

FINLAND 2015 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 three-party coalition government approved by parliament on May 28 and appointed by the president on May 29. Parliamentary elections on April 19 were considered free and fair. Civilian authorities maintained effective control over security forces.

Societal discrimination continued against Roma and members of other ethnic and linguistic minorities. Small demonstrations and isolated incidents of xenophobic hate speech and violence accompanied the arrival of large numbers of asylum seekers from Iraq, Afghanistan, and Somalia. Domestic abuse and other violence against women and children continued to be a problem.

Other human rights problems included inadequate medical services in detention centers; poor sanitation in some prison cells; excessive delay in moving detainees from police holding cells to remand prisons; excessive delays in notification of custody to family members; sexual exploitation of children; the reappearance of an anti-Semitic newspaper; harassment of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; and 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.

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 generally met international standards, although there were some instances of overcrowding and substandard sanitation.

Physical Conditions: In 2014, 12 deaths were recorded in prisons. In all cases another police precinct investigated the circumstances of the death, and a postmortem examination was conducted. The most common cause of death was alcohol intoxication. In August the Council of Europe's Committee for the Prevention of Torture (CPT) reported an insufficient doctors' presence in the prisons its delegation visited in September and October 2014.

The CPT noted that none of the police establishments its delegation visited in 2014 provided conditions suitable for holding persons beyond the 96-hour police custody period allowed by law, due in particular to insufficient access to natural light in cells, no possibility of genuine daily outdoor exercise, no activities for detainees, and no proper health care. In September 2014 the mean detention time that remand prisoners were held in police cells was 15 days, and in 2013 one detainee was held for 152 days. The delegation also observed that many cells in the Helsinki and Kerava prisons lacked toilets.

Administration: Independent authorities investigated credible allegations of inhuman conditions. In 2014 the ombudsman received 364 complaints regarding prison problems, including 104 cases that required follow-up or action.

Independent Monitoring: The government permitted monitoring visits by independent human rights observers, including regularly scheduled visits by the CPT.

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 Border Guards have additional law enforcement powers to maintain public order when they operate in joint patrols and under police command. The Defense Forces are responsible for safeguarding the country's territorial integrity and providing military training. The Defense Forces 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. The national police and Border Guards report to the Ministry of the Interior; the Defense Forces operate under the Ministry of Defense.

Civilian authorities maintained effective control over the police, the Defense Forces, the Border Guards, and Finnish Customs, 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 CPT report underlined that delays in notification of custody remained widespread, especially for apprehended foreign nationals without residence in the country. Persons who did not speak Finnish appeared to be at a particular disadvantage. In contrast with previous reports, the CPT found that a detainee's access to a lawyer "did not pose any particular problem in practice."

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 trial, 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 defendants.

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 domestic courts for human rights violations. Persons may appeal court decisions involving alleged violations of the European Convention on Human Rights to the European Court of Human Rights after they exhaust all avenues of appeal in national courts.

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

The constitution and 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 and Expression: Public speech intended to incite discrimination against any national, racial, religious, or ethnic group is a crime. Hate speech is not a separate criminal offense but may constitute grounds for an aggravated sentence for other offenses.

Press and Media Freedoms: The publication of hate material intended to incite discrimination 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/religiousfreedomreport/.

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

During the year many countries in the EU and Southeast Europe experienced an unprecedented wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum seekers/potential refugees, economic migrants, and trafficking victims, among others. For simplicity, this report will refer to these populations as “migrants and asylum seekers” if more specific information is not available.

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. On June 26, the president signed into law an amendment providing that minor asylum seekers who arrive in the country without a guardian cannot be taken into protective custody. The law also improves the status of and legal protections for non-Finnish nationals in protective custody, providing them better notification of their status and rights.

The government agreed to accept 3,200 asylum seekers from other EU countries over a two-year period, pursuant to proposals by the European Commission for EU countries to share the burden posed by the large number of refugees who were arriving in EU member states.

During the year 31,503 other refugees and migrants arrived in the country, mainly through Sweden but also from Russia.

Safe Country of Origin/Transit: The government adheres to the EU's Dublin III Regulation that recognizes all EU countries as safe countries of origin and transit and 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 involving the treatment of asylum seekers in Greece, the Finnish Immigration Service ceased returning asylum seekers to that country in 2011.

On May 19, the Finnish Broadcasting Company (YLE) reported that authorities were turning away unaccompanied minors seeking asylum arriving from other EU countries, despite a 2013 European Court of Justice ruling. As of the end of August, the government rejected the asylum applications of six asylum seekers under the age of 18, citing the Dublin Regulation.

Refugee Abuse: The parliamentary ombudsman's annual report noted that complaints concerning immigration officials typically related to unsatisfactory decisions regarding visa, residence, and asylum applications and long processing periods for applications. Refugees also faced isolated incidents of abuse and violence from neo-Nazis and other anti-immigrant protesters.

On September 25, a dozen protesters hurled firecrackers and stones at buses transporting asylum seekers to the city of Lahti, according to media reports. Finnish Red Cross aid workers waiting to receive the asylum seekers were among those targeted. One of the protesters was dressed in a Ku Klux Klan outfit and carried the Finnish flag. National leaders, including Prime Minister Juha Sipilä, strongly condemned the incident on the following day. The protester was arrested for hate speech and disrespect toward the Finnish flag.

Durable Solutions: The government assisted in the safe, voluntary return of refugees to their home countries. Through May a project of the International Organization for Migration and the Finnish Immigration Service facilitated 151 safe returns. In 2014 the project facilitated the safe return of 318 persons.

On July 1, the government brought new measures into force to encourage persons whose asylum applications were rejected to return voluntarily to their home countries. The measures provide reasonable moving expenses and other aid. Recipients must demonstrate a need and agree to leave the country voluntarily and

permanently. Under the measure, authorities are supposed to deny temporary residence to persons in cases where their voluntary return to their home country is possible.

Temporary Protection: The government also provided temporary protection to individuals who may not qualify as refugees and provided subsidiary protection to approximately 295 persons in the first three quarters of the year.

Stateless Persons

According to UNHCR, 2,293 stateless persons resided 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 other persons before they are eligible to apply for citizenship.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

Elections and Political Participation

Recent Elections: National parliamentary elections on April 19 were considered free and fair. In 2012 voters elected the Sauli Niinisto as the country's president in free and fair elections.

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: On June 2, the Helsinki District Court found the former head of the Helsinki police antidrug unit, Jari Aarnio, guilty of aggravated abuse of office and bribery for actions in 2009 and 2010 and sentenced him to prison for one year and eight months. Aarnio appealed the decision and faced other charges.

Financial Disclosure: By law income and asset information from all tax forms of all citizens, including appointed and elected officials, must be made public each year. Although the law does not provide for specific criminal penalties for nondisclosure, the law does provide criminal penalties for official 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. Laws governing public access to information were effectively implemented.

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 their 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.

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 abuses. A delegation of representatives of civil society who participate in promoting and safeguarding human rights is attached to the center.

The parliamentary Constitutional Law Committee analyzes 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 nondiscrimination ombudsman (known until January 1 as 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 the Interior.

The Nondiscrimination Act, which entered into force on January 1, merged the National Discrimination Tribunal and the Equality Board to create a new tribunal whose mandate covers all bases of discrimination. The ombudsman for equality, the ombudsman for children, and the nondiscrimination ombudsman now operate under the Ministry of Justice. Responsibility for developing antidiscrimination policies and legislation, as well as the Advisory Board for Ethnic Relations, were transferred from the Ministry of the Interior to the Unit for Democracy, Language Affairs, and Fundamental Rights of the Ministry of Justice.

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

The constitution and law with new amendments from January 1 prohibit discrimination based on religion and belief, political opinion, ethnic and national origin, age, race, gender, disability or health condition, nationality, language, sexual orientation, participation in political and/or labor union activities, social status, or other personal characteristics. The government effectively enforced these prohibitions. The new Nondiscrimination Act expands the scope of protections against discrimination.

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. Rape 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 1,009 rapes reported in 2014. Individual reports of an offense may include a series of incidents comprising several criminal acts. In 2014, 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 2014 police recorded 6,873 victims of domestic violence, 69 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. According to a May 28 report in the leading daily newspaper, *Helsingin Sanomat*, drawing on figures compiled by Statistics Finland, domestic violence was often recurrent. In 2014 approximately 800 persons suffered abuse more than once during the year. From 2009 to 2014, an estimated 3,000 victims of domestic violence had been victims in two or more other years.

Police may refer potential perpetrators or victims of domestic violence to government social welfare agencies with programs to promote 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 rape and provided counseling, shelters, and other support services to survivors. It maintained an online portal to provide information, including on safe houses, for violence victims and funded nongovernmental organizations that provided additional victim services, including a telephone hotline and crisis center.

According to a March 5 report in *Helsingin Sanomat*, there was insufficient capacity in safe houses. In 2014 more than 100 survivors of domestic violence lacked the protection of safe houses and shelters. The problem reportedly was compounded by a 20-percent rise in the number of domestic abuse cases in Helsinki during the previous two years. The newspaper reported there were just 120 family spaces in safe houses in the country and, in Helsinki, only 10 spaces. Legislation that entered into force on January 1 assigned responsibility to the Ministry of Social Affairs and Health for coordinating, budgeting, policy steering, and monitoring of assistance. The government allocated 11.8 million euros (\$13

million) for assistance during the year, a sharp increase from eight million euros (\$8.8 million) allocated in 2014.

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 complaints. Employers who fail to protect employees from workplace harassment are subject to fines or a maximum of six months in prison. According to the nondiscrimination ombudsman, inappropriate treatment of women in the workplace remained a problem.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, or violence.

Discrimination: The law provides for the same legal status and rights for women as for men, including under family, labor, property, nationality, and inheritance laws. The law prohibits pay discrimination on the basis of gender and provides that individuals may receive compensation for lost wages in cases where gender-based discrimination is proven. According to Eurostat, in 2013 the average gross hourly earnings for men in the country were 19 percent higher than for women, without adjusting for type of employment.

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 immediately.

Child Abuse: There was pattern of child abuse by persons under the influence of alcohol or other substances. According to a May 28 report in *Helsingin Sanomat*, drawing on figures compiled by Statistics Finland, in a quarter of domestic abuse cases, the target was a minor child. In 22.6 percent of the cases, the accused perpetrator was a woman. In 2 percent of cases, there was sexual abuse of a child.

The newspaper reported that almost half of those accused of such crimes were under the influence of alcohol or other substances at the time of the abuse.

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.

Early and Forced Marriage: The minimum age of marriage is 18.

Sexual Exploitation of Children: The country prohibits the commercial sexual exploitation of children and child pornography, and authorities enforced the law effectively. 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. The minimum legal age for sex work is 18. 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.

The minimum age for consensual sex is 16. 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. 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 of age) as aggravated rape, the penalty for which ranges from two to 10 years' imprisonment.

Sexual crimes against children are subject to public prosecution, including if committed by the country's residents outside the country.

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

Anti-Semitism

According to Statistics Finland, at the beginning of the year the Jewish community numbered 1,145 persons, most living in the Helsinki area.

According to media reports, the publication *Magneettimedia*, known for its anti-Semitic content, resumed cost-free distribution on April 18-19, when 270,000 copies of a new 88-page edition were delivered to random recipients in the Oulu and Hame regions of the country. The issue contained a lengthy “open letter to the new prime minister” in which the authors called on the new government to “ensure at all costs that the Finnish population will continue to be white.” Although its publisher denied that the newspaper was anti-Semitic, instead calling it “critical of the Zionist elite” that includes “both Christians and Jews,” *Magneettimedia* continued to publish anti-Semitic content. The April issue contained articles on “Israel--major power of terrorism and assassinations,” “Why YLE lied in its program about the Holocaust,” “Israeli Politician--we are the wise men of Zion and rule America,” and “National Socialism--Counter-power of world politics.”

Magneettimedia had ceased publication at the end of 2013 following the court convictions of its former editor in chief, Juha Karkkainen, for hate speech. According to media reports, Markku Juutinen was the new editor in chief and the Pohjoinen Perinne (Northern Heritage) Association, a group associated with national socialist views, the new publisher.

Trafficking in Persons

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. Most forms of public transportation were accessible, but problems continued in some geographically isolated areas.

According to YLE, persons with physical disabilities were likely to experience difficulties entering the labor market (see section 7.d.).

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.

In August the CPT expressed concern about the inefficiency of judicial reviews of involuntary hospitalization measures and the practice of using special restraint jackets that it found degrading.

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 2013, the most recent year for which data was available, police filed 833 reports of suspected hate crime cases, a 14 percent decrease from the previous year, and prosecuted 63. The majority of the cases (85.2 percent) involved racist incidents; the victim's religious background motivated 8.8 percent of the remaining cases, sexual orientation 0.7 percent, and disability 1.3 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.

The 2013 report by the European Commission against Racism and Intolerance (ECRI) expressed concern that immigrants still suffered discrimination in various fields including employment and that the country's law contained discriminatory provisions. In response the government established a nondiscrimination ombudsman to replace the minority ombudsman to promote the status and legal protection of all groups exposed to discrimination and to prevent all forms of discrimination excluding discrimination based on gender. The National Police Board issued instructions prohibiting ethnic profiling by police. A new National Discrimination and Equality Tribunal, which replaced the National Discrimination Tribunal on January 1, oversees compliance with the law, in private, public administrative, and commercial activities.

According to historical data from the minority ombudsman, discrimination against the country's approximately 10,000-12,000 Roma extended to all areas of life, mainly but not limited to housing, employment, and access to private services, 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 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.

On June 12, Helsinki police reported that illegal camps of Roma hosting small numbers of persons were being dismantled on a nearly daily basis.

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.

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.).

According to research reported by the Council of Europe's human rights commissioner in 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 7,381 in 2014.

At the end of 2014, an estimated 69,614 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. Its nondiscrimination ombudsman monitored and assisted victims of discrimination. The ombudsman supervised compliance with the prohibition of ethnic discrimination.

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.

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. The government generally respected these rights, and law enforcement authorities investigated and punished violations. During the year the Equality Act was amended to include

provisions prohibiting discrimination based on gender identity or the expression of gender identity.

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 could rarely change their name to a differently gendered name unless they received a psychiatric diagnosis.

The Finnish Medicine Agency continued to prohibit blood donations from men who had sex with another man within 12 months.

On May 21, an LGBTI group was established in parliament with the aim of increasing awareness of LGBTI rights. The group included representatives of most political parties represented in parliament.

Other Societal Violence or Discrimination

On July 25, Member of Parliament Olli Immonen from the Finns Party posted a message on Facebook that stated in part “I’m dreaming of a strong, brave nation that will defeat this nightmare called multiculturalism.” After a strong public reaction, he resigned from the Finns Party parliamentary group on August 26.

On August 1, approximately 40 members of the national socialist Finnish Resistance Movement (SVL) rioted in Jyvaskyla, resulting in approximately 30 arrests for rioting and assault. *Helsingin Sanomat* reported that Immonen’s Facebook posting incited the demonstration that resulted in the riot. On the same date, 10 SVL members attacked a bookstore owner and his two companions. The bookstore owner had been the victim of an attack by the SVL two years earlier.

On August 13, YLE reported that SVL had claimed responsibility on its website for a similar banner that appeared on a highway in the Tampere region on August 10. The banner reportedly read, “What separates humans from animals? The Mediterranean.” On August 18, YLE reported that the sign was removed by the police and destroyed under regulations governing lost and abandoned property and the position of the City of Tampere, which wanted the banner removed from its

property. YLE reported on September 10 that two banners bearing anti-immigrant and anti-Muslim messages appeared on the side of a major road in the western part of the country on that date. One of the banners reportedly read, “Islam is destroying Finland,” while the other read, “Protect the children’s future, say no to immigration.”

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. Authorities and employers generally respected freedom of association and the right to collective bargaining, 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 were 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 does not permit public sector employees who provide “essential services,” including police officers, firefighters, medical professionals, and border guards, to strike. 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 10 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 between the ages of 15 and 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 of age) 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 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. Penalties for violations of child labor regulations range from a fine to up to 12 months in prison. In 2013 OSHA conducted 24,145 inspections at nearly 21,800 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, age, or other personal characteristics, such as disability, religion, political opinion, 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).

In December 2014 the Ministry of Employment and the Economy released a report on preventing discrimination at work. The report found that the most common reasons for workplace discrimination were related to health (44 percent of complaints), ethnic or national origin (16 percent), and to a lesser extent gender and age. Gender discrimination was more common against women.

According to a study by the Ministry of Employment and the Economy, ethnic minorities faced discrimination at the recruitment stage in the labor market (see section 6). 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 2012 study cited in a European Commission against Racism and Intolerance 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.

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 no more than 40 hours of work per week with eight hours per day. The law does not include a provision regarding a five-day workweek, so regular workhours may, at least in principle, cover six days. The regular weekly workhours 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.

In December 2014 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 was 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.

On June 22, *Helsingin Sanomat* reported that the country expected more foreign berry pickers during the year than ever before and that authorities had granted 3,500 visas for berry pickers, an increase of 200 over 2014. According to the report, authorities only granted visas to pickers to work for companies that signed the letter of intent in 2014.

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 24,145 workplace inspections in 2014, 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.

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 employees the right to refuse work that may present a serious danger to the life or health of the employee or others and to not be held liable for any damages that arise from the refusal.