

# European Union Agency for Fundamental Rights, selection of relevant and recent passages from published reports related to Finland

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## Contents

Data Explorers and Tools.....	4
<b>Violence against women survey data explorer</b> .....	<b>4</b>
<b>EU LGBT Survey data explorer</b> .....	<b>4</b>
<b>Indicators on the right to political participation of people with disabilities</b> .....	<b>4</b>
<b>Mapping victims' right and support in the EU</b> .....	<b>4</b>
<b>Mapping child protection systems in the EU</b> .....	<b>4</b>
Annual Reports .....	5
<b>Fundamental Rights Report 2016 – Annual Report 2016 (May 2016)</b> .....	<b>5</b>
Focus: Asylum and migration into the EU in 2015 .....	5
1. EU Charter of Fundamental Rights and its use by Member States .....	5
2. Equality and Non-Discrimination.....	5
3. Racism, Xenophobia and Related Intolerance .....	5
4. Roma Integration.....	6
5. Information Society, Privacy and Data Protection.....	6
6. Rights of the Child .....	6
7. Access to Justice, including rights of crime victims .....	7
8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities .....	7
<b>Fundamental Rights: Challenges and Achievements in 2014 – Annual Report 2014 (June     2015)</b> .....	<b>7</b>
1. Equality and Non-discrimination .....	7
3. Roma Integration.....	8

4. Asylum, Borders, Immigration and Integration.....	8
7. Access to Justice, including Rights of Crime Victims.....	9
<b>Fundamental Rights: Challenges and Achievements in 2013 – Annual Report 2013 (June 2014).....</b>	<b>9</b>
1. Asylum, immigration and integration.....	9
2. Border Control and Visa Policy .....	9
4. The Rights of the Child and the Protection of Children.....	9
5. Equality and Non-Discrimination.....	10
6. Racism, Xenophobia and Related Intolerance fuel Incidents and Brutal Crimes.....	10
7. Roma Integration.....	10
9. Rights of Crime Victims.....	10
10. EU Member States and International Obligations.....	11
Thematic Areas .....	11
<b>Access to Justice .....</b>	<b>11</b>
Severe Labour Exploitation: Workers Moving Within or Into the European Union (June 2015)	11
Victims of Crime in the EU: The Extent and Nature of Support for Victims (January 2015) .....	12
<b>Hate Crime .....</b>	<b>12</b>
Ensuring Justice for Hate Crime Victims: Professional Perspectives .....	12
Equal Protection for All Victims of Hate Crime – The Case of People with Disabilities (March 2015).....	12
<b>Gender.....</b>	<b>13</b>
Violence against women: an EU-wide survey. Main results report (March 2014) .....	13
<b>LGBTI Rights .....</b>	<b>14</b>
Professionally Speaking: Challenges to Achieving Equality for LGBT People (March 2016)....	14
Protection against Discrimination on Grounds Of Sexual Orientation, Gender Identity and Sex Characteristics in the EU – Comparative Legal Analysis – Update 2015 (December 2015).....	14
<b>People with Disabilities .....</b>	<b>15</b>
Violence against Children with Disabilities: Legislation, Policies and Programmes in the EU (December 2015).....	15
The Right to Political Participation for Persons with Disabilities: Human Rights Indicators (May 2014).....	15
<b>Rights of the Child.....</b>	<b>16</b>
Guardianship Systems for Children Deprived of Parental Care in the European Union (October 2015).....	16
Child-friendly Justice: Perspectives and Experiences of Professionals on Children’s Participation in Civil and Criminal Judicial Proceedings in 10 EU Member States (May 2015).....	16



## Data Explorers and Tools

Violence against women survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>

EU LGBT Survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-lgbt-survey-2012>

Indicators on the right to political participation of people with disabilities

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/political-participation>

Mapping victims' right and support in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/victims-support-services>

Mapping child protection systems in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/child-protection>

## Annual Reports

### Fundamental Rights Report 2016 – Annual Report 2016 (May 2016)

<http://fra.europa.eu/en/publication/2016/fundamental-rights-report-2016>

#### Focus: Asylum and migration into the EU in 2015

Opening Legal Avenues for Reaching the EU:

“Next to resettlement, family reunification is another important legal avenue for family members of persons found to be in need of international protection in the EU. Restrictions on family reunifications announced by some EU Member States towards the end of the year may, however, offset the small progress made on resettlement. Some of the most affected destination countries, including Austria, Denmark, Finland, Germany and Sweden, announced changes to their national laws that would delay family reunification or make it more difficult for refugees and/or people granted subsidiary protection.” (p. 12)

“In Finland, the number of asylum seekers rose almost tenfold- from 3,000 in 2014 to 32,000 in 2015.” (p. 17)

#### 1. EU Charter of Fundamental Rights and its use by Member States

##### 1.2.1. Assessment of Fundamental Rights Impacts

“One question explicitly refers to the ECHR and the jurisprudence of the European Court of Human Rights, but not to the EU Charter of Fundamental Rights. In Finland, the government issued two manuals to assist the drafting of legislation; both explicitly state that the Charter should be taken into consideration.” (p. 48)

#### 2. Equality and Non-Discrimination

##### 2.2. Promoting Equal Treatment by Supporting the Ageing Population and Tackling Youth Unemployment

“AAI (Active Ageing Index) outcomes show that more than half of the Member States should increase the rate of employment of older men and women if they are to foster social inclusion: Austria, Bulgaria, Croatia, the Czech Republic, Finland, Greece, Hungary, Ireland, Italy, Luxembourg, Malta, Poland, Slovakia, Slovenia and Spain.” (p. 62)

#### 3. Racism, Xenophobia and Related Intolerance

##### 3.2. Countering Hate Crime Effectively: Full Implementation of Relevant EU *Acquis* Required

“In 2015, several Member States adopted strategies, campaigns, and initiatives aimed at encouraging people to report hate crime. Some Member States made changes to improve their recording systems. Other Member States provided law enforcement personnel and judicial authorities with specialised training related to hate crime. For example, in Finland and France, information campaigns were launched in cooperation with national human rights bodies and civil society organisations.” (p. 81)

“The project *Good Practice Plus* is developing an EU model of good practice to tackle racial and religious hate crime and hate speech and to promote effective reporting systems on hate crime. It promotes measures to build the capacity of law enforcement officials, prosecutors and personnel of victim support services; awareness-raising programmes; and efforts to empower ethnic minority communities. The project aims to improve the position of hate crime victims, provide them with support, and ensure access to justice for victims of racism and hate speech. The project is a partnership between the Northern Ireland Council for Ethnic Minorities, the Police Service of Northern Ireland, Migrant Centre NI and Finland’s Ministry of the Interior.” (p. 82)

### 3.3 Tackling Discrimination by Strengthening Implementation of the Racial Equality Directive

“Meanwhile, the Commission discontinued infringement proceedings against Finland in May, following adoption of the new Non-Discrimination Act. The new law, which entered into force in early 2015, replaced the former equality body – the Ombudsman for Minorities – with the Non-Discrimination Ombudsman. The law entrusts the new equality body with relevant tasks in the field of employment, in compliance with Article 13 of the Racial Equality Directive [...] Finland’s new Non-Discrimination Act also puts the Non-Discrimination Ombudsman in charge of a wider range of discrimination grounds, including age, origin, nationality, language, religion, belief, opinion, political activity, trade union activity, family relationships, state of health, disability, sexual orientation, and other personal characteristics” (p. 85)

“Finland adopted a non-discrimination planning guide for preventing employment discrimination on ethnic grounds in the private sector.” (p. 86)

## 4. Roma Integration

### 4.1.1. Housing, Education and Intra-EU Migration pose Particular Challenges for Member States

“Nevertheless, some municipalities have implemented targeted efforts to support and promote the integration of Roma EU citizens from other Member States. This is being done, for example, through language and learning support aid in Vienna, Austria; through drop-in day centres providing basic services and health care in Helsinki, Finland; and through information campaigns and training of neighbourhood stewards in Ghent, Belgium.” (pp. 101–102)

## 5. Information Society, Privacy and Data Protection

### 5.2.3. Data Retention Regime Remains in Flux

“In some Member States – including Croatia, Denmark, Estonia, Finland and Lithuania – administrative bodies or legislators initiated reviews of the applicable data retention regimes. Among these, only Finland has so far enacted legislative amendments. The Information Society Code specifies the retention periods for different types of communications data and requires individual, case-by-case reviews of access requests by the Ministry of the Interior; the new law also gives telecom operators more freedom in decisions regarding the technical implementation of requests.” (p. 126)

### 5.2.4. Terrorism Pushes Adoption of Passenger Name Record Data Collection Systems

“Meanwhile, in three EU Member States (Finland, Hungary and Romania), legislation establishing PNR [Passenger Name Records] systems already entered into force in 2015.” (p. 128)

## 6. Rights of the Child

### 6.1. Child Poverty Rates Remain High

“Child poverty rates in Finland increased from 13 % in 2013 to 15.6 % in 2014.<sup>44</sup> Nonetheless, a government programme plans to delink child allowances from general index increases, allowing savings of €120 million in public spending between 2016 and 2020. In November, the parliament’s Constitutional Law Committee reviewed this issue in light of the constitutional right to social security – especially its paragraph on support to families. The committee accepted the legislative reform, but expressed concern that it particularly affects low-income families, and concluded that it should include a clear account of the proposed cuts’ effects on the various forms of families and households. A report from the European Social Policy Network argues that the real value (in 2013 prices) of Finland’s child allowance (payable from the first child) dropped from €130 in 1994 to €120 in 2005, and to less than €100 in 2015.” (pp. 141–142)

### 6.2. Child Protection remains Central Issue, including in the Digital World

“Finland has developed a project that directly addresses potential perpetrators of child abuse offences, as suggested in Article 22 of the Directive on sexual abuse and sexual exploitation of children and child

pornography. The ‘I take the responsibility’ (*Otan vastuun – hanke*) project involved the creation of a website launched in 2015; it is funded by the Ministry of Justice and maintained by Save the Children. The website aims to prevent sexual abuse of children by offering internet-based information and support to people who are worried about their sexual interest in, or online behaviour regarding, children. The website provides self-help material on child sexual abuse in the context of the internet and digital media, as well as tools to reflect more broadly on one’s life situation and own actions. The designers used the views of prisoners who have committed sexual crimes in shaping the content and structure of the material. The Forensic Child and Adolescent Psychiatric Unit of the Hospital District of Helsinki and other institutions provided expert advice.” (p. 143)

## 7. Access to Justice, including rights of crime victims

### 7.2. Progress on EU Directive Strengthens Procedural Rights in Criminal Proceedings

“Amendments to the laws of several other Member States addressed the quality of translation and interpretation services in criminal proceedings. [...] Portugal further discussed the issue of establishing an official register of independent translators and interpreters, while **Finland** officially set up a register of legal interpreters.” (p. 164)

#### 7.3.1. Transposing the Victims’ Rights Directive: Progress and Challenges

“In **Finland**, the budget of the Ministry of Justice will strengthen state funding allocated to victim support organisations from 2016 onwards to fulfil the requirements of the directive. Victim Support **Finland** will have a budget of approximately €3.4 million in 2016, a major increase (of 80–90 %). The main funding comes from the Ministry of Justice (approximately €2.4 million), municipalities and **Finland’s** Slot Machine Association.” (pp. 169–170)

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

### 8.2.1. CRPD-led Reforms Focus on Equality and Participation

“CRPD (Convention on the Rights of Persons with Disabilities) ratification in **Finland** is stalled, for example, pending the finalisation of ongoing legislative amendments to meet the requirements of Article 14 on the right to liberty and security of the person.” (p. 191)

“By the end of 2015, only **Finland**, Ireland and the Netherlands had not ratified the CRPD, although each took significant steps towards completing the reforms required to pave the way to ratification.” (p. 194)

## Fundamental Rights: Challenges and Achievements in 2014 – Annual Report 2014 (June 2015)

<http://fra.europa.eu/en/publication/2015/fundamental-rights-challenges-and-achievements-2014>

### 1. Equality and Non-discrimination

#### 1.1. Countering Discrimination Requires Strong Cooperation between All Relevant Actors

“Not knowing where to turn to seek redress in cases of discrimination is, however, often the first barrier to being able to fully exercise the fundamental right to equal treatment. No single organisation or body is responsible for enabling people to seek redress. FRA, together with a group of national human rights bodies, therefore continued working in 2014 on a pilot online tool named ‘Clarity’ to help victims of discrimination and other fundamental rights violations gain better access to non-judicial remedies. The bodies involved represented Austria, Bulgaria, Cyprus, **Finland**, France, Greece, Hungary, Italy, Malta, Portugal, Romania, Slovakia, Spain and the United Kingdom (Northern Ireland).” (p. 29)

#### 1.2. Using the Targeted Investment of EU Funds to Foster Social Inclusion

“... Member States took steps to ensure that relevant staff will be trained on applicable EU and national disability law and policy, including accessibility and the implementation of the CRPD. This happened in Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Luxembourg, Malta, the Netherlands, Portugal, Romania, Slovenia, Slovakia and Spain. The criteria to be met under this conditionality are having a plan in place, and the plan covering all relevant actors.” (p. 31)

### 3. Roma Integration

#### 3.2. “What Gets Measured Gets Done”: Towards Rights-Based Indicators on Roma Integration

“Since 2012, FRA has coordinated the working party in close cooperation with the Commission. The number of Member States participating in the working party grew from 13 in 2013 – Belgium, Bulgaria, the Czech Republic, Croatia, Finland, France, Hungary, Italy, the Netherlands, Romania, Slovakia, Spain and the United Kingdom – to 18 with Austria, Greece, Ireland and Portugal joining in 2014 and Slovenia in 2015. The objective of this group is to develop and pilot a rights-based framework of Roma integration indicators (presented in detail in FRA’s Annual report 2013) that can comprehensively document progress made in reference to fundamental rights standards.” (p. 75)

### 4. Asylum, Borders, Immigration and Integration

#### 4.2. Fundamental Rights Remain Central in Return Policy Discussions

“Forced return monitoring under Article 8 (6) of the Return Directive (2008/115/EC) can be taken as an example of how fundamental rights safeguards included in the Return Directive are implemented in practice. Six years after the adoption of the Return Directive and four years after Member States were required to transpose it into national law, [...] [t]en Member States (Croatia, Finland, France, Greece, Italy, the Netherlands, Poland, Portugal, Romania and Slovenia), amended their legislation to establish independent monitoring systems in 2014. [...] In Finland, an amendment to the Aliens Act entered into force, making it a duty of the Non-Discrimination Ombudsperson to monitor the return process.” (p. 89)

#### 4.6. EU Member State Measures Promoting Inclusive Societies

“... in the last year, 12 Member States (Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Lithuania, Poland, Portugal, Romania, Sweden and the United Kingdom) have not implemented any concrete measure for migrant integration and inclusion targeting the general population.” (p. 96)

#### 4.7. Transforming Education, Reflecting Diversity in Society

“[I]t is necessary to assess how educational systems tackle this, so FRA collected data about the way they integrate teaching and learning about ethnic and cultural diversity, and about migrants and their descendants, as a central theme, subject or mainstreamed aspect of different subjects in the school curricula. FRA found that diversity and intercultural education are included as core elements in the general principles and objectives of 10 Member States: Austria, Croatia, Denmark, Finland, Germany, Latvia, Malta, the Netherlands, Spain and Sweden.” (pp. 97–98)

“In Finland, the Basis of National Core Curriculum for Basic Education states that national minorities and Sami as an indigenous people must be taken into account in basic education. Moreover, the national core curriculum is under reform. The new curriculum, which will be adopted in August 2016, supports the ability of students to grow up as ‘world citizens’, and its basic values stem from human rights.” (p. 98)

#### 4.8. Empowering Migrants in Their Path to Participation

“A majority of Member States (Belgium, Denmark, Estonia, Finland, Hungary, Ireland, Lithuania, Luxembourg, the Netherlands, Portugal, Slovakia, Slovenia, Sweden, Spain and the United Kingdom) have granted third-country nationals the right to vote in local elections, for all or some selected nationalities.” (p. 99)

## 7. Access to Justice, including Rights of Crime Victims

### 7.3.1. Improving information provided to victims

“In **Finland**, funding victim support services and the provisions relating to cross-border support presented challenges. A partial solution to this funding challenge is the government bill on the victim surcharge that was passed in the Finnish parliament in March 2015 [...]. Separate waiting areas for victims at court (as stipulated in Article 19(2) of the Victims’ Directive) are not yet systematically available nationwide, although they are being gradually introduced.” (p. 151)

“As part of its implementation of the Victims’ Directive, the **Finnish** parliament passed a government bill introducing a ‘victim surcharge’ in March 2015. This initiative introduces a surcharge – €40 or €80 for individual persons, depending on the severity of the crime, and €800 for legal persons – to be paid by convicted persons. The money will go towards funding victim support services, and the fund is expected to generate some €4.5 million annually.” (p. 153)

### 7.4.1. Measures to combat violence against women at Member State level

“Anti-stalking legislation was also enacted in **Finland** on 1 January 2014. According to a new provision in the Criminal Code, a person is guilty of stalking if they repeatedly threaten, follow, monitor, contact or in some other way stalk another person in such a way that it is likely to cause fear or anxiety.” (p. 155)

## Fundamental Rights: Challenges and Achievements in 2013 – Annual Report 2013 (June 2014)

<http://fra.europa.eu/en/publication/2014/fundamental-rights-challenges-and-achievements-2013-annual-report-2013>

### 1. Asylum, immigration and integration

#### 1.4. Some Member States Require Excessive or Disproportionate Fees for Residence Permits – An Example of Practical Obstacles for Migrant Integration

“EU Member States collect the fees for receiving, processing and issuing a decision on the residence status. [...] In **Finland**, the fee for a single permit is €500, and for a highly qualified third-country national it is €425. [...] [M]ost Member States collect not more than €200 for these permits, whereas **Finland**, Greece and the Netherlands collect considerably higher amounts for some permits.” (49-50)

### 2. Border Control and Visa Policy

#### 2.3. Large-Scale IT Systems in the Areas of Borders and Visas

“A few governments have actively consulted civil society on the ‘smart borders’ proposals. [...] In **Finland**, the government invited civil society representatives to its meetings on the smart borders proposal. The representatives expressed concerns about the threshold for access to the database by law enforcement and sought safeguards to ensure that persons granted a right to stay (such as asylum seekers) do not appear as over-stayers.” (p. 66)

### 4. The Rights of the Child and the Protection of Children

#### 4.2.3. Bullying

“Bullying and violence in schools remains an important concern in the EU. Many Member States have taken up the matter to address issues of school violence and bullying. A government bill was tabled in **Finland**’s Parliament on 6 June 2013 aiming to reduce bullying by shifting emphasis from individual measures and reparation to collective measures and prevention. The legislative proposal includes an obligation to offer services by school welfare officers and psychologists to pupils at the secondary level of schooling, not only to primary pupils as in the present legislation.” (p. 111)

## 5. Equality and Non-Discrimination

### 5.4.1 Countering Discrimination on the Ground of Age

“Finland launched the Youth Guarantee programme to ensure young people’s access to education, training and employment and to prevent them from being excluded from society.” (p.135)

### 5.4.3 Countering Discrimination on the Grounds of Sexual Orientation and Gender Identity

“In Belgium, Denmark, Finland and France, nationalequality bodies and expert working groups focused on legislation concerning LGBT persons. The attention here is on gender recognition in civil matters, conditions for gender reassignment and developing proposals for legal reforms to better accommodate the needs of LGBT persons.” (p. 137)

## 6. Racism, Xenophobia and Related Intolerance fuel Incidents and Brutal Crimes

### 6.3. Discriminatory Ethnic Profiling Persists

“Discriminatory ethnic profiling is unlawful, yet it persists, thereby contributing to the deterioration of social cohesion and to loss of trust in law enforcement. Evidence of such profiling was found in Austria, Finland, Germany, Greece, Ireland, the Netherlands, Sweden, Spain and the United Kingdom [...]. The practice involves treating an individual less favourably than others who are in a similar situation, for example by exercising police powers such as stop and search solely on the basis of a person’s skin colour, ethnicity or religion.”(p. 155)

### 6.4. Responses to Manifestations of Racism, Xenophobia, and Related Intolerance

“The Court of Appeal of Helsinki [Finland] (*Helsingin hovioikeus*) conducted an internal study on discrimination and racism. It found instances of intolerant and racist behaviour among judges and the court staff, including racist jokes and degrading language used about minorities in work-related situations and prominent use of derogatory expressions. The study concludes that such conduct can be considered as harassment as stipulated in the antidiscrimination legislation.” (p. 157)

## 7. Roma Integration

### 7.2.2. Engaging with Civil Society

“Every year in Finland, the Regional Advisory Boards of Romani Affairs organise consultation days for local actors to present their work and provide views on the national Roma strategy and its implementation.” (p. 172)

### 7.3.1. Education

“Although such steps do not always explicitly target Roma, several Member States, including Austria, Bulgaria, the Czech Republic, Finland, Luxembourg and Poland, recently introduced free compulsory pre-school or last year of kindergarten. They often also provided financial support for Roma and families belonging to disadvantaged or vulnerable groups and ensured that special places were reserved for children from such backgrounds.” (p. 173)

“Croatia, Finland, France and Luxembourg provide language support to help non-native speakers integrate and achieve. [...] Finland introduced Romani language courses in upper secondary schools and at the University of Helsinki. [...] [A] website in Finland was set up to provide information on Finnish Roma history and culture, including teaching materials for schools.” (p.174)

“The Finnish National Institute for Health and Welfare began a research project on the health situation of Roma. The institute conducted a pilot study on a sample of 30 individuals at the end of 2013 and will carry out the main research from 2014 to 2016.” (p. 179)

## 9. Rights of Crime Victims

### 9.1.4. Funding Cuts Hit Support Services

“Finland introduced an amendment to its criminal code concerning forfeiture, making it easier for victims to receive compensation. After the proceeds of a crime have been ordered forfeit to the state,

the victim may turn directly to the State Treasury and apply for compensation without being forced to take the issue to court. This procedure is considered much less complicated than a normal civil case.” (p. 215)

## 10. EU Member States and International Obligations

### 10.2.2. Economic and Social Rights: Standards and Compliance

“Finland remains the sole Member State which, in addition to the Collective Complaints Procedure Protocol itself, has accepted the submission of collective complaints not only from international non-governmental organisations (NGOs) and national trade unions (mandated under Article 1 of the collective complaints protocol) but also from national NGOs – a possibility available under Article 2 of the protocol.” (p. 237)

## Thematic Areas

### Access to Justice

Severe Labour Exploitation: Workers Moving Within or Into the European Union (June 2015)  
<http://fra.europa.eu/en/publication/2015/severe-labour-exploitation-workers-moving-within-or-european-union>

#### 1.2. Criminalisation of Labour Exploitation and Trafficking at Member State Level

“Under the criminal law of a small group of EU Member States, including Finland (Section 6 (a) of the Criminal Code), the Netherlands (Article 197 of the Criminal Code) and Sweden (Chapter 20, Section 5 of the Aliens Act), the employment of a third-country national in an irregular situation of residence constitutes a criminal offence without regard to the question of whether or not the worker was subjected to particularly exploitative working conditions. As a consequence, the potential penalty for severe exploitation is only imprisonment for up to one year.” (p. 38)

#### 3.3. Pre-Departure Programmes

“Several Finnish interviewees mentioned that Finnish embassies offer information in countries of departure about employment in Finland. For example, a booklet by the Ministry of Foreign Affairs includes information about the terms of employment and the rights of workers in Finland.” (p. 58)

#### 4.1. Mandate to Monitor the Exploitation of Workers

“In Finland, the occupational health and safety authority, in addition to evaluating conditions in workplaces, reports employers who give jobs to third-country nationals in an irregular situation and employees who do not have permits.” (p. 65)

#### 4.2. Particularly Challenging Situations for Monitoring

“In Finland, prevention work has been directed at reducing the informal economy and tackling some of the abuses which result from the use of subcontracting chains in the construction sector. The main contractor is now required, through tax regulations, to have a list of all workers on site monthly and to declare them. Every worker is obliged to have an identity card, with taxation information, to access the construction site. These changes will reportedly assist victims of labour exploitation in identifying their employer when complaints are lodged. The Finnish model should be considered an example of a promising practice.” (p. 67)

#### 4.3. Communicating with and Providing Information to Workers

“Some interviewees in Finland claimed that labour authorities might be inclined to avoid inspecting employers that they knew would present difficulties in terms of language. This could amount to discrimination, in that Member States should apply the same level of protection from labour exploitation for people working in enterprises where a foreign language is spoken as they do in relation to employees in enterprises where a national language of that Member State is spoken.” (pp. 68–69)

## 5.6. Facilitation of Complaints and the Role of Third Parties

“In many countries – Finland, Germany, Greece, Italy, Portugal and Slovakia – investigation and prosecution of severe forms of labour exploitation of workers who have moved within or into the EU does not seem to be in the interest of the state, and it is left to individual complainants to step forward and initiate proceedings.” (p. 84)

## Victims of Crime in the EU: The Extent and Nature of Support for Victims (January 2015)

<http://fra.europa.eu/en/publication/2014/victims-crime-eu-extent-and-nature-support-victims>

### 3.3.2. Specialised Victim Support

“Similarly, in Finland, women’s and children’s centres are not available in all regions, despite the strong regionalisation of generic services.” (p. 67)

## Hate Crime

### Ensuring Justice for Hate Crime Victims: Professional Perspectives

<http://fra.europa.eu/en/publication/2016/ensuring-justice-hate-crime-victims-professional-perspectives>

### 3.2. Police Referring Victims of Hate Crime to Support Services

“With regard to referring hate crime victims to victim support services, according to research findings, a standard procedure for police to refer victims of crime is in place in more than half of Member States (Austria, Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Luxembourg, Netherlands, Slovakia, Sweden, the United Kingdom). Specific procedures do not appear to be in place for referring victims of hate crime – instead, such procedures deal with all victims of crime. [...] The interviewed professionals in some Member States (for example, in Finland and Hungary), and almost all support service providers interviewed in Finland, expressed doubt as to the effectiveness of the referral mechanism, saying that, in practice, police do not necessarily refer victims to victim support services.” (p. 39)

### 4.1. Measures Adopted by the Police to Encourage and Facilitate Reporting

“The police in Finland in 2010 launched an online service that allows the general public to tip off the police about suspicious material on the internet. The service aims to detect possible racist or hate crime and is meant for use in non-emergency situations only. The service consists of an online form that is completed and submitted to the police. The instructions on the police website state that online reporting can only be used for less severe crimes that do not require immediate action by the police.” (p. 42)

### 4.5. Sensitisation

“In Finland, experts believe that, even if the police leadership is committed, conditions for properly implementing a coherent anti-hate crime policy are not in place; specifically, they highlighted that no training modules on the issue are implemented.” (p. 50)

## Equal Protection for All Victims of Hate Crime – The Case of People with Disabilities (March 2015)

<http://fra.europa.eu/en/publication/2015/equal-protection-all-victims-hate-crime-case-people-disabilities>

“As of October 2014, a number of EU Member States explicitly recognise a disability bias motivation in their criminal law, including Austria, Belgium, Croatia, Finland, France, Hungary, Lithuania, Netherlands, Romania, Slovenia, Spain, and the United Kingdom.” (p. 5)

“Although bias motivation can also be defined as an aggravating circumstance, it may be only one among many, with the result that police reports and court proceedings are less likely to consider this motivation alone. The bias element may therefore remain invisible, which increased the victim’s suffering and at the same time reduces the chances that perpetrators will be deterred from committing bias-related offences in the future. For example, Austria, Croatia, **Finland**, France, Lithuania, the Netherlands, Romania, Spain and the United Kingdom currently use this approach with regard to disability hate crime.” (p. 5)

## Gender

Violence against women: an EU-wide survey. Main results report (March 2014)

[http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14\\_en.pdf](http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14_en.pdf)

**Table 1: Women who have experienced physical and/or sexual violence by a current or previous partner, or by any other person since the age of 15, by EU Member State (%)<sup>a,b,c</sup>**

EU Member State	Any partner (current and/or previous) <sup>b</sup>	No n-partner <sup>c</sup>	Any partner and/or non-partner <sup>c</sup>
AT	13	12	20
BE	24	25	36
BG	23	14	28
CY	15	12	22
CZ	21	21	32
DE	22	24	35
DK	32	40	52
EE	20	22	33
EL	19	10	25
ES	13	16	22
FI	30	33	47
FR	26	33	44
HR	13	13	21
HU	21	14	28
IE	15	19	26
IT	19	17	27
LT	24	16	31
LU	22	25	38
LV	32	17	39
MT	15	15	22
NL	25	35	45
PL	13	11	19
PT	19	10	24
RO	24	14	30
SE	28	34	46
SI	13	15	22
SK	23	22	34
UK	29	30	44
<b>EU-28</b>	<b>22</b>	<b>22</b>	<b>33</b>

Notes: a The results in the first two columns of the Table do not sum up to the results in the third column due to the different computational base of the results (results on partner violence are based on respondents who have or have had a partner, as opposed to all women) and the fact that some respondents have experienced violence by both their partners and non-partners.

b Out of all women who were either married, living together with someone without being married, or involved in a relationship (without living together) at the time of the interview, or at any time in the past (n = 40,192).

c Out of all respondents (N = 42,002).

Source: FRA gender-based violence against women survey data set, 2012

## LGBTI Rights

### Professionally Speaking: Challenges to Achieving Equality for LGBT People (March 2016)

<http://fra.europa.eu/en/publication/2016/professional-views-lgbt-equality>

#### 1.1. Drivers Protecting and Promoting the Fundamental Rights of LGBT People

“In **Finland**, the Ministry of Foreign Affairs was seen as the most active administrative actor on LGBT issues, but the Ministry of the Interior’s Equality Unit coordinates the National Monitoring System on Discrimination and an anti-discrimination campaign targeting schools and a range of other institutions.” (p. 25)

#### 1.2. Barriers to Making Fundamental Rights a Reality for LGBT People

“Although the political context varies considerably across the different Member States, respondents in Member States such as Austria, Bulgaria, **Finland**, Greece, Latvia, Malta, Poland and Romania indicated that some political parties adopt homophobic and/or transphobic positions.” (p. 31)

“[O]fficials in Member States such as **Finland** noted that there is no point in having policies if implementation mechanisms are not also developed – including ways of ensuring accountability, such as monitoring and assessment.” (p. 32)

#### 2.2. Barriers to work concerning the fundamental rights of LGBT people in educational settings

“The national public officials reported a lack of national targeted policies aimed at tackling LGBT-related bullying in the majority of EU Member States, including Austria, Bulgaria, Denmark, Spain, **Finland**, Latvia, Lithuania, Malta, Romania and Slovakia.” (p. 43)

#### 3.3. Barriers to Work concerning the Fundamental Rights of LGBT People within Law Enforcement Settings

“[T]here is evidence that many officials in several countries, including Austria, Bulgaria, **Finland**, Hungary, Latvia and Romania, have no awareness, or only minimal awareness, of LGBT persons’ fundamental rights initiatives.” (p. 57)

“In a number of countries, many interviewees felt that governments have taken a negative stance towards LGBT fundamental rights (Austria, Bulgaria, **Finland**, Greece, Latvia, Malta, Poland and Romania). Officials reported a number of countries where the incumbent political parties have blocked progress concerning LGBT fundamental rights (including Austria, Bulgaria, Spain and **Finland**).” (p. 59)

#### 4.2. Healthcare for Trans Persons

“The public officials reported that no specific public policies for addressing trans people’s healthcare are in place in a number of countries, including Bulgaria, Croatia, Denmark, **Finland**, Greece and Poland.” (p.78)

“Overall, training appears insufficient even in countries where some is available, including Denmark, **Finland**, Malta, Poland, Spain and the United Kingdom.” (p. 80)

### Protection against Discrimination on Grounds Of Sexual Orientation, Gender Identity and Sex Characteristics in the EU – Comparative Legal Analysis – Update 2015 (December 2015)

<http://fra.europa.eu/en/publication/2015/lgbti-comparative-legal-update-2015>

## 2.1. Substantive Issues

“At national level, as of 2014, ten EU Member States (Austria, Denmark, Finland, Ireland, Italy, the Netherlands, Poland, Slovakia, Spain and Sweden) treat discrimination on the ground of gender identity as a form of sex discrimination.” (p. 28)

“In Finland, the Equal Treatment Act does not specifically mention discrimination based on gender identity. It considers discrimination against a trans person to be sex discrimination. However, a government bill on amending the Act on Equality between Women and Men, presented to parliament in April 2014, included gender identity and gender expression as new grounds of prohibited discrimination, as well as new obligations for authorities, employers and educational institutions to promote equal treatment irrespective of gender identity.” (p. 30)

## 2.2. Implementation and Enforcement

“Only Finland and Spain have not set up equality bodies responsible for dealing with sexual orientation discrimination.” (p. 41)

## 3.4. Protection from Homophobic and Transphobic Expression and Violence through Criminal Law

“In Finland, hate speech can constitute incitement to hatred against a population group under section 10 of Chapter 11 of the penal code. It punishes anyone who makes available to the public or otherwise spreads among the public or keeps available for public information an expression of opinion or other message in which a certain group is threatened, defamed or insulted on the basis of its characteristic. The provision was amended in 2011 to explicitly cover sexual orientation.” (p. 59)

## 4.3. Registration at Birth

“In Finland, a lack of sex certification results in an incomplete personal identity code, which has potentially negative consequences. For example, a complete personal code is needed for contacts with authorities, the payment of wages and salaries, and to open bank accounts.” (p. 73)

## 5.2. Freedom of Movement

“In five Member States (Austria, the Czech Republic, Finland, Germany, Slovenia), a marriage between persons of the same sex entered into abroad is equated with a registered partnership, and the same-sex spouse is accordingly considered a member of the family. (This will also be true of Finland, where, [...], same-sex marriage is due to enter into force in 2017).” (p. 83)

## People with Disabilities

Violence against Children with Disabilities: Legislation, Policies and Programmes in the EU (December 2015)

<http://fra.europa.eu/en/publication/2015/children-disabilities-violence>

### 2.1. Legislation

“Some EU Member States include a victim’s disability as a ground for criminalising a hate crime. As of October 2014, 13 EU Member States explicitly recognise, in one form or another, a disability-bias motivation in their criminal laws: Austria, Belgium, Croatia, Finland, France, Greece, Hungary, Lithuania, the Netherlands, Romania, Slovenia, Spain, and the United Kingdom. This applies equally to adults and children.” (p. 38)

The Right to Political Participation for Persons with Disabilities: Human Rights Indicators (May 2014)

<http://fra.europa.eu/en/publication/2014/right-political-participation-persons-disabilities-human-rights-indicators>

## 2.2. The Legal Status of the Right of Persons with Disabilities to Vote in EU Member States

“In eight EU Member States, Austria, Denmark, Estonia, **Finland**, Germany, Lithuania, the Netherlands and the United Kingdom, all voters can vote using alternative methods, typically postal voting.” (p. 42)

## 2.3. Creating Enabling Conditions for the Political Participation of Persons with Disabilities

“Both public and private providers of media are subject to statutory accessibility standards in Austria, Belgium (the Flemish Community), Cyprus, **Finland**, France, Germany, Greece, Hungary, Ireland, the Netherlands, Poland, Portugal, Romania, Slovakia, Spain and Sweden, the analysis indicates. In these countries laws require broadcast (radio and television) media to provide subtitles, sign language interpretations and/or audio descriptions for all or part of the programmes broadcast.” (p. 45)

“In 15 EU Member States, Croatia, Cyprus, the Czech Republic, Denmark, **Finland**, Germany, Hungary, Ireland, Poland, Portugal, Slovakia, Slovenia, Sweden and the United Kingdom, assistance in voting is available to persons with physical, visual and intellectual disabilities, subject to the authorisation of the election authorities.” (p. 51)

“In all other Member States training for election authorities and officials on these issues is not required by law. However, in 15 EU Member States – Belgium, Bulgaria, Cyprus, the Czech Republic, **Finland**, France, Germany, Greece, Ireland, Italy, Lithuania, Poland, Slovenia, Spain and the United Kingdom – the research indicates that training material or specific instructions on how to ensure non-discrimination on the ground of disability and accessibility in voting procedures is provided. In **Finland**, the Ministry of Justice issues instructions to all election committees that include information on accessibility.” (p. 52)

## 2.4. Ensuring Access to Complaints Mechanisms

“Laws in force in Austria, Croatia, Cyprus, **Finland**, Germany, Italy, Latvia, Malta and the United Kingdom provide that all persons with disabilities, including those who have been deprived of their legal capacity, have access to redress mechanisms in cases where they have not been able to exercise their right to political participation.” (p. 53)

## Rights of the Child

Guardianship Systems for Children Deprived of Parental Care in the European Union (October 2015)

<http://fra.europa.eu/en/publication/2015/guardianship-children-deprived-parental-care>

### 3.3. Training

“In **Finland**, for instance, the training of guardians appointed for unaccompanied children is not obligatory, and a representative may undertake duties immediately upon appointment, by a decision of the District Court.” (p. 41)

### 5.1. National Provisions Defining a Guardian’s Task

“In **Finland**, for example, the guardian has to ensure that the child receives adequate care, but it is not the representative’s or guardian’s duty to manage the immediate daily care or upbringing of the child or to otherwise look after the child.” (p. 53)

Child-friendly Justice: Perspectives and Experiences of Professionals on Children’s Participation in Civil and Criminal Judicial Proceedings in 10 EU Member States (May 2015)

<http://fra.europa.eu/en/publication/2015/child-friendly-justice-perspectives-and-experiences-professionals-childrens>

### 1.2.1. Ensuring Professionals are Adequately Equipped to Work with Children

“In Finland, both police and psychologists follow guidelines for hearing and informing children. The guidelines were drafted by the National Research and Development Centre for Welfare and Health (Stakes). Finland has also developed a special set of guidelines on interviewing children who are victims of sexual abuse and/or assault and battery.” (p. 28)

“In Finland, children are usually heard in the absence of their parents. If the children are very anxious during the hearing, they can take a break and visit their parents or other accompanying person outside the hearing room.” (p. 29)

### 1.3. Outcome Indicators

“In Finland, children under the age of 15 are not heard in court and are generally heard only by specialised investigators during the preliminary investigation.” (p. 36)

### 1.5.3. Providing Legal Representation and Legal Aid to Children

“In Finland, when a conflict of interests prevents a child’s parents from being their guardians during a legal proceedings, a guardian is appointed to represent the child’s best interests in court. In some Finnish municipalities of Finland (for example in the Kouvola-Kotka region), both a social professional and a legal counsel can be appointed as guardians ad litem, a system of cooperation also known as the ‘tandem model’. (p. 48)

### 2.4.1. Ensuring that Children are appropriately Informed and Facilitating the Understanding of Procedures and Court Rulings

“In Finland, children generally do not have a legal representative and social workers play a major role in providing information. The social worker makes sure that the child knows what will happen next. If the child has a legal counsel and a guardian they cooperate on the details of informing the child, usually agreeing that the guardian is to provide most of the information.” (p. 67)