

FINLAND 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Republic of Finland is a constitutional republic with a directly elected president and a unicameral parliament (Eduskunta). The prime minister heads a five-party coalition government approved by parliament and appointed by the president in 2019. The parliamentary election in 2019 and the presidential election in 2018 were considered free and fair.

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. The national police and Border Guard report to the Ministry of the Interior, which is responsible for police oversight, law enforcement, and maintenance of order; the Ministry of Defense oversees the Defense Forces. Civilian authorities maintained effective control over security forces. There were no reports that members of the security forces committed abuses.

Significant issues included the existence of criminal libel laws.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses.

Section 1. Respect for the Integrity of the Person

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.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Physical Conditions: There were no major concerns in prisons and detention centers regarding physical conditions or inmate abuse. In its most recent report on May 5 on prison and detention center conditions in the country, the Council of Europe's Committee for the Prevention of Torture (CPT) noted insufficient lighting in remand cells in the Espoo, Haukipudas, Pasila, and Ylivieska police stations and poor states of repair in some cells in the Espoo, Kemijarvi, and Pasila police stations.

Reported incidences of inmate violence increased over the previous two years. Some cases of inmate prisoner violence remained unresolved due to a lack of human resources and out-of-date security equipment. A review of instances of prisoner violence by the public broadcaster Yle in July revealed long delays in preliminary investigation of prisoner violence, often resulting in insufficient evidence being available to investigators. Prisoners fearful for their own safety were held in conditions often approaching solitary confinement, the CPT stated.

The Finnish branch of Amnesty International highlighted that availability of COVID-19 vaccines in prisons and detention centers, and visitation rights were both limited during the pandemic. The World Health Organization's Regional Office for Europe stated that as of July, the country's vaccination rate among prisoners was 34.4 percent. Approximately 42 percent of the general population was fully vaccinated at the same time.

Administration: Authorities conducted investigations of credible allegations of mistreatment.

Independent Monitoring: The government permitted monitoring visits by independent human rights observers. On May 5, the CPT released the report on its most recent visit to the country in September 2020.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

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. Authorities respected most of these rights. Before trial most defendants awaiting trial are eligible for conditional release on personal recognizance. Detainees generally have access to a lawyer promptly after arrest. Persons detained for “minor” criminal offenses, however, 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. The May 5 CPT report noted that delays in notification of custody were “frequent and widespread” and could be delayed up to 96 hours, especially if the detainee was a foreigner. It reported that the placement of pretrial detainees in police custody instead of prison decreased since 2014 but remained a concern.

e. Denial of Fair Public Trial

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

Trial Procedures

The constitution and law provide for the right to a fair and 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. Trials are public and take place without undue delay. Defendants have a right to a fair trial, 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 cannot afford counsel. Authorities give defendants adequate time and facilities to prepare their defense. Defendants are provided free interpretation as necessary from the moment an individual is charged through all appeals. They may 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.

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. After they exhaust all avenues of appeal in national courts, persons and organizations may appeal court decisions involving alleged violations of the European Convention on Human Rights to the European Court of Human Rights.

Property Seizure and Restitution

The government reports Finland did not confiscate property belonging to Jews during the Holocaust era, that Holocaust-era restitution has not been an issue, and that no litigation or restitution claims were pending before authorities regarding real or immovable property covered by the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues, which the government endorsed. While there were no known claims for movable Judaica or Jewish cultural property confiscated during the Holocaust era, journalists and representatives of the Finnish Jewish community stated they have no information as to the current whereabouts of movable property of the Central European Jews whom Finnish security services

deported.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

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

The constitution and law prohibit such actions. In September the Office of the Deputy Data Protection Ombudsman reprimanded the Police Board over the use of facial recognition software by the National Bureau for Investigation's Child Sexual Exploitation Unit. The ombudsman's report stated that the use of the facial recognition program Clearview AI did not comply with data security and data protection legislation. In response the National Bureau for Investigation said it would stop using the application.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

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

Freedom of 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. On October 4, a court convicted Finns Party member of parliament Sebastian Tynkkynen on the charge of ethnic agitation in connection with Facebook posts he made in 2017 as part of a municipal election campaign. In the posts Tynkkynen published several pictures and texts implying that Muslim asylum seekers and immigrants were criminals preying on women and children. The court sentenced Tynkkynen to fines totaling 4,410 euros (\$5,070) and

demanded he delete the posts from his Facebook account.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: 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.

Censorship or Content Restrictions: On October 29, the deputy state prosecutor filed charges of disclosure of state secrets and attempted disclosure of state secrets against the daily newspaper *Helsingin Sanomat*'s reporters Laura Halminen and Tuomo Pietilainen, and editor of the political news department Kalle Silfverberg for an in-depth report on an intelligence facility located in Central Finland which was published in 2017. If convicted, the employees face a minimum of four months and maximum of four years in prison. The pretrial investigation found that the newspaper did not illegally acquire the documents, but police launched a separate investigation into how *Helsingin Sanomat* obtained the classified information.

Libel/Slander Laws: Defamation and aggravated defamation laws carry a maximum penalty of two years' imprisonment and a monetary fine. The law has a section relating to breaches of the sanctity of religion (blasphemy) that includes publicly blaspheming against God and for the purpose of offending, publicly defaming, or desecrating what is held to be sacred by a church or religious community. Conviction carries a penalty of up to six months' imprisonment and a monetary fine.

Nongovernmental Impact: On October 1, a law came into force that facilitates the prosecution of illegal threats made against journalists and researchers without the victim's first filing a complaint. The legislative change is meant to protect journalists and public officials from targeted harassment and to expand freedom of expression for members of the media.

Journalists who covered sensitive topics, including immigration, far-right organizations, Russia, and terrorism, reported harassment by private entities, including being targeted for defamation.

Journalist Jessikka Aro, who was the target of harassment for her reporting of

Russian disinformation efforts, stated that she moved abroad for reasons of personal safety.

Internet Freedom

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

Academic Freedom and Cultural Events

There were few government restrictions on academic freedom or cultural events. COVID-19 social-distancing protocols led to capacity and venue restrictions for public events. In March, 1,500 workers from the country's cultural sector held an outdoor demonstration to protest restrictions on events that they viewed as unfair compared to other sectors, such as the restaurant and bar industry.

b. Freedoms of Peaceful Assembly and Association

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

In October 2020, during a demonstration in Helsinki, police used pepper spray on peaceful protesters of the environmental group Extinction Rebellion Finland. In June the special prosecutor stated that an investigation of the officers for breach of duty and assault was nearing completion. In October, after additional demonstrations by Extinction Rebellion Finland led to arrests and contradictory reports about the security threat posed by the demonstrators, the National Police Board announced it would launch a second investigation of the actions of the Helsinki police.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government continued to accept returned asylum seekers who had first entered in the country but then moved on to other European countries according to the Dublin III Regulation.

Exile: In July authorities confirmed the repatriation of a woman and her two children from the al-Hol refugee camp in Syria. From 2019 through July 2021, the government repatriated six women and 20 children from Syria who were displaced when ISIS collapsed. According to reports, at least four women and 11 children of those repatriated had left the al-Hol camp on their own without government assistance. A special envoy from the Ministry of Foreign Affairs estimated an additional five women and 10 children were in Syria, most of them in al-Hol. According to the nongovernmental organization (NGO) Human Rights Watch, an estimated 22 Finnish nationals were in Syrian refugee camps as of May 26.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

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, returning refugees, asylum seekers, stateless persons, and other persons of concern.

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 an annual quota for refugee admissions, and the government decides its allocation. Asylum seekers have the right to free legal representation throughout their application procedure. According to civil society organizations, asylum seekers continued to lack adequate access to legal assistance during the initial stages of the asylum application process and during subsequent appeals.

As of October 25, 43 persons arrived in during the year from the EU countries located on the Mediterranean. The arrivals were part of the 174 vulnerable asylum seekers from the region that the government agreed to accept in 2020. Under this agreement, from July 2020 through May 2021, 108 unaccompanied children and adolescent asylum seekers arrived from Greece, 14 unaccompanied minors arrived from Cyprus, and 47 single-parent family asylum seekers, mostly citizens of Afghanistan and Somalia, arrived from Malta, Cyprus, and Italy. An additional five persons from the region arrived between May and October. Between January and August, immigration services made 86 positive decisions granting asylum or refugee status, subsidiary protection, or a residence permit on other grounds to unaccompanied minors.

In March 2020 the nondiscrimination ombudsman published a study highlighting that the official justifications given for denying family reunification were severely restrictive in almost half of all reunification denials. The Finnish branch of Amnesty International highlighted in its annual report for the year that both process and outcomes of family reunification cases put children's rights at risk, and legislative and practical obstacles, including high income requirements, continued to impede family reunification.

Safe Country of Origin/Transit: The government adheres to the EU's Dublin III Regulation that establishes which EU member state is responsible for examining an asylum application.

Refoulement: On July 13, the European Court of Human Rights overturned its 2019 decision that the government violated the European Convention on Human Rights when it deported an Iraqi man to his country of origin, where he was allegedly killed three weeks later. The court based its initial ruling on forged documents, and the allegedly deceased man was later determined to still be alive. In February the Helsinki District Court sentenced the daughter and former son-in-law of the allegedly deceased man to prison sentences of less than two years for gross fraud and gross forgery.

The number of Russian-origin members of Jehovah's Witnesses applying for asylum based on alleged religious persecution declined significantly. The Finnish Immigration Service rejected most of the claims by members of Jehovah's

Witnesses and did not consider membership in the church alone to be sufficient basis for an asylum claim. During the first half of the year, 15 asylum applications by members of Jehovah's Witnesses were pending before the Supreme Administrative Court. Some applicants who were members of Jehovah's Witnesses and whose appeals were denied subsequently returned to Russia. According to church representatives, two asylum-seeking families who identified as members of Jehovah's Witnesses and faced deportation to Russia during the year received positive interim decisions by the UN Humans Rights Committee, thereby halting deportation proceedings.

Durable Solutions: According to the Finnish Immigration Service, the government planned to accept 1,050 quota refugees during the year. The government also assisted in the safe, voluntary return of migrants to their home countries.

Temporary Protection: From January to August, the government provided subsidiary protection to 102 individuals who did not qualify as refugees but who were deemed to qualify for subsidiary protection. During the same period, the government also offered humanitarian residence permits to 125 individuals based on "other grounds," including medical and compassionate grounds.

g. Stateless Persons

According to UNHCR, 3,428 stateless persons resided in the country at the end of 2020. 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. A child may obtain citizenship from either the mother or father regardless of the child's place of birth and may also acquire citizenship if the child is born in the country and would otherwise be stateless.

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 election in 2019 and the presidential election in 2018 were considered free and fair. After an inspection revealed that procedures at a drive-in polling station had deviated from guidelines to ensure election secrecy, the parliamentary ombudsman asked the city of Espoo for a statement on ensuring election secrecy in exceptional voting arrangements.

Participation of Women and Members of Minority Groups: No laws limit participation of women and members of minorities in the political process, and they 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.

Corruption: The National Bureau of Investigation stated that the former director general of the National Audit Office, Tytti Yli-Viikari, and its former director, Mikko Koiranen, were suspected of aggravated abuse of office and breach of duty over salary payments to an agency employee without a duty to work and a possible illegal use of frequent flyer program flight points. Parliament fired Yli-Viikari; Koiranen was suspended from his duties.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Several 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.

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, to fulfill a duty, or appropriately to implement fundamental human rights protections.

Government Human Rights Bodies: The Human Rights Center is an autonomous, independent institution administratively connected to the Office of the Parliamentary Ombudsman. The center's functions include promoting the implementation of 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 frequently cooperated with the center.

The parliamentary Constitutional Law Committee analyzes proposed legislation for consistency with international human rights conventions. The committee deals 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 impartially to advance the status and legal protection of their respective reference groups. These ombudsmen operate under the Ministry of Justice. Responsibility for investigating employment discrimination rests solely with the Occupational Safety and Health Administration in the Ministry of Social Affairs and Health.

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. The Advisory Board for Ethnic Relations advocates for policy changes to improve integration.

The nondiscrimination ombudsman also operated as an independent government-oversight body that investigates discrimination complaints and promotes equal treatment within the government. The nondiscrimination ombudsman also acted as the national rapporteur on trafficking in human beings and supervised the government's removal of foreign nationals from the country.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of both women and men, including spousal rape, and the government enforced the law effectively. Rape is punishable by up to six years' imprisonment. If the offender used violence, the offense is considered aggravated, and the penalty may be up to 10 years. All sexual offenses against adults, except sexual harassment, are subject to public prosecution. Sexual offenses against a defenseless person (such as because of unconsciousness, intoxication, or a disability) are considered as severe as rape.

Authorities may prosecute domestic abuse under various criminal laws, including as 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.

The legal definition of rape emphasizes intentional violence, which civil society organizations alleged leads courts to find assailants not guilty in cases where coercion was less explicit. In addition police must inquire about a party's willingness to participate in reconciliation, which is usually engaged in before the case proceeds to the prosecutor. Reconciliation may be grounds for the prosecutor not to press charges, but even reconciliation where a mutual agreement has been reached does not prevent the prosecutor from pressing charges.

Gender-based violence, including domestic and intimate partner violence, continued to be a problem. The Finnish branch of Amnesty International estimated that more than 100,000 persons experienced violence annually in the country and that 76 percent of the victims were women. According to Amnesty International, only 10 percent of these incidents were reported to authorities and most of those reported did not lead to prosecution. While police are obligated to investigate domestic violence cases, many of the cases are referred to a mediator after which police do not closely track the cases. According to the Institute for Health and Welfare (THL), 36.3 percent of intimate partner violence cases were directed to mediation. During the COVID-19 pandemic, cases of intimate-partner violence reported to police increased by 6 percent, and utilization of the online services of

the Federation of Mother and Child Homes and Shelters grew by 11 percent over the same period. A government-funded provider of telephone support services for victims of violence against women and domestic violence also reported a 31 percent increase in individuals seeking assistance in 2020. From January through July, 160 cases of rape were reported to police or border guards, a 24 percent increase over the same period in 2020. The ombudsman for equality at the Ministry of Justice highlighted problems with access to domestic violence shelters in remote rural areas.

The government funded shelters specifically for victims of domestic violence. There were 29 shelters for victims of domestic violence, and the number of places available in shelters throughout the country increased to 231 from 179 in 2018. The Finnish branch of Amnesty International stated that 550 places were needed to support the number of victims properly and that some rural areas had very few shelters and insufficient space in those shelters. The Human Rights Center acknowledged the problem. A survey of shelter services published by the THL during the year found a decrease in the number of shelter clients since 2019. The use of social welfare and health care services that refer clients decreased during COVID-19 lockdowns, which contributed to a decrease in the use of shelters. The THL estimated that the total required number of family places in shelters varied between 262 and 367. The ombudsman for equality at the Ministry of Justice highlighted problems with access to domestic violence shelters in remote rural areas. Funding of support services for survivors of violence were predominantly provided from the revenue of a state-owned company operating slot machines and gambling.

Female Genital Mutilation/Cutting (FGM/C): FGM/C is treated as aggravated assault under the law and may be punished with imprisonment or deportation. Taking a girl living in the country abroad for FGM/C is also considered a crime. The government generally enforced the law. A school health survey released by the THL in June 2020, the most recent data available, found that 0.2 percent of girls attending high school or vocational school had undergone FGM/C and that at least 10 girls who answered the questionnaire were mutilated in Finland. The population that most reported having undergone FGM/C were Somali-born residents.

Sexual Harassment: The law defines sexual harassment as a specific, punishable offense with penalties ranging from fines to up to six months' imprisonment. Employers who fail to protect employees from workplace harassment are subject to the same penalties. The prosecutor general is responsible for investigating sexual harassment complaints. The government generally enforced the law.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

In 2019 a group of parents, midwives, and doulas (nonmedical professionals who provide comfort and support to women during pregnancy and childbirth) organized a public campaign against alleged obstetric violence based on reports of episiotomies being performed during birth without informing or obtaining the consent of the mother and medical personnel pressuring pregnant women to consent to interventions and performing “violent internal examinations” on female patients.

The law requires that a transgender person present a medical certificate of infertility before the government may legally recognize their gender identity (see Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity, below, for additional information.)

The government provided access to sexual and reproductive health services for survivors of sexual violence, and emergency contraception was available as part of the clinical management of rape.

Discrimination: The law provides for the same legal status and rights for women as for men. The government enforced the law effectively. Pregnant women experienced difficulties in finding a job, returning from leave, and renewing fixed-term contracts. The equality ombudsman estimated that half of all calls relating to workplace discrimination concerned discrimination based on pregnancy or issues involving return from parental leave (see also section 7.d.).

Systemic Racial or Ethnic Violence and Discrimination

The law specifically prohibits discrimination based on origin and nationality.

The public broadcaster Yle reported in July that the Helsinki Police Department fired two officers, including the chief of staff, for engaging in racist communications with far-right hate groups. Text messages revealed discussion of an upcoming “civil war,” with language particularly targeting the country’s Muslim, Somali, and Romani populations. The report indicated that an additional five police officers and one guard with ties to far-right groups were under investigation.

In June the chief inspector of the ombudsman for equality confirmed that security officials, including police, were observed profiling and discriminating against individuals based on their ethnicity. The statement confirmed the key finding of a 2018 study that found police officers, security guards, border agents, and customs officers targeted minorities due to their ethnic background or skin color.

Roma continued to face discrimination in all social sectors and were often targeted by law enforcement and security officials. An investigation by Yle in May indicated that internal guidelines issued by the Helsinki Police Department to record the movements of the Finnish Romani populations meant that the police were collecting personal information and detaining Roma without legal grounds beginning in 2013. Police representatives stated they had stopped recording the movements of the Finnish Romani populations in 2017. According to the Fundamental Rights Barometer survey, 53 percent of Finnish respondents would be uncomfortable with a Romani neighbor. Housing discrimination acutely affected Romani populations, but instances of housing discrimination for Roma were likely underreported. Between January and June, the Office of the Equality Ombudsman received 753 reports of housing discrimination.

In June 2020, the latest year for which statistics from the National Crime Victim Survey were available, the nondiscrimination ombudsman reported that 80 percent of respondents with an African background experienced discrimination because of their skin color, 67 percent encountered discrimination or harassment in education, 60 percent encountered discrimination in the workplace, and 27 percent also experienced physical violence. More than one-half of the respondents said they had not reported the discrimination to authorities because they believed reporting harassment would not accomplish anything. According to statistics from the Fundamental Rights Barometer Survey, 36 percent of Arabic-speaking respondents

and 31 percent of Russian-speaking respondents experienced discrimination during employment or while searching for a job.

According to the Program for International Student Assessment (PISA) of the Organization for Economic Cooperation and Development, having an immigrant background disproportionately influenced educational results for students: 45 percent of immigrant students were in the bottom quarter of the PISA index of economic, social, and cultural status, compared with 24 percent of nonimmigrant students.

According to a university researcher, students were often placed in Finnish-as-a-second-language classes regardless of their Finnish proficiency if their native language on record was something other than Finnish or if they had a “non-Finnish” name.

The nondiscrimination ombudsman is responsible for responding to complaints of discrimination and regularly mediated between business owners, government agencies, and public service providers regarding treatment of customers and clients. The Ministry of Justice also responds to complaints of discrimination.

The government strongly encouraged tolerance and respect for minority groups, sought to address racial discrimination, and assisted victims.

In January *Helsingin Sanomat* reported that the banned Nordic Resistance Movement (NRM) continued to operate out of public sight and without a clear name. In June prosecutors charged nine NRM members with engaging in illegal association for continuing NRM activities under the organization of the group Toward Freedom! (*Kohti Vapautta!* in Finnish) and leading a demonstration at Tampere Central Market in October 2020. The NGOs Save the Children and Hope Not Hate both reported that far-right youth groups such as the National Partisan Movement had used pandemic lockdowns to recruit minors online. The Finnish Intelligence Service highlighted that racially or ethnically motivated violent extremism in online platforms was a significant source of radicalization in the country. Leaders in both the Jewish and the Muslim minority communities stated that, while extremist websites were not a new phenomenon, the types of websites and forums targeting citizens expanded over the previous year.

In September the Ministry of Justice and the nondiscrimination ombudsman launched the “I am Antiracist” campaign to encourage individuals to act antiracist in their daily lives and consider the effects of racism more broadly in society. The campaign was part of the Ministry of Justice’s “Together for Equality” project, which received funding from the EU’s Fundamental Rights, Equality, and Citizenship Program.

Indigenous Peoples

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. It may adopt legally binding resolutions, propose initiatives, and provide policy guidance.

Reports issued by the Sami parliament in February and December 2020 found that the linguistic rights of the Sami were not realized in the way intended by the constitution and the Sami Language Law. Shortcomings involved the number of Sami language personnel, the accessibility of services, and the fact that, contrary to provisions of the Sami Language Law, Sami people must still separately invoke their linguistic rights for them to be recognized. Speakers of Inari Sami and Skolt Sami were in the most vulnerable positions, according to the report. The number of students in all Sami languages decreased by 3.5 percent to 710 pupils nationwide from 2020. In addition, as services were moved online and to centralized service telephone lines, authorities did not take into consideration the possibility of accessing these services in the Sami languages. Funds appropriated for Sami language social and health care have not been indexed to inflation since 2004, and there were fears that social and health-care reforms could further deplete services. There was also poor availability of Sami language prekindergarten personnel, and the funding of Sami language prekindergarten programs was inadequate.

The ombudsman for gender equality stated that Sami victims of domestic violence

were at a disadvantage in accessing public shelters due to the long distances between population centers in the northern part of the country.

In May the Regional Council of Lapland agreed to rewrite its draft provincial plan for the period until 2040 to exclude the Arctic railway line from Helsinki to the northern border. Sami objected to plans for the railway, citing the railway's potential impact on natural resources critical for their livelihoods, including reindeer-herding land and Arctic nature tourism.

Children

Birth Registration: A child generally acquires citizenship at birth through one or both parents. A child may 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 immediately.

Child Abuse: The law prohibits child abuse, defining children as individuals younger than 16. Child neglect and physical or psychological violence carry penalties of up to six months in prison and up to two years in prison, respectively. Sexual abuse of a child carries a minimum penalty of four months' imprisonment and a maximum of six years. The law defines rape of a minor (younger than 18) as aggravated rape. Rape of a child carries a minimum penalty of two years' and a maximum of 10 years' imprisonment. Aggravated rape of a child carries a minimum penalty of four years' and a maximum of 12 years' imprisonment. In October a man was sentenced to four months in prison for physically assaulting his six-year-old son during a summer vacation. The boy's older brother was a witness to the assault. The man had two previous convictions for assaulting the mother of the child. The prison sentence was converted to 120 hours of community service.

Child, Early, and Forced Marriage: The minimum age of marriage is 18; the law disallows marriage of individuals under that age. In the first half of the year, the National Assistance System for Victims of Human Trafficking reported 19 new cases of forced marriage. In 2020 the system assisted 45 women and girls, a slight decrease from 2019, considered to have been subjected to forced marriage. Many of these marriages occurred when the victim was underage.

Sexual Exploitation of Children: The country prohibits the commercial sexual exploitation of children, including child pornography and the sale, offering, or procuring of children for commercial sex. 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. Authorities enforced the law effectively.

The minimum age for consensual sex is 16. The law regards a person whose age cannot be determined, but who may reasonably be assumed to be younger than 18, as a child.

From January to June, there were 993 reported cases of child exploitation, compared with 838 cases reported during the same period in 2020. In June police passed to prosecutors a case involving a man suspected of multiple counts of aggravated sexual abuse of a child, aggravated child rape, and the possession and dissemination of indecent images of children. As of September all of the more than 30 victims identified were girls between the ages of eight and 14.

In June a man was sentenced to four years and six months in prison for aggravated child sexual abuse, rape, and attempted rape committed against two minors, ages seven and nine, in 2019 and 2020. The perpetrator’s self-reporting the crimes and cooperating with the prosecution reduced the sentence by six months.

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 <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

Government statistics and Jewish leaders place the size of the Jewish population between 1,500 and 2,500 individuals, most living in the Helsinki area.

Stickers and posters with anti-Semitic images and messages were placed on the synagogue of Helsinki’s Jewish congregation, in neighborhoods with significant Jewish populations, and on public property throughout the year. The vandalism

ranged from targeted to apparently random, and similar incidents had occurred numerous times over the previous three years. Some of the anti-Semitic graffiti and stickers claimed to be from the banned NRM. Stickers specifically targeted Jewish community members at lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) pride events. Representatives of the Jewish community reported that, despite available video and photographic evidence of the perpetrators, police made no arrests in the incidents.

Debates on religious practices of animal slaughter with respect to kosher products and on nonmedical male circumcision often used direct or veiled anti-Semitic language (see Other Societal Violence or Discrimination, below).

The government provided funding for the security of the Helsinki synagogue, but the Central Council of Finnish Jewish Communities reported that funding had recently been cut in half. Representatives of the Jewish community reported feeling under threat and specifically targeted due to their beliefs.

On August 30, the Helsinki District Court ruled that the men who carried swastika flags in the 2018 Independence Day demonstrations of the Finnish neo-Nazi organization Toward Freedom! were not guilty of ethnic agitation. The court found that the defendants had not directly threatened or insulted a specific ethnic group.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

During the year a report on the results of the Fundamental Rights Barometer survey published by the Ministry of Justice found that 40 to 60 percent of persons with disabilities disagreed or strongly disagreed that public administration and local authorities adequately facilitated access to information depending on the specific issue, and 29 percent of persons with disabilities stated they had been treated disrespectfully by public administrations. The Ministry of Interior noted that only two police officers in the country were able to communicate in sign

language and that access to services for persons with disabilities continued to be a problem. There were no existing comprehensive assessments of the state of accessibility of public buildings. An estimate from 2019, the most recent data available, suggested that 15 percent of residential buildings were accessible. Municipalities must organize reasonable transport services for persons with disabilities if they are needed to manage daily life functions. Municipalities reported problems in the availability and quality of transport services, particularly during major events, on-call times, and evenings and weekends. The constitution and law prohibit discrimination against persons with disabilities in all fields, including the provision of government services.

According to the Finnish Association on Intellectual and Developmental Disabilities (FAIDD), most children with disabilities were included in early childhood education in the same classes as other children. In primary schools there were fewer opportunities for children with disabilities to attend classes or participate in organized hobby groups with peers. According to statistics, 114 children with intellectual disabilities lived in institutional settings. The resources available varied across different municipalities. According to FAIDD, reforms to vocational education reduced the opportunities for young persons with disabilities to receive necessary professional training and find employment. The nondiscrimination ombudsman highlighted that inclusion in education was a complicated matter because, while some groups advocated for more inclusion, other advocacy groups noted that increased inclusion was not in the best interest of some persons in their community.

The law requires an authority, education provider, employer, or provider of goods to ensure equal opportunities for persons with disabilities to deal with the authorities, gain access to education, and work through reasonable accommodations. The parliamentary ombudsman's annual report published in June saw an increase in complaints (from 281 in 2019 to 306 in 2020) regarding the rights of persons with disabilities. During the same period, a total of 80 complaints related to the COVID-19 pandemic concerned persons with disabilities, mainly regarding social and health-care administrative matters.

Wheelchair-accessible voting became more common, in part in response to a call for greater accessibility at polling sites by the Office of the Parliamentary

Ombudsman. The parliamentary ombudsman noted there was still room for improvement (see also Section 3, Recent Elections). Persons with disabilities, including blindness, may use a personal assistant of their choice or the assistance of an election official when voting. A report by the Human Rights Center noted that dependence of the blind on assistants to mark their ballots did not sufficiently recognize the needs of persons with disabilities. The Association of the Deaf stated that the deaf community did not receive enough information in sign language about political and public affairs, which, in practice if not by law, limited participation in politics.

According to civil society groups, municipalities routinely did not budget enough money to provide such services and provided only the minimum services required by law regardless of the actual need for services. Sometimes services were denied, and the person with a disability was instructed to appeal the decision, since an appeal lengthens the process of granting services.

An expert from a civil society group asserted that legislation and practices surrounding labor and daily activities of persons with mental disabilities needed comprehensive reform. Gaps in the law created conditions where businesses could employ persons with disabilities for so-called rehabilitative work without pay. The system does not take into consideration that individuals with intellectual disabilities are often capable of full- or part-time wage-labor on the same basis as others. Social welfare legislation defines labor activities as maintaining and improving capabilities, and a municipality may grant tax-free pay of between zero and 12 euros (\$13.80) an hour for such activities. If the work requires guidance, it is seen as a daily activity rather than labor, meaning an employee may not receive even food in exchange for hours of work. The Ministry of Social Affairs and Health acknowledged that too many persons with intellectual disabilities were not paid for their work.

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

The law requires that a transgender person present a medical statement affirming the individual's gender identity and a certificate of infertility before the government may legally recognize their gender identity. To obtain the medical

statement that includes an affirmation of gender, transgender persons must first undergo a psychiatric monitoring process and receive a psychiatric diagnosis, a process that organizations, activists, and transgender persons criticized as causing significant harm, distress, and humiliation. Access to specialized treatment services is only available after a diagnosis of “gender dysphoria,” which lasts for at least two years, thereby creating barriers to gender affirming procedures.

In addition to the requirement that an individual submit to sterilization, activists criticized the duration of the legal process, stating it could take up to three years to obtain identity documents with the new gender markers. In April a citizens’ initiative to reform laws for obtaining legal gender recognition, to extend legal redress opportunities to juvenile minors, and the abolition of a centralized database on past gender transitions garnered 50,000 signatures. Trafficking authorities and civil society stated they had no specialized services for transgender victims of trafficking in persons and were unaware of their status among the trafficking-victim population.

While the law prohibits “conversion therapy” in medical settings, it continued to be practiced privately, most commonly in religious associations. According to local activists, children in the Pentecostal Church community continued to be provided material that encourages sexual orientation conversion.

The law prohibits discrimination based on gender identity, gender expression, or sexual orientation in housing, employment, nationality laws, and access to government services, and the government enforced the law. Stickers for the banned NRM targeted LGBTQI+ pride events, inter alia.

Other Societal Violence or Discrimination

On March 11, the Central Finland District Court dismissed the charges against a man with links to far-right groups of the attempted murder of the Finns Party’s election manager for Central Finland, Pekka Kataja. Kataja was attacked at his home in July 2020 and suffered a fractured skull, cerebral hemorrhage, and broken ribs and fingers. The district court ruled that the crime was a political act, but the charges brought against the defendant were based on circumstantial evidence.

In May the Pirkanmaa District Court convicted and fined for libel, aggravated

libel, and ethnic agitation a former leader of the Finnish People First Party, Marco de Wit. During the 2019 campaign, de Wit published and disseminated election advertisements claiming all Muslims were sex offenders and published articles online threatening Jews, refugees, and asylum seekers. He was also found guilty of aggravated libel for accusing the police force of child sexualization after some police participated in Helsinki LGBTQI+ pride activities in uniform. De Wit had previously been sentenced to parole for violence against an official.

Religious community leaders stated that debates on religious practices of animal slaughter with respect to kosher and halal products and on nonmedical male circumcision used direct or veiled anti-Semitic and anti-Muslim language. Materials produced by the Ministry of Social Affairs and Health called nonmedical male circumcision a violation of child bodily integrity and self-determination.

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, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination and 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. Workers without permanent residence may not be eligible to join voluntary unemployment insurance funds. Employers who violate the rights of employees to organize and retain employee representatives may face administrative measures, legal proceedings, and fines. The penalties were generally commensurate with those for similar crimes. Authorities and employers generally respected freedom of association and the right to collective bargaining, and there were no reports of violations. All workers, regardless of sector union membership or nationality, are entitled to the same wages negotiated between employers and trade unions via generally applicable 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 may make nonbinding recommendations to the cabinet on ending or limiting the duration of strikes when they threaten national security. Employees prohibited from striking may 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. Penalties for forced or compulsory labor depend on the severity of the crime and were generally commensurate with those for similar crimes. Despite strong penalties for violations, some cases of persons subjected to conditions of forced labor in the country were reported.

Men and women working in the restaurant, cleaning, construction, and agriculture industries were the most likely to face conditions of forced labor. The sexual services sector, legal in certain circumstances, also saw incidences of sex trafficking and forced labor. From January 1 through June 30, Victim Support Finland, an NGO, supported 545 clients, including 98 new clients, who had been the victims of human trafficking, labor exploitation, or related crimes.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all of the worst forms of child labor but allows persons between the ages of 15 and 18 to enter into a valid employment contract as long as the work does not interrupt compulsory education. It provides that workers between the ages of 15 and 18 may not work after 10 p.m. or under conditions that risk their health and safety, which the Ministry of Social Affairs and Health defined as working with mechanical, chemical, physical, or biological hazards or bodily strain that may result from lifting heavy loads.

Penalties for violations of child labor regulations are commensurate with those for other similar crimes. The Ministry of Economic Affairs and Employment effectively enforced child labor regulations. There were no reports of children engaged in work outside the parameters established by law.

d. Discrimination with Respect to Employment and Occupation

The law broadly prohibits employment discrimination. Penalties for violations are commensurate with those for other similar crimes. The government effectively enforced applicable laws against employment discrimination.

The Occupational Safety Administration (OSHA) received 600 reports of workplace discrimination in 2020. Of the 140 reports that resulted in further inspection, 28 percent concerned ethnicity, nationality, language, or religion, 14 percent concerned age discrimination, and 5 percent concerned disability. OSHA highlighted that age was one of the most common reasons for workplace discrimination.

According to the Human Rights Center and the nondiscrimination ombudsman's office, discrimination in job recruitment was a significant problem, especially in cases where applicants had "non-Finnish" names. In October, *Helsingin Sanomat* reported that the University of Helsinki was under investigation for suspicions of discrimination. Three students stated that interviews for a position to teach Islam at a school in southern Finland were restricted to students who had a Finnish surname. The Faculty of Theology acknowledged and apologized for the incident on Twitter, and the dean of the faculty said an internal investigation was underway.

In June the government adopted a four-year gender equality action plan, which is designed to advance women's rights and empowerment by reducing the gender pay gap, promoting female entrepreneurship, raising gender equality awareness in schools, and reducing segregation in education and the labor market (see also section 6, Women).

A report from the equality ombudsman's office published in June detailed a case where a painter's fixed-term contract had been extended continuously until she revealed her pregnancy to her employer. The equality ombudsman found that the woman's occupational safety was not an acceptable reason for not extending her fixed-term contract, and the employer's actions were in violation of the law.

e. Acceptable Conditions of Work

Wages and Hour Laws: 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. Authorities adequately enforced wage laws.

The standard workweek established by law is no more than 40 hours of work per week with eight hours work per day. Because the law does not include a provision regarding a five-day workweek, regular work hours may, at least in principle, span six days. The regular weekly work hours may also be arranged so that the average is 40 hours during a period of no more than 52 weeks. Persons in 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. The law limits a worker to 250 hours of overtime per year and 138 overtime hours in any four-month period.

The Ministry of Economic Affairs and Employment is responsible for labor policy and implementation, drafting labor legislation, improving the viability of working life and its quality, and promoting employment. Authorities adequately enforced wage and overtime laws.

According to a service and restaurant industry trade union, there were 800 cases of wage and hour disagreements between employees and employers in 2020, and 35 percent of these cases were from the service, restaurant, and leisure industry.

Occupational Safety and Health: The Ministry of Social Affairs and Health is responsible for enforcement of labor laws and regulations. In addition, OSHA enforces appropriate safety and health standards and conducts inspections at workplaces. Individuals who commit work safety or working hours' offenses are subject to penalties commensurate with similar crimes. The center 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 involves a risk to life, an inspector can halt work on the site or issue a prohibition notice concerning the source of risk. Workers may remove

themselves from situations that endanger health or safety without jeopardy to their employment. 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.

Foreign seasonal berry pickers do not always have the same legal employment protections as other workers. In some cases berry pickers and wild produce pickers were classified as entrepreneurs, not employees. They can also be charged for training and recruitment services and face difficult work conditions. During the summer, COVID-19 outbreaks disproportionately impacted seasonal berry pickers, most of whom were from Thailand. In Rovaniemi, 180 of 262 foreign seasonal berry pickers were diagnosed with COVID-19.

Government resources, inspections, and penalties were adequate to deter most violations.