

FINLAND 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Republic of Finland is a constitutional republic with a directly elected president and a unicameral parliament (Eduskunta). The prime minister heads a five-party coalition government approved by parliament on June 23 and appointed by the president on June 24. Parliamentary elections in 2011 were considered free and fair. Authorities maintained effective control over security forces.

Societal discrimination continued against Roma and members of other ethnic and linguistic minorities. Domestic abuse and other violence against women and children continued to be a problem.

Other human rights problems included overcrowding in some prisons, corruption, sexual exploitation of children, harassment of lesbian, gay, bisexual, and transgender persons, forced labor.

The government took steps to prosecute officials who committed abuses.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances, abductions, or kidnappings.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

Prison and detention center conditions mostly met international standards, although there were some instances of overcrowding and substandard sanitation.

Physical Conditions: On January 1, the prison population in 26 prisons, including pretrial detainees and remand prisoners, was 3,090. In 2013 juveniles under 18 years of age made up 0.25 percent of the prison population; 7.6 percent of the prison population were women.

On March 13 and 28, the Finnish Broadcasting Company (YLE) reported on continued overcrowding in the Vantaa prison and its impact on other prisons in Jokela, Riihimaki, and Helsinki. In the Vantaa prison, 290 prisoners were temporarily held in facilities designed for 190. The Ministry of Justice did not provide all promised funding to repair prisons with inadequate sanitary facilities. In the Hameenlinna prison, 125 cells remained with inappropriate sanitary facilities because of the insufficient funding for prison renovation. In the view of the Council of Europe's Committee for the Prevention of Torture (CPT) as stated in its preliminary report, none of the police stations it visited was equipped with facilities for holding anyone longer than the 96-hour police custody period, because they had inadequate natural light, no possibility for outdoor exercise or activities, and inadequate health care. The CPT found authorities insufficiently proactive in countering prisoner-on-prisoner violence.

According to the Police Academy, the average number of deaths in prisons, jails, and detention centers was 17 per year since 2002. In all cases another police precinct investigates the circumstances of the death, and a postmortem examination is conducted. The most common cause of death was alcohol intoxication. Prisoners and detainees had access to potable water. There were no reports of inadequate food in prisons.

Administration: Recordkeeping on prisoners was adequate, and authorities used alternatives to sentencing for nonviolent offenders. Judicial authorities used alternatives to incarceration for nonviolent offenders. Prisons did not have ombudsmen, but authorities permitted prisoners and detainees to submit complaints to judicial authorities and to the parliamentary ombudsman without censorship and to request investigation of credible allegations of inhuman conditions. In 2013 the ombudsman received 374 complaints regarding prison problems, including 116 cases that required follow-up or action. Prisoners and detainees had reasonable access to visitors and could observe their religious practices.

Independent Monitoring: The government permitted monitoring visits by independent human rights observers, including regularly scheduled visits by the CPT. On October 31, a delegation from the CPT issued the preliminary report of its visit from September 22 to October 2.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The national police maintain internal security. Both Finnish Customs and the Border Guard have law enforcement responsibilities related to their fields of responsibility. The Defense Forces are responsible for safeguarding the country's territorial integrity and providing military training, but they also have some domestic security responsibilities, such as assisting the national police in maintaining law and order in crises, participating in search and rescue operations, and providing aid in the event of natural disaster or catastrophe. Effective on October 1, the Border Guards were assigned additional law enforcement powers to maintain public order when they operate in joint patrols and under police command. The national police and Border Guards report to the Ministry of Interior, and the Defense Forces operate under the Ministry of Defense.

Civilian authorities maintained effective control over the police, the Defense Forces, and the Border Guards, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment of Detainees

The law requires police to have a warrant issued by a prosecutor to make an arrest. A warrant must be obtained within three days if an individual is arrested while committing a crime. Arrested persons must receive a court hearing within three days of arrest, and detainees must be informed promptly of the charges against them. There is no system of bail, but most defendants awaiting trial are eligible for conditional release on personal recognizance. The law provides for a detainee's prompt access to a lawyer. Persons detained for "minor" criminal offenses do not have a right to an attorney from the outset of detention or prior to interrogation. The government must provide lawyers for the indigent. Authorities respected most

of these rights. The preliminary report on the CPT's visit to the country stated that delays in the notification of custody remained frequent and widespread, and they could extend beyond the 96 hours permitted by the law. Persons who did not speak Finnish appeared to be at a particular disadvantage.

There were no reports that suspects were detained incommunicado or held under house arrest.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

The constitution and law provide for the right to a fair, public trial without delay, and an independent judiciary generally enforced this right.

Defendants are presumed innocent until proven guilty. Authorities generally informed detainees promptly and in detail of the charges against them, with free interpretation provided as necessary. Trials are fair and public, and take place without undue delay. The law does not provide for trial by jury. In criminal cases (and in some cases concerning family law) the court consists of one presiding professional judge and three lay members (volunteers elected by the municipal councils). A single judge tries minor cases. Defendants have a right to consult an attorney of their choice in a timely manner before trial. The government provides attorneys at public expense if defendants face serious criminal charges that can result in imprisonment or significant fines. Authorities give defendants adequate time and facilities to prepare their defense. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants can confront and question witnesses for the prosecution and present witnesses and evidence on their own behalf. Defendants may not be compelled to testify or confess guilt. They have a right of appeal.

The constitution and law extends the above rights to all citizens, and no groups were denied these rights.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals or organizations may seek civil remedies through the courts for human rights violations.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and the law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press.

Freedom of Speech: Public speech intended to incite discrimination or violence against any national, racial, religious, or ethnic group is a crime.

Press Freedoms: The publication of hate material intended to incite discrimination or violence against any national, racial, religious, or ethnic group is a crime.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. Approximately 95 percent of the population had access to the internet.

Courts can fine persons found guilty of inciting racial hatred on the internet. During the year there were a few reports that individuals incurred fines for publishing and distributing such material via the internet.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The constitution and law provide for the freedoms of assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. Parliament annually sets a quota for refugee admissions, and the government decides its allocation. Authorities raised the refugee quota for 2014 from 750 to 1,050 because of the humanitarian situation in Syria.

Safe Country of Origin/Transit: The EU's Dublin III Regulation recognizes all EU countries as safe countries of origin and transit. The regulation also authorizes the governments of EU member states to return asylum seekers to the countries where they first entered the EU. Following a judgment by the European Court of Human Rights against Greece involving the treatment of asylum seekers, in 2011 the Finnish Immigration Service ceased returning asylum seekers to that country. An unsuccessful asylum seeker may request a suspension of deportation proceedings pending an appeal, and the government granted such requests as a matter of policy. An appeal does not, however, suspend deportation proceedings, which the asylum seeker must request separately.

Refugee Abuse: On March 27 and April 28, Amnesty International Finland criticized authorities for incarcerating children seeking refugee status in police facilities. On May 5, the government responded in the media that in most instances this occurred very rarely and for short periods. Often incarceration was related to a lack of clarity concerning the applicant's age.

The parliamentary ombudsman's annual report noted that typically the complaints concerning immigration officials related to unsatisfactory decisions regarding visa, residence, and asylum decisions and long processing periods.

Durable Solutions: The government assisted in the safe, voluntary return of refugees to their home countries. From January to July, a project of the International Organization for Migration and the Finnish Immigration Service facilitated 193 safe returns. In 2013 the project facilitated the safe return of 342 persons.

Stateless Persons

According to the UNHCR, 2,122 stateless persons lived in the country at the beginning of January. A child may obtain citizenship from either the mother or father regardless of the place of birth and may also acquire citizenship if the child is born in the country and would otherwise be stateless. Involuntarily stateless persons and certain other special groups, such as refugees, have a shorter residency requirement--four years instead of six--than typical applicants before gaining citizenship.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens the ability to change their government through free and fair elections, which they exercised through elections based on universal suffrage.

Elections and Political Participation

Recent Elections: European Parliament elections on May 25 were considered free and fair, as were the national parliamentary elections in 2011.

In 2012 voters elected the center-right National Coalition Party's candidate, Sauli Niinisto, as the country's president in free and fair elections. On June 24, President Niinisto appointed a new government headed by Prime Minister Alexander Stubb.

Participation of Women and Minorities: Following the May 25 European Parliament elections, there were 84 women in the 200-seat parliament. Eight women held portfolios in the 17-member Council of State (cabinet). The president of the Supreme Court was a woman. Women were in the majority in two parliamentary groups: the Social Democratic Party (26 women and 14 men) and the Swedish People's Party (five women and four men). The Green League parliamentary group consisted of five women and five men.

There were 10 members of minority groups in parliament and two in the cabinet. Jani Toivola, a Kenyan-Finn from the Green League, was the first member of a racial minority to win a parliamentary seat, as well as one of the few openly gay members of parliament. The autonomous region of the Aland Islands elects one representative to the national parliament and has its own parliament. The indigenous Sami minority enjoys semiautonomous status and has its own parliament as well as full representation as citizens in the national parliament; no Sami were members of the national parliament. Parties represented in the European Parliament included members of minority communities (Sami, Somali, and Aland Islanders) in their slates for the European Parliament elections, but none was elected.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively. There were isolated reports of government corruption during the year.

Corruption: The country has multi-layered anticorruption authorities with adequate resources. The Ministry of Justice is responsible for internal and external coordination of anticorruption matters, with the exception of matters pertaining to the European Union, which fall under the Ministry of Interior. The chancellor of justice and the parliamentary ombudsman conducted periodic reviews of the work of administrative and judicial authorities and conducted investigations of their own. The State Audit Office oversees the work of national-level authorities, and each regional state administrative agency and municipal office has a role in monitoring their own operations and the work of public officials and staff. The

law provides the State Audit Office the right to take a corruption complaint to court. The national police force handles routine anticorruption investigations. The National Bureau of Investigation is responsible for investigating serious and complex crimes of corruption, bribery, and financial offenses. The prosecutorial service is independent, under the national Office of the Prosecutor General. Most prosecutions were conducted on the local level but cases could be transferred to the state prosecutors.

On May 24, the Helsinki District Court ordered the former head of the Helsinki police antidrug unit, Jari Aarnio, who was remanded in pretrial custody in November 2013, to remain in detention until charges were formally filed against him. On October 15, the media reported that the prosecution team looking into corruption in the Helsinki police requested additional time to file charges against Aarnio. According to extensive media reporting during the year, investigators suspected Aarnio and 23 other persons of a number of offenses, including aggravated acceptance of bribes, aggravated drug offenses, money laundering, aggravated official misconduct, aggravated fraud, and aggravated evidence tampering, among other offenses. Investigators added that Aarnio disclosed classified information and revealed details of police informants and undercover operations to external parties. Media reporting also referred to unexplained assets with an estimated value of hundreds of thousands of dollars.

On January 30, the district court in Hameenlinna acquitted Patria, a majority state-owned defense contractor, of paying bribes to Slovenian officials in connection with the sale of armored vehicles to the country. On March 3, the state prosecutor filed an appeal against the dismissal and requested punishment of two of Patria's chief executive officers and two other defendants as well as a corporate fine.

Financial Disclosure: By law income and asset information from all tax forms of all citizens, including public officials, must be made public each year. The Office of the Chancellor of Justice oversees government activities and prosecutes cases of possible corruption.

Public Access to Information: The law provides for public access to government information, with the exception of national security information and documents covered by privacy laws. The government had a sufficiently narrow list of exceptions for nondisclosure, responded in a timely manner to information requests, and enforced public access regulations with government officials.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to the groups' views.

Government Human Rights Bodies: The parliamentary ombudsman enjoyed the government's cooperation, operated without government or party interference, and had adequate resources. The ombudsman investigates complaints that a public authority or an official has not observed the law or fulfilled a duty, or appropriately implemented fundamental human rights protections. In 2013, the most recent year for which data was available, the ombudsman received 5,506 new complaints and issued a decision in 5,762 cases. The main targets of the complaints were social welfare authorities, law enforcement authorities, health-care personnel, and penitentiary officials.

The Human Rights Center operated as part of the Parliamentary Ombudsman's Office. The center's functions include promoting human rights, reporting on the implementation of human rights obligations, and cooperating with European and international bodies on human rights matters. The center does not have authority to investigate individual human rights cases. A delegation composed of representatives of civil society who participate in promoting and safeguarding human rights is attached to the center. The delegation deals with far-reaching and important human rights matters and approves the center's operational plan and annual report.

The parliamentary Constitutional Law Committee analyzed proposed legislation for consistency with international human rights conventions. The parliamentary Legal Affairs Committee dealt with legislation relating to criminal and procedural law, the courts, and the prison system.

By law the ombudsman for children, the minority ombudsman, and the ombudsman for equality are to advance impartially the status and legal protection of their own reference groups under the supervision and funding of the Ministry of Social Affairs and Health and the Ministry of Interior.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, sexual orientation, and social status, and the government effectively enforced these prohibitions.

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and domestic violence, and the government enforced the law effectively. On September 1, legislation entered into force that tightens penalties on sexual offenses and expands the definition of rape. An offense previously treated as coercion into sexual intercourse is now considered as rape and is punishable by up to four years' imprisonment; if the offender uses violence, the offense is considered aggravated and the penalty may be more severe. The maximum penalty for rape remains unchanged at six years' imprisonment. The amendment makes all sexual offenses against adults, except sexual harassment, subject to public prosecution. The law already provides that all sexual offenses against minors are subject to public prosecution and considers sexual offenses with a defenseless person (intoxicated or with a disability) as a crime as severe as rape.

There were 975 rapes reported in 2013. Individual reports of an offense may include a series of incidents comprising several criminal acts. In 2013, the most recent period for which government figures were available, 289 persons were convicted of rape and another 130 persons were convicted of related sexual offenses, such as coercion into a sexual act and sexual abuse.

Authorities may prosecute domestic abuse under various criminal laws, including laws prohibiting rape, assault and battery, harassment, and disturbing the peace. The penalty for physical domestic violence ranges from a minimum of six months to a maximum of 10 years in prison.

Violence against women, including spousal abuse, continued to be a problem. Violent behavior within a family often went unreported to police. In 2013 police recorded 6,470 victims of domestic violence, 68 percent of whom were women. The figures for domestic violence cover violence between present or former family members living in the same domicile; approximately half of these cases involved violence between married or cohabiting couples.

Police may refer potential perpetrators or victims of domestic violence to government social welfare agencies that have programs to reduce domestic violence. These programs promoted cooperation between cohabiting partners by

providing support to victims and anger management counseling and other advisory services for perpetrators.

The government encouraged women to report domestic violence and abuse and provided counseling, shelters, and other support services to victims of domestic violence and rape. The government established an online portal to provide information for domestic and sexual violence victims and information on safe houses. It also funded nongovernmental organizations (NGOs) that provided additional victim services, including a telephone hotline and crisis center. During the year the government took steps to increase the capacity of shelters in the country.

On August 11, the government agreed to provide eight million euros (\$10 million) in funding for assistance centers. On December 30, the government adopted new legislation on safe houses and shelters. The bill, which enters into force on January 1, 2015, gives responsibility for coordinating, budgeting, policy steering, and monitoring of assistance to the Ministry of Social Affairs and Health.

Female Genital Mutilation/Cutting (FGM/C): The law criminalizes female genital mutilation/cutting. There were no reports of FGM/C performed in the country.

Sexual Harassment: The law prohibits sexual harassment, and the government generally enforced the law. The law defines sexual harassment as a specific, punishable offense. The penalty for sexual harassment ranges from fines up to six months' imprisonment. The prosecutor general is responsible for investigating sexual harassment cases. Employers who fail to protect employees from workplace harassment are subject to fines or a maximum of six months in prison. According to the Office of the Ombudsman for Minorities, inappropriate treatment of women in the workplace remained a problem.

On January 27, the Helsinki District Court found Timo Raty, former director of the Transport Workers' Union (AKT), guilty of workplace harassment in a case brought by the union's former communications director, Hilkka Ahde. The court fined Raty 2,080 euros (\$2,600) for assault and occupational safety offenses. The court ordered two other former union board members to pay fines for failing to report their supervisor's behavior, and it ordered the AKT to pay a corporate fine of 20,000 euros (\$25,000). The court ordered the three persons who were convicted to pay Ahde's full legal costs of 30,900 euros (\$38,600).

Reproductive Rights: Couples and individuals have the right to attain the highest standard of reproductive health; to decide freely and responsibly the number, spacing, and timing of their children; and to have the information and means to do so free from discrimination, coercion, and violence.

Discrimination: The law provides women the same rights as men. The government maintained three entities devoted to gender equality: the Ombudsman for Equality, Gender Equality Unit, and Council for Equality.

The law prohibits pay discrimination on the basis of gender. The law provides that individuals may receive compensation for lost wages in cases where gender-based discrimination is proven. In 2013 the Equality Ombudsman's Office received 285 complaints alleging discrimination and unequal treatment based on gender.

During the year, according to Statistics Finland, women's pay was 83 percent that of men.

Statistics Finland's *Quality of Work Life Survey 2013* reported a decrease in gender-related discrimination in the workplace, with women reporting that their personal encounters with discrimination, and wage discrimination in particular, had decreased during the previous 14 years.

Children

Birth Registration: A child generally acquires citizenship at birth through one or both parents. A child can also acquire citizenship at birth if the child is born in the country and meets certain other criteria, such as if the parents have refugee status in the country or if the child is not eligible for any other country's citizenship. A local registration office records all births in the Population Information System.

Child Abuse: Authorities did not collect comprehensive information on violence against children. The ombudsman for children's affairs under the Ministry for Social Affairs and Health continued to raise public awareness of child abuse and promote the government's child, youth, and family policy program.

Assaults on children younger than 18 decreased by 9.7 percent in 2013 from 2012. According to police statistics in 2013, 62 percent of child victims of assaults were boys and 38 percent girls. Of child victims of assault, 27.5 percent were nine years old or younger, 32.9 percent were 10 to 14 years old, and 39.6 percent were 15 to 17 years old.

In February the NGO Rape Crisis Center Tukinainen reported that 44 percent of the cases that it dealt with involved girls and women under 20 years of age.

Early and Forced Marriage: The minimum age of marriage is 18. According to media reports, the Justice Ministry, which must approve underage marriages, received fewer than 100 applications for underage marriage during the year. It approved most cases based on pregnancy or religion.

Female Genital Mutilation/Cutting (FGM/C): The law criminalizes female genital mutilation/cutting. There were no reports of FGM/C performed in the country.

Sexual Exploitation of Children: The law considers intercourse with a minor an aggravated offense with penalties ranging from one to 10 years in prison. The law defines rape of a minor (under 18 years old) as aggravated rape, the penalty for which ranges from two to 10 years' imprisonment. The law prohibiting purchase of sexual services from minors covers "grooming" (enticement of a child), including in a virtual environment or through mobile telephone contacts. All sexual crimes against children are subject to public prosecution, including if committed by the country's residents outside the country.

The country has laws against statutory rape. The age of sexual consent is 16. The minimum legal age for sex work is 18. The law regards a person whose age cannot be determined, but who can reasonably be assumed to be under the age of 18, as a child. Sexual abuse of a child carries a maximum sentence of four years in prison, while aggravated sexual abuse of a child carries a maximum penalty of 10 years in prison. Manufacturing, selling, renting, importing, or exporting sexually obscene pictures or recordings of children carries a maximum prison sentence of two years, and aggravated distribution of sexually obscene pictures of children carries a sentence of four months to six years in prison.

According to police statistics, 1,657 reports of sexual exploitation of a child were recorded in 2013, a 5.7 percent increase over 2012. Individual reports may include a series of incidents comprising several criminal acts.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's country-specific information at travel.state.gov/content/childabduction/english/country/Finland.html.

Anti-Semitism

According to Statistics Finland, at the beginning of the year the Jewish community numbered 1,170 persons, living mostly in the Helsinki area.

On January 28, the newspaper *Helsingin Sanomat* reported that the Central Finland District Court issued a fugitive arrest warrant for a neo-Nazi activist for a stabbing at an event on right-wing extremism. Upon searching his apartment, authorities found a flash drive with details of several members of the Jewish community. The police believed the suspect fled abroad. The same individual was the main suspect in a pepper spray attack on the Helsinki lesbian, gay, bisexual, and transgender, (LGBT) pride parade in 2012 and an assault on Daniel Koivulaakso the same year (see section 6, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity).

On October 17, the Rovaniemi Court of Appeals upheld the district court decision given in 2013 on the publication *Magneettimedia* for anti-Semitic incitement to hatred.

Trafficking in Persons

On December 18, the government amended the penal code concerning trafficking in human beings and pandering, effective on January 1, 2015. The amended statute defines the use of coercive methods in pandering as trafficking. It also defines as trafficking any pandering involving a minor (under 18 years of age). The amendment also strengthens the status of pandering victims, including by providing public legal counsel for pretrial investigations and court proceedings.

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in all fields, including employment, education, access to health care, or the provision of other state services. The government effectively enforced these provisions.

Authorities generally enforced laws mandating access to buildings for persons with disabilities, although many older buildings remained inaccessible. In August 2013

YLE reported concerns of national disability associations that the needs of persons with disabilities were not sufficiently addressed during new construction projects. On January 17, YLE reported a growing need for modified accommodation suitable for persons with disabilities in many municipalities in the country. Most forms of public transportation were accessible, but problems continued in some geographically isolated areas.

The Ministry for Social Affairs and Health and the Ministry of Employment and the Economy are responsible for protecting the rights of persons with disabilities and did so effectively. The law promotes the equal opportunities of persons with severe disabilities and reinforces their fundamental and human rights.

Approximately 200,000 persons with disabilities lived in the country. According to YLE, persons with physical disabilities were likely to experience difficulties entering the labor market (see section 7.d.).

Children and young persons with disabilities attended primary, secondary, and higher education school and studied together with their peers.

National/Racial/Ethnic Minorities

There was some societal tension between ethnic Finns and minority groups, and there were reports of racist or xenophobic incidents.

In 2012, the most recent year for which data was available, police filed 732 reports of suspected hate crime cases, a 20 percent decrease from the previous year, and prosecuted 63. Most cases (88 percent) involved racist incidents; the victim's religious background motivated 6.1 percent of the remaining cases, sexual orientation 3.7 percent, and disability 2.2 percent. Among foreign citizens resident in the country, Somalis experienced the highest frequency of racially motivated crimes. The law does not have a specific category for "race-related crimes" or "hate crimes," but the presence of racism as a motive or partial motive to any other criminal act is a cause for aggravating the sentence.

In July 2013 the European Commission against Racism and Intolerance (ECRI) released a report that expressed concern immigrants still suffered discrimination in various fields including employment and that the country's Aliens Act contained discriminatory provisions. The ECRI noted that the National Discrimination Tribunal neither awarded compensation to victims of discrimination nor dealt with cases of discrimination in employment or immigration matters. The report also

noted that a shortage of human and financial resources undercut the effectiveness of the minority ombudsman and the Advisory Board for Ethnic Relations.

In 2012, the most recent year for which data was available, the minority ombudsman processed 641 cases of discrimination. Roma filed 60 cases, 40 of which related to housing and residence problems.

According to the minority ombudsman, discrimination against the country's approximately 10,000-12,000 Roma extended to all areas of life, resulting in their effective exclusion from society. The Romani minority was the most frequent target of racially motivated discrimination, followed by Russian speakers, Somalis, and Sami. Ethnic Finns were also occasionally victims of racially motivated crimes for associating with members of minority communities.

A report by the minority ombudsman in April found that 68 percent of Roma (71 percent of the women and 67 percent of the men) interviewed had suffered discrimination at some point during the previous year. Younger persons generally complained more than older ones about discrimination.

A seasonal influx of adult Romani beggars from Romania to Helsinki and other large cities continued. The number of beggars varied significantly during the year, ranging from approximately 300-400 during the summer months to only a few dozen during the winter. On June 10, the media reported that an estimated 80 Roma per day visited the Helsinki Assistance Center in the summer. The 2013 ECRI report placed Romani unemployment at 40 percent.

Social workers continued an information campaign to educate Roma arriving in the country about local child welfare laws. Helsinki city officials and the Deaconess Institute distributed leaflets in English and Romanian highlighting Finnish laws, including those forbidding children from sleeping in cars or on the street. During the three months of summer, a Romanian police officer assisted Finnish police in dealing with problems involving the Romanian Romani community. On July 3, the daily newspaper *Helsingin Sanomat* reported that police broke up two illegal camps of Roma in downtown Helsinki and directed the inhabitants to another campsite in Rastila in the eastern part of the city.

According to a study by the Ministry of Economy and Employment, ethnic minorities faced discrimination at the recruitment stage in the labor market (see section 7.d.). Other grounds, such as age, gender, disability, sexual orientation, religion, and opinion, did not lead to labor discrimination as frequently as

ethnicity, nationality, and language. Authorities estimated that the frequency of ethnic discrimination was more than three times higher than gender discrimination. A study in 2012 cited by the ECRI report found that job seekers with Russian names had to send twice as many applications as those with Finnish names in order to receive an invitation for a job interview. Earlier studies indicated that Somalis, sub-Saharan Africans, and Arabs perceived the most discrimination both in recruitment and at the workplace. According to research reported by the Council of Europe's human rights commissioner in September 2013, 41 percent of young Somalis in the country did not go to school or work, compared with approximately 5 percent of young persons in the majority population. The 2013 ECRI report estimated Somali unemployment at 50 percent. Statistics Finland estimated the Somali population in the country to be 7,465 in 2013.

At the end of 2013 an estimated 66,379 Russian speakers lived in the country, principally in Helsinki and areas along the Russian border, the largest minority not speaking Finnish or Swedish, the country's two official languages. The Finnish Union of Russian-Speaking Associations stated that Russian speakers in the country risked being in "an information vacuum" due to the lack of materials in their language.

The government strongly encouraged tolerance and respect for minority groups and sought to address racial discrimination. All government ministries included antiracism provisions in their educational information, personnel policy, and training programs. The government monitored the treatment of national, racial, and ethnic minorities by police, border guards, and teachers. The government's minority ombudsman monitored and assisted victims of discrimination. The ombudsman supervised compliance with the prohibition of ethnic discrimination.

On February 25, in a dispute over headgear worn by a Sikh bus driver, national unions representing bus drivers and bus driver employers agreed that a turban may be part of a bus driver's working attire.

Indigenous People

The constitution provides for the protection of the Sami language and culture, and the government financially supported these efforts. The Sami, who constituted less than 0.1 percent of the population, have full political and civil rights as citizens as well as a measure of autonomy in their civil and administrative affairs. A 21-member Sami parliament (Samediggi), popularly elected by the Sami, is responsible for the group's language, culture, and matters concerning their status as

an indigenous people. The Sami parliament is an independent body but operates under the purview of the Ministry of the Interior. It can adopt legally binding resolutions, propose initiatives, and provide policy guidance.

The law provides the right for Sami speakers to use Sami when accessing health services in their homeland area. YLE provided regular domestic service Sami-language television news broadcasts. The broadcasting included morning and afternoon radio news, online news in the three Sami languages spoken in the country, and a joint Nordic television news broadcast seen on weekday evenings.

On April 13, the UN Human Rights Committee found no breach in complaint by petitioners concerning the slaughtering of reindeer in Nellim. The case concerned the planned forced slaughter of reindeer owned by the petitioners who were in the Nellim herding group of the Ivalo Reindeer Herding Cooperative. According to the petitioners, the decision made by the cooperative in 2007 to conduct the slaughter discriminated against them, as it did not take into consideration calf losses and predator damage that reduced the number of reindeer in the herding group. Implementation of the slaughter, the petitioners argued, would put an end to all reindeer herding in the herding group. The Finnish Supreme Administrative Court also decided against the petitioners in 2011.

Despite constitutional protections, members of the Sami community continued to protest the lack of explicit legislation to safeguard Sami land, resources, and economic livelihood. The government owned 90 percent of the land in the Sami home region, much of it in the form of national parks. Sami alleged for decades that the government used their land for logging and other purposes without consulting them.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation or other personal characteristics. The government generally respected these rights, and law enforcement authorities investigated and punished violations.

On November 28, parliament approved a bill allowing same-sex marriage. The reform requires changes in other statutes, and the new same-sex marriage law was therefore not likely to take effect until 2016. The law has allowed registered partnerships since 2002.

According to Amnesty International, transgender persons cannot change the gender code in their government-issued identity documents unless they receive a psychiatric diagnosis, undergo a “real life test,” and submit to mandated and invasive surgical procedures that can leave them sterile. The process can last for years and excludes all transgender persons who do not receive, or choose not to receive, a specific diagnosis as well as those who do not want to, or cannot for health reasons, undergo all the required medical treatments. Transgender persons can rarely change their name to a differently gendered name unless they get a psychiatric diagnosis.

The Finnish Medicine Agency’s new regulation, effective on May 12, no longer considers sex between two men a permanent hindrance to donating blood, but it continues to prohibit blood donation within 12 months of a man having sex with another man.

A recent study by Amnesty International on the well-being of young LGBT persons in the country found that 80 per cent of the transgender individuals interviewed had faced harassment and that transgender pupils were generally more likely to experience violence than other pupils. Of the transgender pupils interviewed, 48 percent stated that in school they experienced physical violence (compared with 40 per cent of the other LGBT interviewed), 79 per cent experienced psychological violence (compared with 67 per cent), and 21 per cent sexual violence (compared with 14 per cent). Of the transgender pupils who experienced violence, 67 percent perceived it was motivated by their gender identity or expression.

In June 2013 the state prosecutor filed charges against a man who attacked politician Dan Koivulaakso with pepper spray while he delivered a speech at a gay pride festival in 2012. The defendant faced charges of assault and violation of political freedom and the right to assemble. On January 28, the media reported that the Central Finland District Court issued a fugitive arrest warrant because of the possibility that the suspect had fled abroad (see also Anti-Semitism).

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right to form and join independent unions, conduct legal strikes, and bargain collectively. The law prohibits antiunion discrimination and any restriction or obstruction of these rights.

The government effectively enforced all applicable laws regarding the freedom of association and the right to collective bargaining. Freedom of association and collective bargaining were respected in practice, and there were no reports of violations. Employers who violate the rights of employees to organize and retain employee representatives may face administrative measures, legal proceedings, and fines. The penalties for such violations are generally sufficient to deter violations. Administrative and judicial procedures in labor cases were not subject to lengthy delays and appeals. There were no reports of antiunion discrimination during the year.

The law excludes from the right to strike public sector employees who provide “essential services,” including police officers, firefighters, medical professionals, and border guards. An official dispute board can make nonbinding recommendations to the cabinet on ending or limiting the duration of strikes when they threaten national security. Employees prohibited from striking can use arbitration to provide for due process in the resolution of their concerns.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government effectively enforced the law. Resources were adequate and penalties for forced or compulsory labor depend on the severity of the crime and range from four months to ten years in prison. Despite strong penalties for violations, some cases of persons subjected to conditions of forced labor in the country were reported during the year.

Men and women were subjected to conditions of forced labor in construction, restaurant, agriculture, metal, and transport sectors and as cleaners, gardeners, and domestic servants.

Also see the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law allows persons over the age of 15 but under 18 to enter into a valid employment contract as long as work does not interrupt compulsory education. It restricts such employment to no more than nine hours per day and 48 hours per week, with a mandatory minimum daily rest period of 12 hours. Young workers

(15 to 18 years old) may not work after 10 p.m. or under conditions that risk their health and safety.

Children under the age of 15 may engage in summer work, school-related events, modeling, and other similar purposes, but both their guardians and the Finnish Occupational Safety and Health Administration (OSHA) must approve; the law limits their working hours in all cases. The law requires employers to provide work insurance, social payments, and a letter of reference for all young workers. The law applies to work done by all persons under 18 years of age, whether in the private or public sector. In addition to employment relationships, the law applies to the practical training of pupils younger than 18 or practical work done at school.

The Ministry of Employment and the Economy effectively enforced child labor regulations. The penalties for violators of child labor regulations range from a fine to up to 12 months in prison. In 2013 OSHA conducted 22,340 inspections at nearly 20,700 sites. There were no reports of children engaged in work outside the parameters established by law.

d. Discrimination with Respect to Employment or Occupation

The constitution and laws prohibit discrimination in employment or occupation on the basis of race, gender, or other personal characteristics such as disability or health, language, sexual orientation and gender identity, or social status. The government generally respected these rights and regulations, and law enforcement authorities investigated and punished violations.

Discrimination in employment and occupation occurred with respect to women; and the Romani, Russian-speaking, and Somali minorities (see section 6, National/Racial/Ethnic Minorities).

e. Acceptable Conditions of Work

While there is no national minimum wage law, the law requires all employers, including nonunionized employers, to pay minimum wages stipulated in collective bargaining agreements.

The standard workweek established by law is eight hours per day with no more than 40 hours of work per week. The law does not include a provision regarding a five-day workweek, so the regular working hours may, at least in principle, cover six days. The regular weekly working hours can also be arranged so that the

average is 40 hours over a period of no more than 52 weeks. Certain occupations, such as seamen, household workers, road transport workers, and workers in bakeries, are subject to separate workweek regulations. The law entitles employees working shifts or during the weekend to one 24-hour rest period per week. Compensation for overtime work is time-and-a-half pay for the first hour of overtime work and double pay for time beyond the first hour. The law limits a worker to 250 hours of overtime per year and 138 overtime hours in any four-month period. Employees are entitled to paid annual holidays and leave. The law requires equal pay for equal work, but there appeared to be a gap in pay between male and female employees.

The Ministry of Employment and the Economy is responsible for drafting labor legislation, and the Ministry of Social Affairs and Health is responsible for enforcement of labor laws and regulations. The government sets occupational health and safety standards. Labor and occupational safety laws cover all employees in the country, regardless of their nationality.

On December 18, the Ministry of Employment and the Economy, and the Ministry of Foreign Affairs signed a letter of intent with berry industry companies to strengthen the legal position and earnings opportunities of foreign berry pickers. Although the letter is not intended to change the pickers' legal position under labor law, the companies responsible for inviting berry pickers to the country agreed, among other steps, to provide better training, to set recruitment costs at a more reasonable level, and to meet more stringent quality criteria in terms of accommodation, sanitary facilities, and catering.

The ministry's OSHA monitors compliance with occupational safety and health legislation, including overseeing the employment terms for young workers. OSHA has the right to enter workplaces and to carry out health and safety inspections. OSHA employed 350 labor inspectors and conducted 22,340 workplace inspections in 2013, according to the latest available data. The administration informs employers of inspections in advance unless a surprise inspection is necessary for enforcement purposes. A subsequent inspection report gives employers written advice on how to remedy minor defects. In the case of serious violations, the inspector issues an improvement notice and monitors the employer's compliance. When necessary OSHA may issue a binding decision and impose a fine. If a hazardous situation involved a risk to life, an inspector can halt work on the site or issue a prohibition notice concerning the source of risk.

Authorities adequately enforced wage and overtime laws. Government resources, inspections, and penalties were adequate to deter most violations.

There were 123,000 workplace accidents in 2013. The construction and industry sectors had the greatest numbers of accidents. Workplace accidents led to 20 deaths.

The law requires employees to report any hazards or risks they discover in working conditions, including in machinery, equipment, or work methods. The law also requires employees, where possible, to correct dangerous conditions that come to their attention. Such corrective measures must be reported to the employer.

The law provides that an employee has the right to refuse work that may present a serious danger to the life or health of the employee or others and cannot be held liable for any damages that arise from the refusal.