, Helsinki, Finnish Institute for Health and Welfare (THL).

¹⁸¹ Finland, Finnish Institute for Health and Welfare, [Luo luottamusta – Puutu väkivaltaan](#).

risk assessment. Furthermore, the EPRAS -project implemented a civic campaign on encountering domestic violence and on shelter services for the victims. The project was coordinated by the National Institute for Health and Welfare (THL) and it was implemented in cooperation with the Police University College and the University of Jyväskylä.

On 21 March 2019, the Ministry of Justice published a memorandum which explores the need for electronic surveillance of barring orders and alternative methods for enhancing surveillance of barring orders.¹⁸² The memorandum focuses on the protection of victims of IPV. The Ministry of Justice requested opinions on the memorandum for further development of practices, legislation and other measures to protect individuals who have been granted barring orders. The majority of the 36 opinions received supported the further preparation of all measures presented in the memorandum.¹⁸³ Many of them pointed out that the costs of the electronic surveillance of barring orders should be accurately assessed in relation to the benefits. On the other hand, some of them think that inadequate resources must not hinder the use of the electronic surveillance. In addition, attention was paid to the possibility of using the temporary restraining order more than it is presently used. Portable safety device with an alarm function, which enables the protected person to call for help and to locate the device in emergencies, was also considered as a conceivable means for improving the safety of victims. Such a device has been in use in one Finnish municipality (Mikkeli) during the years 2013–2017, and it was granted as part of the home service plan for 15 persons under threat of persecution.¹⁸⁴

The Committee for combating violence against women and domestic violence (*Naisiin kohdistuvan väkivallan ja perheväkivallan torjunnan toimikunta*, NAPE) is the coordinating body required under Article 10 of the Istanbul Convention.¹⁸⁵ The Committee is responsible for the implementation, follow-up and evaluation of principles and actions meant to prevent and combat all forms of violence falling within the scope of the Convention. NAPE is monitoring the progress of the Action Plan for the Istanbul Convention for 2018–2021 which comprises 46 measures for different administrative branches.¹⁸⁶ The term of the Committee will last four years until 31 December 2020.

On 2 September 2019 the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) published the first evaluation report on the implementation of the Istanbul Convention in Finland.¹⁸⁷

GREVIO welcomes the overall progress that has been made in increasing the provision of services for female victims of violence, including setting up the national helpline and support centres for victims of sexual violence throughout the country and the increase in funding for shelters and other services for the victims. In addition, GREVIO notes positive developments with regard to legislative reforms, such as the reform of the Criminal Code in the area of sex offences. However,

¹⁸² Piispa, M., Hyppönen, L. (2019), *Arviomuistio lähestymiskiellon valvonnan tehostamiseksi*, Publications of the Ministry of Justice 2019:4, Helsinki, Ministry of Justice.

¹⁸³ Ruuskanen, E. (2019), *Arviomuistio lähestymiskiellon valvonnan tehostamiseksi. Lausuntotiivistelmä. (Summary of the statements)*, Publications of the Ministry of Justice 2019:27, Helsinki, 3 June 2019.

¹⁸⁴ Piispa, M., Hyppönen, L. (2019), *Arviomuistio lähestymiskiellon valvonnan tehostamiseksi*, Publications of the Ministry of Justice 2019:4, Helsinki, pp. 26–27.

¹⁸⁵ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2016), '*Committee for combating violence against women and domestic violence*', press release 204/2016, 17 November 2016.

¹⁸⁶ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2017) *Action plan for the Istanbul Convention for 2018–2021*, Publications of the Ministry of Social Affairs and Health 2017:18, Helsinki.

¹⁸⁷ Council of Europe, Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) (2019), *GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) Finland*, Strasbourg, Council of Europe, 2 September 2019.

GREVIO identifies several areas requiring further action in order to comply fully with the obligations of the Istanbul Convention.

As an overall observation, GREVIO notes that the gender-neutral approach which is characteristic for the Finnish policymaking and service provision in combating violence may not always do justice to the particular experiences of women, who are more frequently and severely impacted as victims of violence. Therefore, GREVIO encourages the Finnish authorities to enhance the application of a gendered perspective in the implementation of the Istanbul Convention, including its provisions related to domestic violence (para. 5). GREVIO urges the authorities to initiate systematic and mandatory training on all forms of violence for all law-enforcement officers and prosecutors. Training based on clear protocols and guidelines that set the standards that staff are expected to follow should be organised for all professionals working with women or children who are victims of violence (para. 72). All relevant actors should be equipped with the resources, knowledge and powers to respond promptly and appropriately to all forms of violence covered by the Istanbul Convention, in particular, by raising the number of female police officers and to ensure the provision of adequate support services (para. 203). The report emphasises the need to ensure that the courts are under obligation to consider all issues related to violence against women when determining custody and visitation rights (para. 150). Actions are also needed to assess and remedy any obstacles regarding the practical implementation of the Act on Restraining Orders (para. 225).

GREVIO's report identifies several barriers which women from ethnic and other minorities face in seeking protection from violence. GREVIO urges the authorities to ensure that fear of deportation from Finland may not prevent migrant women from leaving abusive partners by informing newly arrived migrant women of their rights, including the possibility of obtaining an independent residence permit after leaving an abusive relationship. Awareness-raising and capacity building of immigration officials is also needed. (para. 241) Furthermore, GREVIO urges, in particular the Finnish Migration Service, to remove excessively high evidential obstacles, such as the requirement of a criminal conviction of the abuser, from applications for extended residence permits based on Section 54, Sub-Section 7, of the Aliens Act (para. 241)

Regarding mediation of IPV, GREVIO highlights the importance of warranting that mediation is not used when it may compromise safety and rights of the victim. GREVIO urges the Finnish authorities to introduce clear protocols and guidelines on mediation in domestic violence cases to ensure that it is prohibited in cases of repeated violence and that it does not result in the discontinuation of criminal investigation and prosecution in VAW cases.¹⁸⁸ In addition, GREVIO encourages the Finnish authorities to reconsider the power vested in the police to propose mediation in domestic violence cases, since this might jeopardise the effectiveness of criminal investigations.

The Finnish government submitted its comments on GREVIO's final report on 28 June 2019.¹⁸⁹ The government informed GREVIO that the implementation of the Istanbul Convention is strongly promoted in its programme submitted to Parliament on 6 June 2019. Accordingly, the government will pay particular attention to reducing offences against life or health, in particular IPV and

¹⁸⁸ Council of Europe, Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) (2019), [*GREVIO's \(Baseline\) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence \(Istanbul Convention\) Finland*](#), Strasbourg, Council of Europe, 2 September 2019, pp. 47–48.

¹⁸⁹ Council of Europe, Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) (2019), [*Comments submitted by Finland on GREVIO's final report on the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence \(Baseline Report\)*](#), GREVIO/Inf(2019)13, Strasbourg, Council of Europe, 2 September 2019.

offences against children.¹⁹⁰ Sufficient resources for the work against female genital mutilation (FGM) will be ensured, annulment of forced marriages will be enabled, and the possibility to criminalise forced marriage will be examined. The government programme also includes a legislative reform on the restraining order to protect the rights of the victim.

The Government will draw up an action plan for combating violence against women which will bring the support services for victims into line with the level required by the Council of Europe.¹⁹¹ The State budget for 2020 includes an appropriation of € 200,000 for establishing a post for an independent rapporteur on violence against women.¹⁹²

On 12 April 2019, the National Institute for Health and Welfare, together with the Ministry of Social Affairs and Health and a broad-based steering group, published an action plan for the prevention of FGM.¹⁹³ The main objective of the action plan is to increase healthcare and social welfare professionals' knowledge and competence by ensuring that they are provided with training on how to talk about FGM and on their duty to notify. The action plan is a follow-up to the action plan for 2012–2016, and it aims to continue the good practices that Finland has implemented to prevent FGM and to develop means to help victims of FGM. The action plan includes recommendations for decision-makers, professionals, NGOs and other relevant agencies on measures for preventing FGM and supporting those subjected, or in risk of being subjected, to the practice.

Legislative amendments concerning sexual crimes against children entered into force on 15 April 2019.¹⁹⁴ A new penal provision for aggravated rape of a child was included in the Criminal Code (*rikoslaki/strafflagen*, Act No. 39/1889), and the minimum sentence for child rape was increased from two to four years.¹⁹⁵ The maximum penalty for sexual abuse of a child was increased from four to six years of imprisonment.¹⁹⁶ The Parliament also required swift actions to further increase the penalties for sexual offences against children and to reform Chapter 20 of the Criminal Code concerning sexual offences.¹⁹⁷ GREVIO points out that such reform is urgently needed.¹⁹⁸ These measures are also incorporated in the government programme.¹⁹⁹ Moreover, gender will be added among the motives that constitute grounds for increasing the punishment as specified in Chapter 6, Section 5 of the Criminal Code.

¹⁹⁰ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, pp. 80 and 94.

¹⁹¹ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 94.

¹⁹² Finland, Finnish Parliament (*eduskunta/riksdagen*), [Parliamentary Statement \(Eduskunnan kirjelmä EK 24/2019 vp\) on the Government budget proposal \(HE 29/2019 vp\)](#), 20 December 2019.

¹⁹³ Koukkula, M., Klemetti, R. (2019) [Action plan for the prevention of female genital mutilation \(FGM\)](#). Publications of the Ministry of Social Affairs and Health 2019:7, Helsinki.

¹⁹⁴ Finland, [Government bill \(hallituksen esitys/regeringsproposition\) No. 212/2018 vp for amendments to the Criminal Code and certain laws attached to it](#); Criminal Code Chapter 20, Section 7 b.

¹⁹⁵ Finland, Criminal Code, Chapter 20, Section 7b

¹⁹⁶ Finland, Criminal Code, Chapter 20, Section 6

¹⁹⁷ Finland, Finnish Parliament (2018), [Eduskunnan vastaus EV 305/2018 vp - HE 212/2018 vp](#).

¹⁹⁸ Council of Europe, Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) (2019), [GREVIO's \(Baseline\) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence \(Istanbul Convention\) Finland](#), pp. 43–44.

¹⁹⁹ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 94.

On 11 April 2019, the Ministry of Justice appointed a working group to prepare a comprehensive reform of Chapter 20 of the Criminal Code concerning sexual offences.²⁰⁰ The task of the working group is to draft legislation which bases sexual offences on the absence of freely-given consent rather than the use of force as required by Article 36 of the Istanbul Convention. The working group shall also prepare changes to make sexual intercourse with young children as punishable rape offences and to increase punishments for sexual crimes against children. The operation period of the working group continues until 31 May 2020. The reform of legislation on sexual offences is included in the government action plan.²⁰¹

According to the government action plan for gender equality 2016–2019,²⁰² mediation will be undertaken in cases of IPV only after careful consideration following international conventions and obligations. In August 2016, the Ministry of Social Affairs and Health assigned a working group to clarify the criteria for referring cases involving IPV to mediation, to evaluate the mediation process, and to assess any needs for legislative amendments. The report of the working group, which was completed in January 2019, is based on interviews with professionals of mediation, police officers, and prosecutors from all over Finland.²⁰³

The working group considers that in cases involving IPV, measures have to be taken to guarantee that mediation is safe for victims in all circumstances and to ensure that it is carried out by international agreements and obligations. Measures are also needed to create standardised tools, procedures and instructions for assessing whether the case is suitable for mediation. Additionally, cooperation between actors involved in mediation should be improved, and updated and adequate training should be provided for professionals and volunteers who are responsible for the mediation of domestic violence cases. Lastly, the report proposes an increase in research on the mediation of domestic violence and the development of statistical reporting so that mediation in Finland would be founded on research-based knowledge and the parties' experiences of mediation would be better taken into account.

The Ministry of Social Affairs and Health requested statements for the working group's report. In total, 48 comments were received from 6 February until 28 February 2019.²⁰⁴ The majority of public authorities, for example, municipalities, the police, public prosecutor's offices and conciliation offices welcome, in principle, mediation of IPV, considering it as being in the public interest and as complementary to the criminal procedure. By contrast, in particular NGOs are critical of the mediation of IPV. In their opinion, cases involving persistent and repeated violence have been referred repeatedly to mediation. Besides, the dynamics and imbalance of power in IPV cases are not sufficiently understood in mediation. In spite of the disagreements, the commentators agree that the processes of mediation in IPV cases should be developed and that the inclusion/exclusion criteria should be harmonised. The contributors are also in agreement on the need of increasing cross-sector cooperation in combating IPV and further training for both mediation counsellors, mediators, prosecutors and the police.

²⁰⁰ Finland, Ministry of Justice, [Rikoslain 20 luvun kokonaisuudistus](#), Statute drafting OM007:00/2019.

²⁰¹ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Government action plan. Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Publications of the Finnish Government 2019:27, Helsinki, p. 28.

²⁰² Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2017), [Government action plan for gender equality 2016–2019](#), Publications of the Ministry of Social Affairs and Health 2017:3, Helsinki.

²⁰³ Finland, Finnish Institute for Health and Welfare (THL) (2019), [Lähisuhdeväkivaltarikosten sovittelu - Nykytila ja kehittämissuhteet](#), Discussion Paper 2/2019, Helsinki, Finnish Institute for Health and Welfare (THL).

²⁰⁴ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2019), [Lähisuhdeväkivallan sovittelu -raportista saatujen lausuntojen yhteenveto](#) 2 April 2019.

According to the government programme, mediation will not be used in situations where it might compromise the legal protection of the victim. The possibility to continue mediation in cases involving IPV will be assessed.²⁰⁵

²⁰⁵ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [*Inclusive and competent Finland – a socially, economically and ecologically sustainable society*](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 92.

Chapter 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

1. CRPD policy & legal developments

Several of the legislative reforms pertaining to the implementation of the CRPD envisaged for by the previous government lapsed due to the falling down of the regional government and social and health care reform (SOTE) in March 2019. The most important of these, namely a comprehensive reform of the Disability Service Act, whereby a new act would replace the Act on Disability Services and Assistance (*laki vammaisuuden perusteella järjestettävistä palveluista ja tukitoimistai/ lag om service och stöd på grund av handikapp*, Act No. 380/1987) and the Act on Special Care for Persons with Intellectual Disabilities (*kehitysvammaisten erityishuollosta annettu laki/lag angående specialomsorger om utvecklingsstörda*, Act No. 519/1977), are being carried forth by the new government which took office on 6 June 2019 (see also Chapter 1). The reform of the Disability Service Act aims to improve the participation and equality of persons with disabilities and to implement an overall shift from diagnosis-oriented thinking to a service system that is based on individual needs. The proposed reform [at least in its earlier version] pays special attention to hearing children and their participation.

The new General Upper Secondary Schools Act (*lukiolaki/gymnasielagen*, Act No. 714/2018) entered into force on 1 August 2019. According to Section 28 of the Act, general upper secondary school students will be offered personal guidance, support for learning and, if necessary, special needs education. No specific references to disabled children are made, however.

The new government programme, adopted on 6 June 2019, refers to the potential for employment growth that lies, e.g., in groups such as persons with disabilities, and makes a general level commitment to enhance access to employment-promoting and individual services for those in need of special support, including people with disabilities.²⁰⁶

The pre-preparatory work for the development of a national strategy for children based on the Convention on the Rights of the Child (CRC) was concluded in February 2019 with the publication of the report ‘Child’s Time. Towards a National Strategy for Children 2040’.²⁰⁷ The aim is to create a systematic, long-term strategy that would cover several government terms. Apart from observing the CRC principle of non-discrimination, the report does not seem to pay specific attention to disabled children and their rights. The preparatory work of the actual strategy has started and a parliamentary committee to oversee this work will be appointed in the spring of 2020.²⁰⁸

A follow-up report on the implementation of the national action plan on the UN Convention on the Rights of Persons with Disabilities 2018–2019 was published by the Ministry of Social Affairs and

²⁰⁶ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Inclusive and competent Finland – a socially, economically and ecologically sustainable society](#), Government Programme, 6 June 2019, Publications of the Finnish Government 2019:25, Helsinki, p. 140.

²⁰⁷ Finland, Finnish Government (*valtioneuvosto/statsrådet*) (2019), [Lapsen aika. Kohti kansallista lapsistrategiaa 2040](#), Government publications 2019:4.

²⁰⁸ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystieteiden ministeriö/social- och hälsovårdsministeriet*) (2019), ‘[Preparation of the Strategy for Children starts](#)’, press release, 30 September 2019.

Health (*sosiaali- ja terveystoimi/sosial- och hälsovårdsministeriet*) on 9 March 2019.²⁰⁹ The action plan defines 82 long-term and short-term measures promoting the implementation of the Convention in different administrative branches.²¹⁰ According to the follow-up report findings, about one half of all the measures were put into effect fully and the other half were carried out partly. This partial failure was mostly due to the falling through of the regional government and SOTE reform of the previous government in spring 2019, having a direct effect on the implementation of several of the measures (please see above). According to the report, the action plan is found to have succeeded in developing practices to help persons with disabilities participate in drafting legislative proposals and projects. In addition, the action plan raised awareness of the rights of persons with disabilities in different administrative sectors and promoted their equal rights and non-discrimination in the activities of ministries. Awareness of the CRPD and the obligations it brings with it is also assessed to have increased.²¹¹ Failure to translate the action plan into Swedish, however, was a disappointment to representatives of the Swedish speaking disabled people's community.²¹² Preparation of a new action plan for the years 2020–2023 has started by the Advisory Board for the Rights of Persons with Disabilities (*Vammaisten henkilöiden oikeuksien neuvottelukunta/Delegationen för rättigheter för personer med funktionsnedsättning*, VANE), and the new action plan is expected to be finalised in the autumn of 2020.²¹³

As part of the implementation of the national action plan on fundamental and human rights 2017–2019²¹⁴, the Ministry of Justice (*oikeusministeriö/justitieministeriet*) and the Finnish Human Rights Centre (*Ihmisoikeuskeskus/Människorättscentret*) are preparing a fundamental rights barometer to examine the experiences of different population groups, including groups of persons with disabilities, about the implementation of fundamental rights (see also Chapter 1).²¹⁵

Finland submitted its initial report to the UN Committee on the Rights of Persons with Disabilities on 9 August 2019.²¹⁶ Civil society representatives were invited to participate in discussions at different stages of the report's preparatory process. The draft report was circulated for opinions to more than 100 different authorities and organisations. 61 opinions were received.²¹⁷ Several commentators note that the draft focuses on legislative measures offering relatively limited information on the realisation of disabled people's rights in practice. Women's rights organisations draw attention to the particularly vulnerable situation of disabled women as regards risks of gender-

²⁰⁹ Hoffrén, T. and Rautanen-Muhli, L. (2019), *Seurantaraportti: YK:N vammaisten henkilöiden oikeuksien yleissopimuksen kansallinen toimintaohjelma (2018–2019)*, Ministry of Social Affairs and Health reports 2019:61.

²¹⁰ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveystoimi/sosial- och hälsovårdsministeriet*) (2018), *Right to social inclusion and equality. The National Action Plan on the UN Convention on the Rights of Persons with Disabilities 2018–2019*, Publications of the Ministry of Social Affairs and Health 7/2018.

²¹¹ Hoffrén, T. & Rautanen-Muhli, L. (2019), *Seurantaraportti: YK:N vammaisten henkilöiden oikeuksien yleissopimuksen kansallinen toimintaohjelma (2018–2019)*, Ministry of Social Affairs and Health reports 2019:61, p. 12.

²¹² Finland, *Opinion of Inclusion Finland FDUV*, a non-profit organisation for Swedish-speaking persons with intellectual disability in Finland (*intresseorganisationen för svenskspråkiga personer med intellektuell funktionsnedsättning i Finland*, FDUV) to the Finnish draft report, 25 April 2018, available at the website lausuntopalvelu.fi maintained by the Ministry of Justice.

²¹³ Finland, information obtained from the Ministry of Social Affairs and Health (*sosiaali- ja terveystoimi/sosial- och hälsovårdsministeriet*) in email on 20 November 2019.

²¹⁴ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2017), *National action plan on fundamental and human rights 2017–2019 (Kansallinen perus- ja ihmisoikeustoimintaohjelma 2017–2019/Nationell handlingsplan för grundläggande och mänskliga rättigheter 2017–2019)*, Ministry of Justice publications 25/2017, Helsinki.

²¹⁵ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*), information on the project [Perusoikeusbarometri](http://perusoikeusbarometri.fi) available at the website of the Ministry of Justice.

²¹⁶ United Nations (UN), Committee on the Rights of Persons with Disabilities, *Initial report submitted by Finland under Article 35 of the Convention*, UN doc. CRPD/C/FIN/1, 14 August 2019.

²¹⁷ United Nations (UN), Committee on the Rights of Persons with Disabilities, *Initial report submitted by Finland under Article 35 of the Convention*, UN doc. CRPD/C/FIN/1, 14 August 2019, p. 2.

based and domestic violence. Also, disabled persons limited political participation is an issue raised by the commentators. Finnish Disability Forum (*Vammaisfoorumi/Handikappforum*), which is an umbrella organisation representing 30 disabled people's organisations, is preparing a parallel report on the implementation of the CRPD. The civil society report is expected to be published towards the end of 2020.²¹⁸

2. CRPD monitoring at national level

The government appointed a new Advisory Board for the Rights of Persons with Disabilities (*Vammaisten henkilöiden oikeuksien neuvottelukunta/Delegationen för rättigheter för personer med funktionsnedsättning*, VANE) for the period 2019–2023 on 29 August 2019.²¹⁹ VANE is the national coordinating mechanism for the CRPD (Art. 33). The newly appointed Board will start preparing the second national action plan on the CRPD in cooperation with a broad range of relevant authorities and organisations.²²⁰

The Parliamentary Ombudsman (*oikeusasiamies/justitieombudsmannen*) monitored polling stations' accessibility during both the Finnish Parliamentary elections that were held on 14 April 2019 and the EU Parliamentary elections held on 26 May 2019.²²¹ Serious deficiencies inhibiting access to the polling stations and endangering the secrecy of the vote were found, according to the Ombudsman. Almost all polling stations were found to have some impairments as regards wheelchair accessibility, either on the route to the polling station or inside the polling station. Also, lack of accessible polling booths and/or lack of visibility screens protecting wheelchair-users' voting from public view were observed.²²²

The focus of the Human Rights Centre's (*Ihmisoikeuskeskus/Människorättscentret*) work on disability rights during 2019 has been on information and data collection as well as awareness raising.²²³ The Centre, e.g., published a leaflet on the implementation and monitoring obligations of the CRPD.²²⁴ Among other activities, the Centre carried out an online survey on the realisation of disabled people's rights in everyday life together with the Disability Forum (*Vammaisfoorumi/Handikappforum*). 1,500 people participated in the survey as respondents. The results of the survey will be used for the development of training materials as well as for the civil society parallel report which will be submitted to the Committee on Disabled People's Rights (please see above).²²⁵ Disabled people also continued to participate in the work of the disability

²¹⁸ Finland, information obtained from the Finnish Disability Forum (*Vammaisfoorumi/Handikappforum*) by email on 20 November 2019.

²¹⁹ Finland, Government (*valtioneuvosto/statsrådet*) (2019), '[Vammaisten henkilöiden oikeuksien neuvottelukunnan asettaminen ajalle 01.09.2019-30.08.2023](#)', press release, 29 August 2019.

²²⁰ Finland, Advisory Board for the Rights of Persons with Disabilities (*Vammaisten henkilöiden oikeuksien neuvottelukunta/Delegationen för rättigheter för personer med funktionsnedsättning*, VANE), '[Neuvottelukunnan uusi toimikausi käynnistyi](#)', press release, 28 May 2019.

²²¹ Finland, Parliamentary Ombudsman (*oikeusasiamies/justitieombudsmannen*), '[Esteettömydessä vakavia puutteita - pyörätuolilla ei päässyt äänestyspaikalle](#)', press release, 7 June 2019.

²²² Finland, Parliamentary Ombudsman (*oikeusasiamies/justitieombudsmannen*), '[Esteettömydessä vakavia puutteita - pyörätuolilla ei päässyt äänestyspaikalle](#)', Monitoring report, EOAK/2657/2019, 4 June 2019.

²²³ Finland, information obtained from the Finnish Human Rights Centre (*Ihmisoikeuskeskus/Människorättscentret*) by email on 27 September 2019.

²²⁴ Finland, Human Rights Centre (*Ihmisoikeuskeskus/Människorättscentret*), '[Obligations of the UN Convention on the Rights of Persons with Disabilities regarding its implementation and monitoring](#)'.

²²⁵ Finland, information obtained from the Finnish Human Rights Centre (*Ihmisoikeuskeskus/Människorättscentret*) by email on 27 September 2019.

rights committee (*Vammaisten ihmisoikeuskomitea/ Människorättskommittén för personer med funktionsnedsättning*, VIOK).²²⁶

According to the Vice Chancellor of Justice (*apulaisoikeuskansleri/biträdande justitiekanslern*), there is a need to secure that the obligations defined in the CRPD and the fundamental and human rights of disabled persons, such as the right to self-determination, are realised in sensitive service situations, also in practice.²²⁷ The Vice Chancellor is of the opinion that the current instructions guiding sensitive service situations are inadequate and fail to ensure concretely enough that disabled persons are heard when decisions are made on who assists them in these situations.

Table: Structures set up for the implementation and monitoring of the CRPD

EUMS	Focal points within government for matters relating to the implementation of the CRPD – Article 33 (1)	Coordination mechanism – Article 33 (1)	Framework to promote, protect and monitor implementation of the CRPD – Article 33 (2)
FI	Ministry for Foreign Affairs (<i>Ulkoasiainministeriö</i>); Ministry of Social Affairs and Health (<i>Sosiaali- ja terveysministeriö</i>)	Advisory Board for the Rights of Persons with Disabilities (<i>Vammaisten henkilöiden oikeuksien neuvottelukunta</i>) within Ministry of Social Affairs and Health (<i>Sosiaali- ja terveysministeriö</i>)	Human Rights Centre (<i>Ihmisoikeuskeskus</i>); Human rights delegation (<i>Ihmisoikeusvaltuuskunta</i>); Parliamentary Ombudsman (<i>Eduskunnan oikeusasiamies</i>)

²²⁶ Finland, information obtained from the Finnish Human Rights Centre (*Ihmisoikeuskeskus/Människorättscentret*) by email on 27 September 2019.

²²⁷ Finland, Vice Chancellor of Justice (*apulaisoikeuskansleri/biträdande justitiekanslern*) (2019), '[Perusoikeuksien toteutuminen sukupuolisensitiivisissä avustamistilanteissa tulisi varmistaa konkreettisemmalla ohjauksella](#)', press release, 28 March 2019, and Decision No. [OKV/1/50/2018](#), 28 March 2019.

Annex 1 – Promising Practices

Thematic area	<p>EQUALITY AND NON-DISCRIMINATION</p> <p>Please provide one example of a rights awareness campaign held in your country in 2019 relevant to equality and non-discrimination, preferably one conducted by a national equality body. Where no such campaign was held, please provide an example of a promising practice implemented in 2019 in your country (this could include innovative initiatives at local level) to combat discrimination on any one of the following grounds: religion or belief, disability, age, sexual orientation, gender identity or sex characteristics. Where relevant, always highlight any relevance or reference to multiple discrimination.</p>
Title (original language)	Syrjinnästä vapaa alue
Title (EN)	Discrimination-free zone
Organisation (original language)	Oikeusministeriö yhteistyössä seuraavien järjestöjen kanssa: Suomen Monikulttuurinen Liikuntaliitto Fimu, Vammaisfoorumi, Ihmisoikeusliitto, Seta, Nuorisoyhteistyö Allianssi.
Organisation (EN)	Ministry of Justice in cooperation with the following NGOs: Finnish Multicultural Sports Federation, Disability Forum, Finnish League for Human Rights, Seta – LGBTI Rights in Finland, The Finnish National Youth Council Allianssi
Government / Civil society	Government in cooperation with civil society
Funding body	Government
Reference (incl. url, where available)	<p>https://yhdenvertaisuus.fi/syrjinnastavapaa.fi, https://yhdenvertaisuus.fi/en/discriminationfree.fi, https://www.facebook.com/syrjinnastavapaa/?ref=hf&hc_ref=ARQ1iLKN0BkEbCAeRxTTU02EKWbCDh578MTxGpJyYaLL-vFec2tzgxQxDMIF2LpNr0o</p>
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	ongoing since 2013
Type of initiative	Information and awareness raising campaign
Main target group	Organisations and companies (work places)
Indicate level of implementation : Local/Regional /National	National
Brief description (max. 1000 chars)	<p>The Discrimination-free Zone campaign is an information campaign to combat any form of discrimination, bullying or harassment. It enables organisations and work communities to declare their commitment to the principle of non-discrimination. Declaring a discrimination-free zone means opposition to discrimination, commitment to address any problems if such exist, and recognising equality. Such a declaration is also a signal to employees, job-seekers and customers that the organisation welcomes everyone irrespective of gender, age, ethnic background,</p>

	religion or belief, opinion, state of health, disability or sexual orientation, and treats all customers and staff equally. When joining the campaign the organisation gets a sign which it shall display on its premises and/or website. All employees should be informed on the commitment.
Highlight any element of the actions that is transferable (max. 500 chars)	All elements are transferable.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The commitment to respect equality is made publicly and is not bound to the continuance of the campaign, rather it is meant to work as a development tool towards full equality between all employees, job seekers, customers and other engaged in the activities of the organisation. The very idea is to make the commitment in public, which is expected to contribute to its implementation in practice as well as to its sustainability.
Give reasons why you consider the practice as having concrete measurable impact	The number of organisations that join the campaign is an output indicator; the impact can be measured by changes in attitudes and practices at the work places.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	There is nothing to the Finnish context specific in the initiative, which is why it should be easily transfereable to other Member States.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The commitment is meant to serve as an incentive to develop equality work and planning in different organisations involving e.g. in schools both teachers and pupils in this work. https://yhdenvertaisuus.fi/syrjinnasta-vapaa-koulu https://youtu.be/3an84UWcNrs?t=26
Explain, if applicable, how the practice provides for review and assessment.	Information not available.

Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE Please provide one example of a promising practice to address discriminatory ethnic profiling within law enforcement agencies and other relevant national authorities. Where no such practice exists, please provide one example of a promising practice related to combating racism, xenophobia and related intolerances.
Title (original language)	Dihtosis
Title (EN)	Dihtosis
Organisation (original language)	Saamelaiskäräjien nuorisoneuvosto ja Nuorten Akatemia
Organisation (EN)	Sámi Parliament's Youth Council and the Youth Academy
Government / Civil society	Government and civil society
Funding body	Ministry of Education and Culture
Reference (incl. url, where available)	nuortenakatemia.fi/hankkeet/dihtosis-osallistavia-tyopajoja-saamelaisuudesta-ylakoululaisille/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	1 July 2018 – 30 June 2020
Type of initiative	Information and awareness raising campaign
Main target group	Young people of the majority population
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The aim of the project is to increase awareness of the Sámi, the only indigenous people of the European Union, and the Sámi culture amongst young people of the majority population through participatory methods. An inspirational approach can help to prevent discrimination against Sámi children and youth as well as to strengthen the identity of young Sámi living outside the Sámi Homeland. The project features Sámi-themed workshops run by young Sámi adults in schools, method cards which teachers can use to discuss the Sámi culture with young people as well as an online game called 'Sukellus saamelaiskulttuuriin' (a dive into the Sámi culture).
Highlight any element of the actions that is transferable (max. 500 chars)	The project includes elements which could be transferable. Although the Dihtosis method cards are designed for the Finnish context, some of the exercises could work equally well in other national contexts, such as Sweden or Norway. The workshop concept and the online game are also suitable for different settings.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The online game will remain available even after the project. The information and teaching materials produced for the project can be downloaded free of charge from the Youth Academia's website. The participatory workshops require coordination and those running the workshops are paid a fee, so this aspect of the project depends on the availability of funding.
Give reasons why you consider the practice as having concrete measurable impact	The project collects feedback from teachers regarding the workshops and method cards. Teachers and those running the workshops have reported that young people have become increasingly aware of the Sámi people and the Sámi culture.

Give reasons why you consider the practice as transferrable to other settings and/or Member States?	Different aspects of the project could be transferable to other Member States with Sámi or other minorities, provided that adjustments are made to suit varying contexts.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Various elements of the project, including the Dihtosis method cards, the online game and the workshops, have been designed and organised together with the Sámi Parliament's Youth Council. Young Sámi have taken part in developing different aspects of the project.
Explain, if applicable, how the practice provides for review and assessment.	The project is reviewed and assessed together with the Sámi Parliament's Youth Council. The project regularly collects feedback from teachers both in writing and face to face. The results of the project will be reported to the Ministry of Education and Culture in the summer of 2020.

Thematic area	ROMA INTEGRATION Please provide one example of promising practice in relation to addressing a Roma/Travellers segregation at either national, regional or local. These could be (not limited to) in the area of segregation in education, residential segregation, segregation in healthcare services or in employment.
Title (original language)	Sanoista tekoihin 2
Title (EN)	Upscaling Roma Platform 2018–2019
Organisation (original language)	Romaniasiaain neuvottelukunta (RONK)
Organisation (EN)	National and Regional Platforms for Roma Affairs (RONK)
Government / Civil society	Government and civil society
Funding body	Rights, Equality and Citizenship (EU)
Reference (incl. url, where available)	https://romani.fi/sanoista-tekoihin https://romani.fi/en/building-a-national-roma-platform Ministry of Social Affairs and Health (information obtained via email on 20 November 2019).
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	1 January 2018 – 31 December 2019
Type of initiative	Project, participatory programme development and networking at local and regional level, capacity building
Main target group	Roma communities and decision makers at regional and local level
Indicate level of implementation: Local/Regional/National	Local and regional
Brief description (max. 1000 chars)	The objective of the Upscaling the Roma Platform project is to promote the visibility of the new National Policy on Roma (ROMPO2) programme at the regional and local level. The project develops cooperation networks between Roma people and authorities. Based on the national programme,

	<p>the cooperation networks are encouraged to draft a separate region-specific Roma integration programme for each region (MAARO programmes).</p> <p>In addition, Upscaling the Roma Platform project aims to advance the participation and influencing opportunities of Roma youth, and to continue the work on equality, which was started during the previous phase of the project. The project has published newsletters about its events on its website.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	Producing regional and local level programmes in cooperation with regional and local minority communities, e.g. Roma, should be transferable to other similar circumstances.
Give reasons why you consider the practice as sustainable (as opposed to ‘one off activities’)	When regional and local programmes are developed in an open and participatory manner addressing local needs, it may be expected that their implementation gets more support from the target groups than if it is a top-down exercise; this should also contribute to the sustainability of the practice.
Give reasons why you consider the practice as having concrete measurable impact	<p>The number of regional level programmes that get finalised is the main measurable outcome, enhanced employment, education and integration as a result of the implemented programmes would be the potential impact.</p> <p>No end report will be published (according to information obtained from the Ministry of Social Affairs and Health). Once the regional and local programmes (MAARO) are finalised and get implemented it will be possible to measure their potential impact. Developing the MAARO programmes and enhancing the cooperation between the Roma and the authorities as well as different Roma groups and organisations may as such already be seen as an indirect and/or processual level short-term impact. The actual impacts, however, will be shown in longer perspective, they are not visible or measurable yet.</p>
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The model should be transferrable to any member states with Roma or other minorities, at least if some types of regional cooperation platforms exist.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The very aim of the initiative is to engage the beneficiaries directly in the drafting of the regional and local level programmes.
Explain, if applicable, how the practice provides for review and assessment.	The national policy programme (ROMPO2) includes a plan for review and assessment, in contrast to the MAARO guide.

Thematic area	Asylum, visas, migration borders and integration Please provide a promising practice on the support provided to unaccompanied children when reaching majority.
Title or short description of promising practice in original language and in English	Hämeenkyrössä uusi majoitusmalli - turvapaikanhakijanuoret voivat asua samassa yksikössä myös oleskeluluvan saamisen jälkeen. Hybridimalli yhdistää yksintulleiden alaikäisten ryhmäkodin- ja tukiasumisyksikön sekä oleskeluluvan saaneille tarkoitettua ryhmäkodin. In the Hämeenkyrö municipality accommodation of young asylum seekers has been organised in a new manner since 2018 in order to enable young people to continue living in the same facility even after they are granted residence permit. The hybrid model combines the group homes and supported housing units with group homes for residence permit holders.
Organisation (Government / Civil society) in charge of promising practise (original language/English)	The Hämeenkyrö Municipality in cooperation with the Finnish Red Cross (Pirkanmaa Centre for Economic Development, Transport and the Environment (ELY Centre), and the Finnish Immigration Service (Maahanmuuttovirasto/Migrationsverket), the Vöyri municipality in cooperation with the Centre for Economic Development, Transport and the Environment (ELY Centre, ELY-keskus) of Ostrobothnia and the Finnish Immigration Service, the city of Kotka in cooperation with the ELY Centre of South East Finland and the Finnish Immigration Service.
Funding body	State (Finnish Immigration Service for the part of asylum seekers and the ELY Centres for the part of those who have received residence permits)
Reference (incl. url, where available)	https://www.ely-keskus.fi/web/ely/-/hameenkyrossa-uusi-majoitusmalli-turvapaikanhakijanuoret-voivat-asua-samassa-yksikossa-myos-oleskeluluvan-saamisen-jalkeen-pirkanmaa https://yle.fi/uutiset/3-10087763 Finnish Immigration Service (information obtained via phone and e-mail on 3 January 2020).
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	Since summer 2017 in the Hämeenkyrö municipality, since January 2019 in the Vöyri municipality and since September 2019 in the city of Kotka.
Main target group	Underage asylum seekers and young persons who have received residence permits
Brief description (around 1000 characters)	This is a new flexible model intended to enhance continuity, predictability and cost effectiveness of the activities, especially, in the current situation where the accommodation capacity needs are on the side of the residence permit holders rather than asylum seekers. The majority of the target group (young asylum seekers) will get at least temporary residence permits. The hybrid model is new in the national context and is intended to enhance the process of young asylum seekers being granted residence permits, reaching adulthood and getting integrated.
Indicate level of implementation: Local/Regional/National	Local and regional
Indicate success factors – why has the practice effectively promoted integration?	Young people do not have to move to new facilities and/or municipalities, which is expected to increase their sense of security, and continuity of the support measures, facilitating integration.

If the initial funding of the initiative ended, how has the initiative been continued/followed-up?	The model will be implemented as long as state funding continues. The model has also been presented to the cities of Espoo and Turku, and the respective ELY Centres of Uusimaa and South West Finland, so it is possible that its implementation will be further expanded.
Explain, if applicable, how the practice is being reviewed and assessed.	The implementation of the model has been monitored by the Reception Unit of the Finnish Immigration Service and jointly by the Ministry of Economic Affairs and Employment (<i>työ- ja elinkeinoministeriö/arbets- och näringsministeriet</i>) and the ELY Centres. An actual coordinated review, assessment and development of the implementation of the hybridunits model by the Finnish Immigration Service, the Ministry of Economic Affairs and Employemen and the ELY Centres was started in 2019.
Does the initiative apply to both asylum seekers and protection status holders – and/or support the transition from one to the other?	Yes, it does, and it is aim is to support the transition phase and to strengthen continuity of the services.
Does the initiative specifically support persons in need of international protection as they turn 18? If so, which type of support is provided?	Yes, it does. It provides continued accommodation, and continuity in the social services that are needed.

Thematic area	INFORMATION SOCIETY, DATA PROTECTION Please provide one example of a promising practice in relation to one of the topic addressed in this Chapter
Title (original language)	Henkilötietoja sisältävien asiakirjojen automaattinen anonymisointi ja sisällönkuvailu (Anoppi)
Title (EN)	Automatic anonymisation and content description of documents containing personal data (Anoppi)
Organisation (original language)	Oikeusministeriö yhteistyössä seuraavien järjestöjen kanssa: Aalto-yliopisto, HELDIG, Helsingin Yliopisto, Edita Publishing Oy, KRIMO, Korkein oikeus, Korkein hallinto-oikeus
Organisation (EN)	Ministry of Justice in cooperation with the following entities: Aalto University, HELDIG, University of Helsinki, Edita Publishing Oy, KRIMO, Supreme Court of Finland, Supreme Administrative Court of Finland
Government / Civil society	Government in cooperation with civil society
Funding body	Government
Reference (incl. url, where available)	https://oikeusministerio.fi/hanke?tunnus=OM042:00/2018 https://oikeusministerio.fi/en/project?tunnus=OM042:00/2018 https://seco.cs.aalto.fi/projects/anoppi/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	Ongoing since 1 October 2018

Type of initiative	AI based document and record management system development project
Main target group	Public authorities, businesses, researchers, general public
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	<p>The Anoppi project led by the Ministry of Justice will implement two language technology-based artificial intelligence tools for automatic anonymisation and content description of court decisions and other official decisions issued by authorities. With the assistance of the new applications, the electronic availability of documents can be improved, for example for the purposes of decision-making and research.</p> <p>Open access to administrative decisions and case law would essentially improve the transparency of the entire public administration and the judicial system. The tools to be created in the project will benefit authorities, citizens and companies.</p> <p>The benefits will appear in the production, distribution and further utilisation of decisions.</p> <p>A further benefit will be a faster processing of requests for information on official decisions within the public administration.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	Self-learning anonymisation tool, self-learning content annotation tool, implementation of technology for the purposes of improving access to official documents with confidential data.
Give reasons why you consider the practice as sustainable (as opposed to ‘one off activities’)	The results of the project would be used for court decisions and other official documents issued by public authorities, which would result in their continuous utilisation.
Give reasons why you consider the practice as having concrete measurable impact	If successful, the results of the project would improve access and openness of court decisions and other official documents issued by public authorities, which would show in increased number of available documents and faster processing time. Additionally, the tools would reduce the workload of officials.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The project aims to develop a technological tool that could be implemented to similar context, where information needs to be anonymised or pseudonymised in order to make it publically available or, alternatively, where the content description should be achieved more efficiently. The software tools under development are based on an open-source license code, which makes their transferability even easier.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The project is in itself collaboration between various affected beneficiaries and stakeholders. The developed technological tools will be tested in practice by implementing them in courts and official public legal database Finlex owned by the Ministry of Justice in the beginning of 2020.
Explain, if applicable, how the practice provides for review and assessment.	No information available

Thematic area	RIGHTS OF THE CHILD Please provide one example of a promising practice in relation to one of the topic ad-dressed in this Chapter.
Title (original language)	Kyberpeli Spoofy
Title (EN)	Cyber game Spoofy
Organisation (original language)	CGI in collaboration with Liikenne- ja viestintävirasto (Traficom) and Valtion kehitysyhtiö (Vake). In addition, Nordea, Opetushallitus, Espoo, Turku and Jyväskylä have been involved in the project.
Organisation (EN)	CGI in collaboration with the Finnish Transport and Communications Agency (Traficom) and the Finnish State Development Company (Vake). In addition, the Nordea Bank, the Finnish National Agency for Education and the cities of Espoo, Turku and Jyväskylä have been involved in the project.
Government / Civil society	Government / company
Funding body	Joint funding by CGI, Traficom, Vake, City of Jyväskylä and Nordea Bank.
Reference (incl. url, where available)	http://www.spoofy.fi https://www.cgi.fi/fi/uutiset/alakoululaiset-saavat-mobiilipelin-digiturvataitojensa-treenaamiseen https://www.kyberturvallisuuskeskus.fi/fi/ajankohtaista/lasten-spoofy-kybertaitopelin-taustajoukoissa-liikenne-ja-viestintavirasto-trafficom
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	Release of the game on 27 November 2019.
Type of initiative	Children's cyber skills game
Main target group	Finnish school children at first and second grade
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The game called Spoofy works on mobile phones and tablet computers. It is downloadable free of charge from App Store or Google Play. It aims at teaching children to use the internet in a safe way by helping to identify digital threats and by showing how to protect oneself from them. It focuses in particular on cyber bullying and deceitful online messaging. In addition, instruction materials for teachers and parents have been published online. The game is available in both national languages, Finnish and Swedish.
Highlight any element of the actions that is transferable (max. 500 chars)	The game as a whole is transferable provided that it is translated into local languages. CGI reports that their aim is to transfer the game to other countries through their company network. CGI has offices in 40 countries around the world.
Give reasons why you consider the practice as	There is a clear need for tools to teach children about internet security. The curriculum for primary education lists digital competency as one of

sustainable (as opposed to 'one off activities')	seven key goals in the Finnish basic education curriculum adopted in 2014. Further, key stakeholders like the Finnish National Agency for Education (opetushallitus/utbildningsstyrelsen) and the Cyber Security Centre (Kyberturvallisuuskeskus/Cybersäkerhetscentret) at Traficom support the initiative.
Give reasons why you consider the practice as having concrete measurable impact	n.a.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	In email correspondence (18 December 2019) with the CGI in Finland, it is reported that interest in the game already has been expressed in countries where CGI has offices.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Eighty school children together with their teachers from different schools participated in four planning workshops. Approximately 100 children and their parents and teachers took part in the testing of the game.
Explain, if applicable, how the practice provides for review and assessment.	n.a.

Thematic area	ACCESS TO JUSTICE, INCLUDING RIGHTS OF CRIME VICTIMS Please provide one example of a promising practice in relation to one of the topic ad-dressed in this Chapter
Title (original language)	Seksuaaliväkivallan uhrin tukikeskukset / Seri-tukikeskukset
Title (EN)	Sexual Assault Support Centres (Seri Support Centers)
Organisation (original language)	Sosiaali- ja terveysministeriö, Terveyden ja hyvinvoinnin laitos, Yliopistolliset sairaalat (Helsinki, Kuopio, Oulu, Tampere, Turku)
Organisation (EN)	The Ministry of Social Affairs and Health, the Finnish Institute for Health and Welfare, university hospitals in Helsinki, Kuopio, Oulu, Tampere, Turku
Government / Civil society	Government
Funding body	State, municipalities; The Ministry of Social Affairs and Health has supported the preparatory work and provided funding for the establishment of the support centres. The state budget for 2020 includes € 0.3 million for developing the services. The municipalities are responsible for financing the activities of the centres.
Reference (incl. url, where available)	Bildjushkin, K., Nipuli, S. (2018), Seksuaaliväkivallan uhrin hoitoketju, HUS Seri-tukikeskuksen malli, Ohjaus 10/2018, Terveyden ja hyvinvoinnin laitos, Helsinki. http://urn.fi/URN:ISBN:978-952-343-204-8

	<p>The Finnish Institute for Health and Welfare, information obtained by email on 26 November 2019.</p> <p>SERI - seksuaaliväkivallan uhrin tukikeskukset https://thl.fi/fi/web/lapset-nuoret-ja-perheet/tyon_tueksi/vakivallan-ehkaisy/seksuaalivakivalta/seri-seksuaalivakivallan-uhurin-tukikeskukset</p> <p>Helsinki University Hospital, Seri Support Centre https://www.hus.fi/en/medical-care/hospitals/womens-hospital/outpatient-clinics/Pages/Seri-Support-Center.aspx</p> <p>Helsinki University Hospital, Seri-tukikeskus, apua ja tukea seksuaaliväkivallan uhreille https://www.hus.fi/hus-tietoa/ uutishuone/Documents/HUS_Seri-tukikeskus_tilastot_2017-2019.pdf</p> <p>Helsinki University Hospital 21 January 2020, HUSin seksuaaliväkivallan uhrien Seri-tukikeskuksessa jo yli tuhat ensikäyntiä https://www.hus.fi/hus-tietoa/uutishuone/Sivut/HUSin-seksuaaliv%C3%A4kivallan-uhrien-Seri-tukikeskuksessa-jo-yli-tuhat-ensik%C3%A4ynti%C3%A4-.aspx</p> <p>Turku University Hospital, Help and support for the victims of sexual violence http://www.vsshp.fi/en/toimipaikat/tyks/to7/Seri-keskus/Pages/default.aspx</p> <p>Helsingin Sanomat 18 May 2018, Tässä raikattujen tukikeskuksessa moni asia on tehty poikkeavalla tavalla, eivätkä työntekijät yllättyneet sen suuresta tarpeesta – mies- ja maahanmuuttajauhreja keskus ei tavoita, sanoo lääkäri https://www.hs.fi/kaupunki/art-2000005645728.html</p> <p>Helsinki Times 22 January 2020, Over 1,000 have sought help from the centre for sexual assault victims in Helsinki https://www.helsinkitimes.fi/finland/finland-news/domestic/17245-over-1-000-have-sought-help-from-centre-for-sexual-assault-victims-in-helsinki.html</p>
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	The first Seri support centre was established in the university hospital in Helsinki in May 2017. In 2019, three support centres have been established at the university hospitals in Turku, Tampere and Kuopio. One more support centre will be opened in Oulu in February 2020.
Type of initiative	Setting up support centres for victims of sexual violence
Main target group	People over the age of 16 who have experienced sexual violence during the preceding month.
Indicate level of implementation: Local/Regional/National	National/Regional
Brief description (max. 1000 chars)	The Seri support centres provide a low-threshold service for people who have experienced sexual violence regardless of sex or gender. Reporting the offence to the police is not required, even though it is encouraged. The free of charge services involve psychosocial support, guidance, medical care, forensic medical examinations, treatment follow-up plan and information on other available support services. If they wish, the clients are assisted in starting the legal process. The support centre and the telephone helpline are open 24/7, but some services are only available on weekdays during the office hours. In emergency situations, an on-call doctor and midwife will see the patient and forensic medical samples are taken also outside the office hours.

<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<ul style="list-style-type: none"> - Victims of sexual violence are provided all the help they need under one roof. - low-threshold setting: Reporting the offence to the police or referral are not required to receive assistance. - multidisciplinary and cross-sectional cooperation between various practitioners
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>Ongoing since May 2017; The centres have been founded to provide services as required by Article 25 of the Istanbul Convention. Setting up easily accessible support centres for victims of sexual violence is included in the Action plan for the Istanbul Convention for 2018–2021. The aim is to establish the support centres across the country.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>Experience of the first support centre has shown the need for such services. For example, the number of clients of the support centre has increased slightly over the past two years. The police and other authorities have referred victims of sexual violence to the support centre, and the cross-sectional cooperation has worked smoothly. As the low-threshold service encourages the victims of sexual violence to seek help, a growing number of victims will receive the support and treatment they need. The multidisciplinary and cross-sectional cooperation, which brings together the expertise of the various practitioners enables the provision of services in the manner best suited to the individual needs of the clients. Victims also have better chances of getting long-term assistance through the centres.</p>
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>The first Seri support centre founded in 2017 in Helsinki functions as a model for support centers that have been/will be established in other locations in Finland. Similar support centres could be transferrable to other Member states.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>The first Seri support centre was founded by the Finnish Institute for Health and Welfare in collaboration with Women's Hospital and the police. The services are provided in multi-disciplinary cooperation between the practitioners of the support centres (physician, midwife, psychologist, social worker). The support centres cooperate closely with the police, organisations specialised in helping victims of sexual violence and other actors who participate in assisting victims. The national steering group comprises representatives from all Seri support centres, the central hospital regions, the Helsinki Police Department, the Forensic Laboratory of the National Bureau of Investigation, the Finnish Institute of Health and Welfare, the University of Helsinki and the Ministry of Social Affairs and Health.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>The national steering group supervises and coordinates the activities of the support centres. The activities are monitored and evaluated by collecting statistical data on the activities of the support centres. The Finnish Institute of Health and Welfare collects and analyses feedback from the clients of the support centres.</p>

Thematic area	Developments in the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) Please provide one promising practice example of projects or programmes implementing the CRPD or furthering the rights of persons with disabilities.
Title (original language)	Osallisuuden varmistaminen ja syrjäytymisen ehkäiseminen vammaistyön asiakasprosesseissa (Vamo)
Title (EN)	Strengthening participation and preventing marginalization in social work processes of disability services
Organisation (original language)	Lapin yliopisto, Terveysten- ja hyvinvoinnin laitos (THL), Etelä-Karjalan sosiaali- ja terveystieteiden keskus (Eksote), Eteva kuntayhtymä, Espoon kaupunki, Invalidiliitto ry, Kynnys ry ja Rovaniemen kaupunki.
Organisation (EN)	University of Lapland (lead), Finnish Institute for Health and Welfare (THL), Espoo city, South Karelia Social and Health Care District (Eksote) (Project partner), Eteva Joint Municipality Authority (Project partner), Finnish Association of People with Physical Disabilities (Project partner), Threshold Association, Rovaniemi city
Government / Civil society	Multi stakeholder (university, research institute, municipalities, NGOs)
Funding body	European Social Fund (ESF)
Reference (incl. url, where available)	https://lacris.ulapland.fi/en/projects/strengthening-participation-and-preventing-marginalization-in-social-work-processes-of-disability-services(8932a928-cbbe-4a73-8d0e-3e62970004d7).html https://www.ulapland.fi/FI/Kotisivut/VamO-hanke https://www.innokyla.fi/web/tyotila3989514 https://thl.fi/fi/web/vammaispalvelujen-kasikirja/asiakasprosessi/tyovalineet-ja-menetelmat/tyokalupakki-vammaisen-lapsen-nakemysten-selvittamiseen University of Lapland, information obtained via email on 17 December 2019.
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	01/09/2016 – 31/12/2019
Type of initiative	Project, Research and rights based best practices development, multistakeholder cooperation
Main target group	Disabled children
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The aim of the VamO project is to strengthen participation and equality and prevent discrimination in the social services client processes that engage with disabled persons, disabled children, in particular. It is set to develop equal, clients' participation supportive processes that rely on research based knowledge. The project also aims to recognize and develop the expertise needed in social work in disability services. It aims

	<p>to make visible the specific nature of the involvement of clients and the expertise needed in social work in disability services. The project will produce information on disabled clients and their different situations, the processes and methods used in disability services as well as the outcomes of the measures. It consists of collecting, creating, testing and embedding of practices based on research, experiments and projects. In addition, practices, methods and guidelines are developed for national use to ensure clients' participation and adequate expertise .</p> <p>The project will follow the principles set out in Article 31 (Statistics and data collection) and in particular in Article 5 (Equality and non-discrimination) and Article 6 (Women with disability) of the CRPD .</p> <p>As part of the VamO project, children with disabilities have been heard and methods have been developed to engage them in the client processes. A toolbox has been produced as part of the Online Handbook on Disability Services to enhance communication with disabled children in social services customer processes. Especially the City of Espoo has developed the practices of hearing and participation of children in the disability services process.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<ul style="list-style-type: none"> - participatory social services development and appreciation of the expertise provided by both clients and professional practitioners (in this case, social workers) - the principle of joint ventures (clients and social workers), client involvement in decision-making - strengthening of professional ethics based expertise and enhancing the societal value of social work and expertise - improving situational responsiveness and flexibility in the service processes alongside with systematic and transparent approaches - enhancing rights based approaches to social work - development and compilation of best practices and making them accessible to all professionals nationwide (manual development)
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>The results of the project will be used to develop the practices employed in social services, they will also be included in the digital Handbook to be used by all social workers nationwide.</p> <p>“Good practices, methods and guidelines are developed in workshops, where practices are tested and documented for national use. Additionally, teaching materials are produced and working methods and tools (such as indicators) are tested. The materials created and developed during the course of the project will be added to open web and consultation networks (THL's Handbooks on Disability Services, Innovillage, Toimia.fi) in order to make use of the existing nationwide networks. The online Handbooks on Disability Services (finnish-swedish) and their interactive features will be developed in order to use them to further develop working practices and to strengthen expertise in disability services.</p> <p>Information and materials will be disseminated in both printed and digital form. Accessibility will be taken into account throughout the project. “</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>Enhanced communication between disabled children and social workers and childrens' increased welfare could be measured by interviewing the children/clients on regular basis</p>

	(A client inquiry (children and adults) in the framework of the project was carried out in 2017, and can be renewed. Participatory indicators have been developed in the framework of other projects implemented by the Finnish Institute for Health and Welfare (THL))
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The practice of hearing children and allowing them to participate in the decision-making concerning them should be implemented in all member states in accordance with the principles of the CRC (Art. 12) and the CRPD (Art. 7).
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Children/persons with disabilities have been heard and methods have been developed to engage them as customers/beneficiaries in the service processes. The principles of joint development/ventures and participation are central in the project.
Explain, if applicable, how the practice provides for review and assessment.	The project end report will be published in the publication series of the Finnish Institute for Health and Welfare (THL). The participatory group work method has already been assessed as part of the THL implemented Sokra project.

Annex 2 – Case law

Thematic area	<p>EQUALITY AND NON-DISCRIMINATION</p> <p>Please provide one high court decision addressing discrimination on any one of the following grounds: gender identity, religion or belief, disability, age, or sexual orientation. Where relevant, always highlight any relevance or reference to multiple discrimination in the case you report</p>
Decision date	12 December 2019
Reference details	Decision of the Supreme Administrative Court (Korkein hallinto-oikeus/Högsta förvaltningsdomstolen) KHO:2019:155
Key facts of the case (max. 500 chars)	<p>The Supreme Court (Korkein oikeus/Högsta domstolen) and the Supreme Administrative Court had both organized Open Houses for the public on 15 September 2018. Their premises, however, had not been made electric wheelchair accessible, so that the applicant, who was an electric wheelchair user, could have attended the events. In his application to the Equality and Non-Discrimination Tribunal (<i>yhdenvertaisuus- ja tasa-arvolautakunta/ diskriminerings- och jämställdhetsnämnden</i>) the applicant alleged that this constituted discrimination.</p> <p>The Equality and Non-Discrimination Tribunal declared the application inadmissible. The tribunal dismissed the applicant's claim for a revised decision. In the appeal process, the Administrative Court dismissed the applicant's claim on the grounds that it referred to the functions of the courts and thus fell outside the mandate of the supervisory authorities established pursuant to the Non-discrimination Act (<i>yhdenvertaisuuslaki/icke-diskrimineringslagen</i>, Act No 1325/2014), such as the Non-Discrimination Ombudsman and the Non-Discrimination and Equality Tribunal (Section 18(3)).</p>
Main reasoning/argumentation (max. 500 chars)	The Supreme Administrative Court was of the opinion that the aim of the exemptions in the supervisory provisions in Section 18(3) of the Non-discrimination Act was to exclude the judiciary functions of the courts from the supervisory mandate of the non-discrimination bodies. The independence of the judiciary as guaranteed by Section 3(3) of the Constitution did not stipulate that all functions of the courts, that is, beyond their judiciary activities would fall outside the mandate of the supervisory authorities.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The key issue was to determine whether the supervisory provisions of the Non-discrimination Act were to be applied on the supreme courts when they organized public events, or whether such activities fall outside the supervision in accordance with Section 18(3) of the Non-discrimination Act. In the details of the preparatory works (HE 19/2014 vp) of the said provision it is stated that the provision refers to the courts' and other judicial bodies' judiciary functions, but not to their functions as e.g. an employer. Even though this example was the only one that was referred to, it nevertheless was just an example, and did not restrict the supervision in relation to other activities performed by the courts e.g. in order to display their activities.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The Supreme Administrative Court quashed the earlier decisions and remanded the application to the Non-Discrimination and Equality Tribunal.

Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>Korkein hallinto-oikeus katsoo, että yhdenvertaisuuslain 18 §:n 3 momentin tarkoituksena on rajata yhdenvertaisuuslaissa tarkoitetun valvontatoimivallan ulkopuolelle tuomioistuinten sellaiset toimet, jotka liittyvät niiden erityiseen tehtävään tuomiovallan käyttäjinä. Perustuslain 3 §:n 3 momentissa säädetyn tuomioistuinten riippumattomuuden turvaaminen ei edellytä, että yhdenvertaisuus- ja tasa-arvolautakunnan tai muiden yhdenvertaisuuslain 18 §:n 1 momentissa mainittujen valvontaviranomaisten valvontatoimivallan rajaus tulisi ulottaa koskemaan tuomioistuinten kaikkea toimintaa ja siten tuomioistuinten lainkäyttötoimintaa laajemmalle.</p> <p>The Supreme Administrative Court was of the opinion that the aim of the exemptions in the supervisory provisions in Section 18(3) of the Non-discrimination Act was to exclude the judiciary functions of the courts from the supervisory mandate of the non-discrimination bodies. The independence of the judiciary as guaranteed by Section 3(3) of the Constitution did not stipulate that all functions of the courts, that is, beyond their judiciary activities would fall outside the mandate of the supervisory authorities.</p>
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Thematic area	<p>RACISM, XENOPHOBIA AND RELATED INTOLERANCE</p> <p>Please provide the most relevant high court decision concerning the application of either the Racial Equality Directive, the Framework Decision on racism and xenophobia, or relevant to addressing racism, xenophobia and other forms of intolerance more generally.</p>
	No case law has been identified for this thematic area.

Thematic area	<p>ROMA INTEGRATION</p> <p>Please provide the most relevant high court decision addressing violations of fundamental rights of Roma in the context of education, employment, health, housing, etc. In particular, focus on cases where discrimination or segregation (not limited to segregation in education or housing) are addressed.</p>
	No case law has been identified for this thematic area.

Thematic area	<p>INFORMATION SOCIETY, DATA PROTECTION</p> <p>Please provide the most relevant high court decision in relation to one of the topic addressed in this Chapter</p>
Decision date	17 December 2018
Reference details	Decision of the Supreme Administrative Court (Korkein hallinto-oikeus/Högsta förvaltningsdomstolen) KHO:2018:171
Key facts of the case (max. 500 chars)	The Finnish Data Protection Board prohibited the Jehovah's Witnesses Community from collecting or processing personal data in their door-to-door preaching as the board considered the community and its members to be data controllers and not complying with their legal requirements. Key issues were whether collecting personal data in the course of door-to-door preaching practices fell outside the scope of Finnish data protection

	legislation, and if not, whether the notes their members collect during their practices constitute a “filing system” and whether the community is a controller. Questions concerning freedom of expression, religion and prohibition of discrimination were also evaluated during the proceedings.
Main reasoning/argumentation (max. 500 chars)	Majority of the data in the notes was personal data and some included even sensitive information. The information collected and processed by the members of the community was not for personal or conventional private use. At least part of the personal data collected constituted a “filing system”. Although door-to-door preaching was part of religious practices of individuals, it was also organized, coordinated and encouraged by the community. Therefore, the community was found to be the controller of the data together with its members who participated in making notes. The role of the community as the facilitator of the activities and enabler of information exchange among its members justified addressing the board decision to the community.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	Data Protection – Personal Data – Controller - Prohibition of Discrimination – Freedom of Religion – Right to Privacy - Door-to-door preaching – Notes – Religious Communities
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	Jehovah’s Witnesses Community was found to be data controller and it had to stop collecting and processing personal information until its practices comply with the requirements set by data protection laws. Religious communities are not exempted from requirements of data protection regulations when their activities make them data controllers. The decision was not found to be discriminatory under the fundamental rights frameworks at neither national nor regional levels.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>Uskonnollisia yhdyskuntia tai uskonnollista toimintaa ei henkilötietolaissa ole vapautettu henkilötietojen käsittelyä koskevien säännösten noudattamisesta. Henkilötietolain noudattamisen edellyttämisen ei liioin voida katsoa rajoittavan yhdyskunnan tai yksittäisten Jehovan todistajien Suomen perustuslaissa, Euroopan ihmisoikeussopimuksessa ja Euroopan unionin perusoikeuskirjassa taattua yksityiselämän suojaa ja sananvapautta. Mainitut oikeudet kuuluvat myös niille henkilöille, joiden henkilötietojen käsittelystä olisi kysymys, ja heillä on oikeus edellyttää, että henkilötietojen käsittelyä koskevia säännöksiä noudatetaan.</p> <p>Religious communities or religious practices have not been exempted from following the rules of the Personal Data Act concerning processing of personal data. The requirement to abide by the Personal Data Act cannot be viewed to restrict the right to privacy or the freedom of expression, guaranteed in the Constitution of Finland, the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union. The said rights belong also to those persons, who’s are subjects to such processing of personal data, and they have right to expect that laws regulating processing of personal data are being followed.</p>

Thematic area	RIGHTS OF THE CHILD Please provide the most relevant high court decision in relation to one of the topic addressed in this Chapter.
Decision date	19 September 2019
Reference details	Decision of the Supreme Court (Korkein oikeus/Högsta domstolen) KKO:2019:79
Key facts of the case (max. 500 chars)	A 15 year old, who committed theft, was sentenced by the District Court, that is, the general court of first instance, to a suspended prison sentence of 60 days and damages to the injured party and the insurance company of approx. € 5000. The defendant was denied leave for continued consideration (<i>jatkokäsittelylupa/tillstånd till fortsatt behandling</i>) by the Court of Appeal. The Supreme Court assessed whether the defendant should have been granted leave.
Main reasoning/argumentation (max. 500 chars)	In accordance with Chapter 25 a, Section 11 of the Criminal Procedure Act (<i>oikeudenkäymiskaari/rättegångsbalken</i> , Act No. 4/1734), the Supreme Court concluded that the leave for continued consideration should have been granted. In its reasoning the Court paid attention to the defendant's young age, the fact that this was the defendant's first prison sentence, and the damages were quite high bearing in mind the financial situation of the defendant (para. 15).
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The Criminal Procedure Act provides that when the sentence of imprisonment is below eight months a leave for continued consideration is required (Chapter 25 a, Section 5). Such leave shall be granted, e.g., if a continued consideration is required to assess the correctness of the lower court's judgement or if there are other justified reasons (Section 11, point 2 and 4). With reference to the preparatory work of the Criminal Procedure Act, the Court observes that other justified reasons can occur even if there are no imminent suspicion of incorrectness in the lower court. Furthermore, the Court confirmed that factors linked to young age can constitute justified reasons under Section 11 point 4.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The Supreme Court revoked the decision of the Court of Appeal and ordered the Court to continue the consideration of the appeal at its own initiative.
Key quotation in original language and translated into English with reference details (max. 500 chars)	Korkein oikeus toteaa, että rikosoikeusjärjestelmä suhtautuu rikoksen tehneeseen nuoreen lähtökohtaisesti eri tavoin kuin aikuisen rikoksentehtijään... Lainsäätäjä on tarkoittanut, että Suomen rikosoikeusjärjestelmässä rikoksentehtijän nuoruus otetaan huomioon muun muassa rikosasian käsittelymenettelyssä, seuraamuslajin valinnassa sekä rangaistuksen mittaamisessa (para. 11) The Supreme Court notes that the criminal law system approaches young offenders differently than adults... The intent of the legislator is that in the Finnish criminal law system the young age of the offender is taken into account in the processing of the criminal matter, in the selection of punishment and in the determination of the sentence (para. 11)

Thematic area	ACCESS TO JUSTICE, INCLUDING RIGHTS OF CRIME VICTIMS Please provide the most relevant high court decisions in relation to one of the topic ad-dressed in this Chapter..
	No case law has been identified for this thematic area

Thematic area	Developments in the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) Please provide the most relevant high court decision making reference to the CRPD or employing the CRPD in their reasoning.
Decision date	24 January 2019
Reference details	Decision of the Supreme Administrative Court (Korkein hallinto-oikeus/Högsta förvaltningsdomstolen) KHO:2019:7
Key facts of the case (max. 500 chars)	The case concerned a disabled child who attended school in a group that was intended for pupils with mental disabilities and other grave disabilities. The child was provided individual transport by taxi. On occasions, the child's behavior was so violent or disturbing that the school day had to be interrupted and the child had to be sent home. The director of the school education in the municipality had decided that in those situations free transport would not be provided, but instead it was on the responsibility of the child's parents to see to it that the child gets home safely. The Administrative Court of lower instance upheld this decision.
Main reasoning/argumentation (max. 500 chars)	The Supreme Administrative Court concluded that the fact that the child's school day might have to be interrupted, due to the violent or disturbing behavior, was closely linked to the child's disability or disease. Hence, the child could not control his behaviour in the same way as children in the same age group usually could. The starting point had thus to be that also on those occasions the child should be provided transport home, accompanied, whenever necessary, if this ensures safe transportation. The allowance that was provided to the child's parents could not be determined according to the general principles applied on school transport, that is, reimbursement of public transport costs, but also here the special circumstances of the child had to be taken into account.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	At issue was the scope of a severely disabled child's entitlement to free school transport or the guardian's right to adequate allowance on occasions when the school day had to be interrupted and the child sent home. The Non-Discrimination Ombudsman (<i>yhdennertaisuusvaltuutettu/diskrimineringsombudsmannen</i>) had issued an opinion to the administrative court making reference to the obligation, according to Articles 2, 5 and 24 (2) of the CRPD, to guarantee an inclusive education system and provision of reasonable accommodation of the individual's requirements to ensure that disabled persons right to education is realized.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The decisions of the Administrative Court and the municipality director of school education were quashed and the matter was referred back to the director of the school education.
Key quotation in original language and	Korkein hallinto-oikeus totesi, että A:n kohdalla se, että koulupäivä saatetaan joutua keskeyttämään hänen väkivaltaisen tai häiritsevän

<p>translated into English with reference details (max. 500 chars)</p>	<p>käyttäytymisensä perusteella, oli kiinteässä yhteydessä hänen vammaansa tai sairauteensa, eikä hän kyennyt säätelemään omaa käytöstään samalla tavalla kuin samanikäinen lapsi tai nuori yleensä. Lähtökohtana tuli pitää sitä, että oppilaalle järjestetään myös tällaisina päivinä kuljetus kotiin, tarvittaessa saatettuna, jos kuljetus on turvallisesti näin järjestettävissä. Huoltajalle myönnettävän avustuksen määrää ei voitu määrätä kunnan yleisten koulukuljetusperiaatteiden mukaisesti ja siten julkisten kulkuvälineiden taksan mukaisesti, vaan tässäkin oli otettava huomioon oppilaan erityiset olosuhteet.</p> <p>The Supreme Administrative Court concluded that the fact that the child's school day might have to be interrupted, due to the child's violent or disturbing behavior, was closely linked to the child's disability or disease. Hence, the child could not control his behaviour in the same way as children in the same age group usually could. The starting point had thus to be that also on those occasions the child should be provided transport home, accompanied, whenever necessary, if this ensures safe transportation. The allowance that was provided to the child's parents could not be determined according to the general principles applied on school transport, that is, reimbursement of public transport costs, but also here the special circumstances of the child had to be taken into account.</p>
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