

FINLAND 2016 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 and appointed by the president in May 2015. Parliamentary elections in April 2015 were considered free and fair.

Civilian authorities maintained effective control over security forces.

With the arrival of large numbers of migrants, antimigrant violence and agitation became serious problems. Societal discrimination continued against Roma and members of other ethnic and linguistic minorities. Domestic abuse and other violence against women and children continued to be a problem.

Other human rights problems during the year included sexual exploitation of children; the continued publication of an anti-Semitic website; harassment of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; forced labor; and discrimination in employment against persons with disabilities, members of national, ethnic, and linguistic minorities, and LGBTI persons.

The government took steps to prosecute officials who committed abuses.

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

a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

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

On September 10, Jesse Torniainen, a 28-year-old founding member of the neo-Nazi Finnish Resistance Movement (SVL), allegedly assaulted 27-year-old Jimi Joonas Karttunen, who had challenged approximately 12 SVL demonstrators outside Helsinki's train station. Karttunen died of injuries to his head on September 16. On September 17, Torniainen turned himself in to police for the killing. On September 21, the Helsinki District Court remanded Jesse Torniainen for the aggravated involuntary manslaughter of Karttunen. Karttunen's killing led

to public demonstrations against racism and right-wing extremism throughout the country, including one by more than 15,000 persons in Helsinki on September 24. On December 30, the Helsinki district court sentenced Torniainen to two years' imprisonment for aggravated assault and dismissed the prosecution's calls for an aggravated involuntary manslaughter charge.

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: Approximately 10 to 20 deaths were recorded annually in prisons (between 2010 and 2015, 121 persons died in prisons). In all cases a different police precinct investigated the circumstances of the death, and a postmortem examination was conducted. Alcohol intoxication was the most common cause of death.

According to media reports, on February 5, following the alleged attack on an officer during his interrogation, a 35-year-old detainee suspected of murder was placed into solitary confinement, and his blood was tested for intoxication. That same day prison officers noticed the detainee was injured and took him to the hospital, where he died. The National Bureau of Investigation led the investigation into the detainee's death, which continued at year's end.

In its most recent report on the country's prisons, released in August 2015, the Council of Europe's Committee for the Prevention of Torture (CPT) noted there were insufficient doctors present in the prisons its delegation visited in 2014.

Administration: Authorities conducted credible investigations of allegations of mistreatment.

Independent Monitoring: The government permitted monitoring visits by independent human rights observers, including regularly scheduled visits by the CPT, most recently in 2014.

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 Guard has additional law enforcement powers to maintain public order when it operates 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 a natural disaster or catastrophe. The national police and Border Guard report to the Ministry of the Interior; the Ministry of Defense oversees the defense forces.

Civilian authorities maintained effective control over the police, the defense forces, the Border Guard, and Finnish Customs. 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. Police must obtain a warrant 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 police must promptly inform detainees 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 most recent CPT report, released in August 2015, underlined that delays in notification of custody remained widespread, especially for apprehended foreign nationals who were not residents of the country. Persons who did not speak Finnish appeared to be at a particular disadvantage.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: The constitution and law allow anyone who is deprived of liberty by arrest or detention to challenge the lawfulness of his/her detention.

e. Denial of Fair Public Trial

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

Trial Procedures

The constitution and law provide for the right to a fair public trial, 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, and provided free interpretation as necessary from the moment an individual is charged through all appeals. Trials are fair and public, and take place without undue delay. Defendants have a right to be present at their trial and 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 and have the 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 (ECHR) after they exhaust all avenues of appeal in national courts.

f. Arbitrary or Unlawful 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 distribution of hate material intended to incite discrimination against any national, racial, religious, or ethnic group in print or broadcast media, books, or online newspapers or journals 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. The law provides for everyone to have a “subjective right to a telephone subscription and an internet connection.” The Finnish Communications Regulatory Authority estimated that

during the year 52 percent of households had access to a fast broadband connection of 100 Mbps. In 2015, according to Statistics Finland, 68 percent of Finns ages 16 to 89 used the internet several times a day.

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.

Abuse of Migrants, Refugees, and Stateless Persons: There were several reports of violence against refugees, including violence from neo-Nazis and other anti-immigrant protesters. The Ministry of the Interior reported 15 such cases in 2015, which it called a “new phenomenon.” On September 24, a confrontation between asylum seekers and other residents outside a reception center in Forssa turned violent. The Finnish Broadcasting Company (YLE) quoted Finnish Security Intelligence Service security unit chief Kari Harju as stating that the perpetrators were “individuals with no connections to extremist organizations” and that the incident reflected tension between the local population and asylum seekers in Forssa.

Other incidents included assaults against asylum seekers and vandalism of asylum seeker reception centers. On May 26, the court of appeal in Kuopio upheld a one-year prison term for a man convicted on charges of vandalism for throwing a Molotov cocktail at an emergency housing center for asylum seekers in southeastern Finland in September 2015.

A report in November 2015 by the Ministry of the Interior highlighted the activities of a new extremist vigilante group, the Soldiers of Odin, established in Kemi in October 2015. According to media reports, the Soldiers of Odin claimed to have formed in response to the alleged security threat posed by incoming asylum seekers. Soldiers of Odin's main activities included street patrols. By January the group expanded to different towns in Finland and other Nordic countries. In February a march in Tampere organized by group members attracted 150 persons. The report of the Ministry of the Interior assessed violent right-wing extremism as a low threat in the country. According to the report, crime associated with such groups often consisted of spontaneous abuse, vandalism, or other disorderly conduct, rather than large-scale or planned violent activity.

The report of the Ministry of the Interior also discussed the activities of another right-wing group, the neo-Nazi SVL. Unlike the Soldiers of Odin, the SVL was a branch of a larger Nordic movement that the ministry believed was seeking to create a National Socialist (Nazi) state. It had local branches in Helsinki, Turku, Tampere, Pori, Jyväskylä, and Oulu, with an estimated 70 participants. The group disseminated anti-immigrant propaganda via its websites, but the government linked only a small number of violent crimes to the organization (see also section 1.a.).

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

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. Parliament sets a quota for refugee admissions annually, and the government decides its allocation.

On April 13, parliament amended the Aliens Act to discontinue the practice of granting asylum seekers from Iraq, Afghanistan, and Somalia humanitarian protection residence permits based solely on national origin. Before the change, the government had a national residence permit category based on humanitarian protection, separate from subsidiary and other asylum categories. With the amendment, only asylum seekers, regardless of national origin, who can demonstrate that they would be in danger if returned to their home country will be eligible for residence permits. According to a press release by the Ministry of the Interior, the amendment was intended to harmonize the country's laws with those of the EU and other member states.

On July 1, amendments to the Aliens Act entered into force, tightening family reunification criteria to comply with the EU Family Reunification Directive. The amendments require that a person or family receiving international protection meet an income requirement before other family members may join them in the country. Family members of persons who have been granted asylum or whom the government selected as quota refugees may apply for family reunification within three months without an income requirement, if the family ties existed before the applicant arrived in the country.

On July 4, the Ministry for Foreign Affairs established a pilot project to outsource processing of family reunification applications to the country's embassy in Ankara, Turkey.

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 ECHR involving the treatment of asylum seekers in Greece, the Finnish Immigration Service (Migri) ceased returning asylum seekers to that country in 2011.

On March 21, Migri suspended deportations of asylum seekers to Hungary following a precedent-setting ruling by the Supreme Administrative Court overturning the return of an Afghan man to Hungary, where he first sought international protection. As of the end of the year, Migri was re-evaluating the man's application.

Durable Solutions: The government assisted in the safe, voluntary return of refugees to their home countries. Between July 2015 and March 2016, Migri and

the International Organization for Migration helped more than 870 persons voluntarily return to their home countries.

Temporary Protection: From January to August, Migri issued 917 positive decisions for subsidiary protection to individuals who may not qualify as refugees. During that same period, Migri granted humanitarian protection in 50 instances (this protection category ceased following the amendments to the Aliens Act in April). Almost all recipients were asylum seekers from either Somalia or Iraq.

Stateless Persons

According to UNHCR, 2,427 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 held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: The country's national parliamentary elections in April 2015 and the presidential election in 2012 were considered free and fair.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and women and minorities did participate.

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. On December 29, the Helsinki district court increased the sentence to 10 years for 22 criminal counts, including five counts of aggravated drug offenses.

On June 7, the Supreme Court upheld a ruling that former Center Party member of parliament Jukka Vihriala must forfeit 35,000 euros (\$38,500) in illegal campaign contributions he received while serving as chair of the Finnish Slot Machine Association.

Financial Disclosure: By law income and asset information from the tax forms of citizens, including appointed and elected officials, must be made public each year. The law does not provide for specific criminal penalties for nondisclosure.

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 often 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 parliamentary ombudsman investigates complaints that a public authority or official failed to observe the law, fulfill a duty, or appropriately implement fundamental human rights protections. The main targets of the complaints were social welfare authorities, law enforcement authorities, health-care personnel, and penitentiary officials.

The Human Rights Center operated as part of the parliamentary ombudsman's office. The center's functions included 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 from civil society who participated in promoting and safeguarding human rights cooperated frequently with the center.

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

The law requires the ombudsman for children, the nondiscrimination ombudsman, and the ombudsman for equality to advance impartially the status and legal protection of their respective reference groups. The ombudsman for equality, the ombudsman for children, and the nondiscrimination ombudsman operate under the Ministry of Justice.

Responsibility for developing antidiscrimination policies and legislation as well as for the Advisory Board for Ethnic Relations resides with the Ministry of Justice's Unit for Democracy, Language Affairs, and Fundamental Rights.

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

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and domestic violence, and the government enforced the law effectively. 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 is six years' imprisonment. All sexual offenses against adults, except sexual harassment, are subject to public prosecution.

There were 1,052 rapes reported in 2015 and 515 in the first six months of the year. Individual reports of an offense may include a series of incidents comprising several criminal acts. In 2015, the most recent period for which government figures were available, 165 persons were convicted of rape, and another 56 persons were convicted of related sexual offenses, such as coercion of an individual 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 2015 police received 32,900 reports of assault offenses (assault, petty assault, aggravated assault). 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 Statistics Finland, 8,800 persons were victims of domestic violence offenses in 2015, and approximately 68 percent of domestic and intimate partner violence victims were women.

Police may refer potential perpetrators or victims of domestic violence to government social welfare agencies with programs that promote cooperation between cohabiting partners, provide support to victims, and offer 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 victims of violence. The government also funded nongovernmental organizations that provided additional victim services, including a telephone hotline and crisis center.

According to an April 1 article in the newspaper *Helsingin Sanomat*, the number of safe houses available for domestic violence victims continued to be insufficient. According to the article, the National Institute for Health and Welfare (THL), a research and development institute under the Ministry of Social Affairs and Health, estimated that establishing a comprehensive network of safe houses would require an annual budget of approximately 40 million euros (\$44 million). In 2015 the government allocated 11.3 million euros (\$12.4 million) to the existing network of safe houses. The article quoted a THL representative as stating that finding suitable locations for victims also remained a challenge. Walk-in services, shelters, and helplines existed, but many did not offer 24-hour service.

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: In almost all instances, 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.

According to Amnesty International's 2013 report, *Gender Legal Recognition in Finland*, one of the preconditions for the government to recognize a person's gender change is "that he or she has been sterilized or is for some other reason infertile."

Discrimination: The law provides for the same legal status and rights for women as for men. The government enforced the law. On March 25, the newspaper *Turun Sanomat* reported that the Turku District Court found a local restaurant owner guilty of discrimination for refusing to serve three customers because of their "ethnic background." The court fined the restaurant owner for discrimination and ordered the owner to pay compensation of 500 euros (\$550) to each customer.

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: The law considers all sexual offenses against minors subject to public prosecution, and sexual offenses against a defenseless person (intoxicated or with a disability) are considered as severe as rape.

There was pattern of child abuse by persons under the influence of alcohol or other substances. Assault offenses directed at children under the age of 18 increased from the year before. In 2015 an estimated 5,900 children were victims of abuse. Minors accounted for 18 percent of all victims of assault offenses reported to police, according to Statistics Finland.

The ombudsman for children's affairs under the Ministry of 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 law prohibits purchase of sexual services from minors and 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. In 2015 there were 1,230 reported cases of sexual abuse against children; 87 percent of the child victims of sexual abuse were girls and 13 percent were boys, according to Statistics Finland.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

According to Statistics Finland, in 2015 the Jewish community numbered 1,133 persons, most living in the Helsinki area.

The website Magneettimedia, known for its anti-Semitic content, continued to post discriminatory statements online during the year. The site's publisher denied that the website was anti-Semitic, instead calling it "critical of the Zionist elite" that

included “both Christians and Jews.” In July it posted an article, “Nelson Mandela--Terrorist,” that contained many anti-Semitic aspersions.

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, the judicial system, and 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.

Official law enforcement figures recorded 14 cases of crimes based on bias towards persons with disabilities, including eight physical assaults, one case of damage to property, two thefts, and three cases of threats.

National/Racial/Ethnic Minorities

There was some societal tension between ethnic Finns and minority groups, and some racist or xenophobic incidents occurred.

In 2014, the most recent year for which data was available, official figures recorded 829 racist and xenophobic hate crimes. Of these, one was a homicide, 461 were physical assaults including three attempted killings, 80 cases of damage to property or vandalism, 33 cases of theft, 132 cases of threats, 38 cases of disturbance of the peace, and 84 other crimes. 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.

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.

On March 14, a Southwest Finland District Court judge found two restaurant servers guilty of discrimination against six Romani customers at a Turku eatery in 2015. Contrary to restaurant practice, the servers demanded that the Romani customers pay for their food in advance. The court ordered the servers to pay a fine and pay the victims a total of 3,000 euros (\$3,300).

A seasonal influx of adult Romani beggars from Romania to Helsinki and other large cities continued during the summer months. On April 17, *Helsingin Sanomat* reported that the deputy parliamentary ombudsmen accused Helsinki city authorities of forcing 12 Roma from Eastern Europe to sleep outdoors in temperatures of -13 degrees Fahrenheit during the night of January 7-8.

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 Economic Affairs 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 (the most recent data available), 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. Statistics Finland estimated the Somali population in the country to be approximately 17,000 at the end of 2014.

In January a Helsinki City Council alternate member, Olli Sademies, was expelled from the Finns Party and its group in the council for suggesting on Facebook that

immigrants from Africa be limited to three children and that African male immigrants be sterilized. In August the prosecutor charged Sademies with incitement of racial hatred.

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 and promoted the status and legal protection of all groups exposed to 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. One major irritant in the Sami peoples' relationship with the government is a disagreement over plans to open vast tracts of forest used by the Sami people for generations to graze reindeer for commercial use.

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

The law prohibits discrimination based on gender identity or gender expression.

In 2014, the last year for which data were available, official law-enforcement figures recorded 40 hate crimes based on bias against LGBTI persons, including 21 physical assaults, one case of disturbance of the peace, four cases of damage to property, nine cases of threats, and five other crimes.

On February 17, parliament approved legislative amendments to allow same-sex couples to change their registered partnerships to marriages by notifying the civil magistrate. The changes, to become effective in March 2017, also remove constraints on transgender individuals that previously required them to be single when their gender transition is recognized.

Other Societal Violence or Discrimination

Between January and October, the nondiscrimination ombudsman oversaw 751 discrimination cases, 38 of which involved religious discrimination (5 percent).

There were isolated incidents in which politicians made discriminatory remarks on social media aimed at members of the Muslim community. On July 19 on Facebook, the then youth leader of the Finns Party, Sebastian Tynkkynen, posted that the country must stop what he called a phenomenon of Islamification, stating “the fewer Muslims we have, the safer.” In his post he wrote that “Islam needs to be ripped out of Finland” and that, although the country cannot limit freedom of speech, it should “start up the reverse vending machine at full swing and empty Finland of those people who have no reason to be in our country.” On August 8, following a complaint from a member of the public, police in the northwestern city of Oulu started a preliminary investigation into whether Tynkkynen incited racial hatred on social media. Tynkkynen later publicly resigned as the Finns Party’s youth leader.

On August 31, the Ministry of the Interior stated that, while violent extremist activity was “moderate” in the country, the arrival of large numbers of migrants had led to increased activity by extreme right-wing and antiforeigner groups. In 2015 authorities recorded 33 suspected cases of violent right-wing extremism and another 16 by antifascist and anarchist elements. The neo-Nazi SVL was suspected in most of the cases (see also section 1.a.).

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 law does not require reinstatement of workers fired for union activity.

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--ranging from fines or paying financial compensation, to prison sentences--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.

According to a study published by the Ministry of Economic Affairs and Employment on March 30, approximately 90 percent of employees in the country participated in the collective bargaining system. The ministry's study focused primarily on developments in the private sector. In 2014, 75.5 percent of employees were covered by collective agreements.

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. 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 the 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. Hours for young workers vary. Minors over the age of 15 can usually work the same hours as adults. Minors under the age of 15 have additional limitations to ensure work hours do not conflict with school schedules, and in general they cannot work more than seven hours per day or 12 hours per week, and they are not allowed to work overtime. Young workers (15 to 18 years of age) may not work after 10 p.m. or under conditions that risk their health and safety, which the Ministry of Social Affairs and Health defines as working with mechanical, chemical, physical, or biological hazards or bodily strain that may result from lifting heavy loads.

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 the age of 18, 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 Economic Affairs and Employment effectively enforced child labor regulations. Penalties for violations of child labor regulations range from a fine to up to 12 months in prison. In 2015 OSHA conducted 28,655 inspections at nearly 24,100 sites, compared with more than 26,600 inspections in 2014. There were no reports of children engaged in work outside the parameters established by law.

d. Discrimination with Respect to Employment and 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, 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.

The Ministry of Economic Affairs and Employment is responsible for labor policy strategy and implementation, improving the viability of working life and its quality, and promoting employment. In addition OSHA may conduct inspections at workplaces. If a party fails to comply with an OSHA request, an inspector may submit the matter to the Regional State Administrative Agency responsible for labor protection, potentially resulting in a police investigation. Examples of violations and penalties include the following: individuals who commit aggravated usury are subject to imprisonment for at least four months and a maximum of four years; individuals who commit work safety offenses are subject to a fine or imprisonment for a maximum of one year; individuals who commit working hours offenses are subject to a fine or imprisonment for a maximum of six months; individuals who commit work discrimination violations are subject to a fine or imprisonment for a maximum of six months; individuals who violate an employee representative's rights are subject to a fine.

In 2014 the Ministry of Economic Affairs and Employment 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, but authorities estimated that the frequency of ethnic discrimination was more than three times that of gender discrimination. On October 1, *Helsingin Sanomat* reported that almost one-third of Russian-speaking Finns experienced barriers to entering the workforce, and the same proportion were unemployed. The 2014 study by the Ministry of Economic Affairs and Employment also found that ethnic minorities faced discrimination at the recruitment stage in the labor market and that 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. According to media reporting, persons with physical disabilities were also likely to experience difficulties entering the labor market.

e. Acceptable Conditions of Work

While there is no national minimum wage law, the law requires all employers, including nonunionized employers, to pay the 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 work hours may, at least in principle, span six days. The regular weekly work hours can also be arranged so that the average is 40 hours over a period of no more than 52 weeks. Certain occupations, such as seamen, household workers, road transport workers, and workers in bakeries, are subject to separate workweek regulations. The law entitles employees working shifts or during the weekend to one 24-hour rest period per week. Compensation for overtime work is time-and-a-half pay for the first hour of overtime work and double pay for time beyond the first hour. The law limits a worker to 250 hours of overtime per year and 138 overtime hours in any four-month period. Employees are entitled to paid annual holidays and leave. The law requires equal pay for equal work, but there appeared to be a gap in pay between male and female employees.

The Ministry of Economic Affairs and Employment 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.

According to media reports, 14,500 seasonal garden workers and wild berry pickers arrived in the country during the year from outside the EU. The debate on seasonal berry pickers' situation continued during the year, although there were no reports of severe problems involving unpaid wages or lack of proper accommodation during the year. On July 27, *Helsingin Sanomat* reported that authorities had granted 3,500 visas for wild berry pickers, most of them coming from Thailand and Ukraine.

In 2014 the Ministry of Economic Affairs and Employment and the Ministry for 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 accommodations, sanitary facilities, and catering.

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 carry out health and safety inspections, and it conducted 28,655 workplace inspections in 2015, 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.

According to a 2014 Ministry of Social Affairs and Health report on occupational safety and health, construction, logistics, healthcare, household, and maintenance were the sectors in which workplace safety concerns were most common. According to media reports, men and women faced labor law violations at about equal rates in the construction, restaurant, and health-care services industries.

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