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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Forty-first session**  
7–18 November 2022

## **Summary of stakeholders' submissions on Finland\***

### **Report of the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 22 stakeholders' submissions<sup>1</sup> for the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles. The report has been prepared taking into consideration the outcome of the previous review.<sup>2</sup>

#### **II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles**

2. The Centre stated that, despite some positive developments to clarify the division of tasks among the different human rights actors, the fragmentation of human rights structures continued. New structures have been created without adequate analysis over the impact of these changes on the overall efficiency and comprehensibility of the structures. This has resulted in overlaps and has created confusion.<sup>3</sup> The Centre has called on the government to assess the changes to the national human rights structure holistically with a view to strengthen its efficiency and coherence.<sup>4</sup>

3. The Centre recommended the government to ensure long-term measures, sufficient funding, structures, and staff to enhance teachers' pre- and in-service training on human rights; and to actively promote human rights education at all levels and secure sufficient public servants' and different professionals' (e.g. health care) training on human rights.<sup>5</sup>

4. The Centre observed that the Arctic has been warming at a rate of about four times the global average. This has had direct and visible negative impacts on the traditional Sámi way of life, Sámi livelihoods and culture. The wider impact of climate change, its effects on food security and for example global migration may result in challenges to the realisation of human rights.<sup>6</sup>

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\* The present document is being issued without formal editing.



5. The Centre recommended that the government ensure coordination between authorities, cooperation with NGOs and engagement of local and regional level, especially in the development of service structures in the implementation of regional and international obligations addressing violence against women. The Centre also called on the government to secure sufficient, multi-professional, individually tailored, accessible and geographically distributed services for victims of domestic violence and violence against women.<sup>7</sup>

6. The Centre called on the government to respect intersex children's right to self-determination, by introducing effective legal and other measures to prohibit unnecessary surgeries; and to improve the well-being of LGBTI youth, ensure a safe learning environment and provide low threshold services for those experiencing violence and suffering from mental health problems.<sup>8</sup>

7. The Centre observed that there were significant discrepancies among the different administrative branches towards the full implementation of the Convention on the Rights of Persons with Disabilities (CRPD). Persons with disabilities still face challenges in the achievement of their rights. The Parliamentary Ombudsman has repeatedly identified shortcomings, including on accessibility to premises and services, such as polling stations, non-availability of reasonable accommodation, use of limitations to self-determination in special care for persons with intellectual disabilities, and lack of individual consideration of needs in competitive tendering for services.<sup>9</sup>

8. According to a survey carried out by the Centre, 48 % of the respondents felt that respect for the dignity of persons with disabilities diminished during the preceding years, while 34 % of the respondents felt that prejudices had increased.<sup>10</sup>

9. The Centre called on the government to actively promote labour market participation of persons with disabilities, ensure effective legal protection against discrimination in the labour market, and ensure that the new law on services for persons with disabilities does not exclude those whose disability is caused mainly by old age.<sup>11</sup>

10. The Centre called on the government to ensure systematic and rights-based immigration procedures and policies, which also take into account special protection needs of human rights defenders as a policy priority for the Government, and to ensure that family reunification remained accessible for all beneficiaries of international protection without discrimination.<sup>12</sup>

### **III. Information provided by other stakeholders**

#### **A. Scope of international obligations<sup>13</sup> and cooperation with human rights mechanisms**

11. JS2 recommended ratifying the ILO Convention 169 on indigenous people's rights.<sup>14</sup>

12. ICAN called upon Finland to sign, ratify or accede to the Treaty on the Prohibition of Nuclear Weapons, as a matter of international urgency.<sup>15</sup>

13. JS2 recommended the government to ensure regular governmental and parliamentary monitoring of the human rights situation in Finland, to follow up on the recommendations and rulings of international monitoring bodies, for example on an annual basis. JS2 called on Finland to secure human resources to follow up on international human rights recommendations in all ministries.<sup>16</sup>

#### **B. National human rights framework**

##### **1. Constitutional and legislative framework**

14. CoE urged Finland to review its legislation to ensure effective protection of children from situations where abuse is made of a recognised position of influence.<sup>17</sup>

15. JS2 called on the government to reform the Trans Act in a way that provides quick, transparent and accessible legal gender recognition based on self-determination, including to minors.<sup>18</sup>

16. JS2 advised Finland to take legislative steps to guarantee intersex children's right to self-determination, physical integrity and bodily autonomy and to ban unnecessary and non-consensual genital normalising surgery and other non-consensual, not medically necessary interventions on (intersex) children's sex characteristics.<sup>19</sup>

17. JS2 recommended urgently reforming the Sami Parliament Act to implement the two rulings by the UN Human Rights Committee (2019), and strengthening the application of the principle of free, prior and informed consent in all legislation concerning the rights of the Sami.<sup>20</sup>

18. SCFinland called on the government to reform the Child Welfare Act and integrate it coherently into the social and health care services with particular attention provided to the provision of mental health care services.<sup>21</sup>

19. JS2 recommended the government to conduct a holistic reform of legislation and municipality practices concerning integrated sheltered work of people with disabilities, recognizing their rights as workers.<sup>22</sup>

## 2. Institutional infrastructure and policy measures

20. JS3 recommended that the government ensure that, after the legislative reform, the Non-Discrimination Ombudsman will be able to bring a case concerning discrimination to the National Non-Discrimination and Equality Tribunal, which will have a mandate to assess work place discrimination and award compensation to victims of discrimination.<sup>23</sup>

21. JS2 recommended the government to conduct consistent and continuous human rights impact assessment in all legislative and decision-making processes, including national budget preparation; allocate sufficient human resources with a specific mandate to ensure the implementation of the fundamental and human rights policy; ensure that a fourth National Action Plan for Fundamental and Human Rights is adopted by the next government; and ensure adequate, long-term core funding for civil society organizations promoting and monitoring human rights within Finland.<sup>24</sup>

22. JS2 advised the government to secure sufficient resources to provide systematic human rights education to civil servants and decision-makers in all ministries and lower levels of government, including the new regional wellbeing services counties.<sup>25</sup>

## C. Promotion and protection of human rights

### 1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

#### *Equality and non-discrimination*

23. BCN observed that, whereas there were already many existing recommendations on tackling racism, xenophobia and gendered discrimination during the previous UPR review, an understanding of the implicit and pervasive system of values that sustained them were necessary for stronger and more efficient results.<sup>26</sup>

24. Demla ry stated that, although Finland had comprehensive non-discrimination legislation, the media reported widespread extortion-like work-related discrimination<sup>27</sup> and human trafficking especially in low-paid service sector, such as cleaning and in restaurants. In addition, many victims of human trafficking had not been granted a residence permit despite their vulnerable position.<sup>28</sup>

25. JS2 called on the government to grant the National Non-Discrimination and Equality Tribunal mandates to intervene in cases of discrimination in employment, and to rule on financial compensation from the perpetrator to the victim; and grant the Non-Discrimination Ombudsman mandate to intervene in cases of discrimination in employment, and to bring

cases to the Tribunal based on harassment or another kind of discrimination towards a group of people, without naming an individual victim.<sup>29</sup>

26. JS2 advised Finland to allow victims of gender-based discrimination to bring their cases to the Tribunal independently, without an intervention from the Ombudsman for Equality, as is the case for victims of discrimination in the frame of the Non-Discrimination Act; and to modify the definition of reasonable accommodations in the Non-Discrimination Act to ensure compliance with CRPD standards.<sup>30</sup>

27. JS2 recommended the government to ensure that efforts to combat racism are adequately funded and systematically implemented into existing structures, institutions and policies, and that law enforcement officials at all levels receive systematic and mandatory training on fundamental and human rights, including anti-discrimination and hate speech/crime, and that the content and quality of such training is regularly reviewed.<sup>31</sup>

28. OSCE-ODIHR recognized that, in respect of the 2020 Hate Crime Report, Finland's efforts to improve its hate crime recording, data collection mechanisms, and local cooperation practices, as well as the submitted information on police records. However, OSCE-ODIHR also observed that Finland would benefit from raising the awareness and building the capacity of its criminal justice officials about hate crimes.<sup>32</sup>

#### *Administration of justice, including impunity, and the rule of law*

29. JS2 recommended Finland to ensure effective and prompt investigation and prosecution of hate crime; review existing legislation concerning hate crime to ensure compliance with international standards; and that hate speech and racist and xenophobic discourse, including by public figures, is addressed and firmly condemned by the authorities.<sup>33</sup>

30. JS2 recommended carrying out an independent investigation into the lawfulness of the register of persons of Roma origin and ensure its follow-up.<sup>34</sup>

31. Kadotetut observed that child protection cases were dealt with in an administrative court, where a fair trial could not take place in the current situation, and that the Child Welfare Authority produced its own documentation for the process, by writing and presenting its own output as evidence. Kadotetut stated that the inequality of the parties to the proceedings was obvious. Kadotetut noted that the system of expert members of the administrative court should be clarified as a matter of urgency, since experts have a social background but exercise judicial power.<sup>35</sup>

#### *Fundamental freedoms*

32. AKL, also known as the *Union of Conscientious Objectors*, stated that Finland had compulsory conscription for males and that conscripts must serve either 165, 255 or 347 days. If a conscript averred that serious reasons of conscience founded on conviction prevented him from carrying out the military service, they could apply for 347 day-long alternative civilian service (non-military service) in the call-ups or during the military service. AKL stated that applications to non-military service must be accepted automatically by the law.<sup>36</sup>

33. AKL observed that conscientious objectors who refused to perform both military service and non-military service were called "total objectors" and sentenced to imprisonment for a period corresponding to half of their remaining non-military service time. Maximum imprisonment period is 173 days. Since 2013, total objectors have had the chance to apply to perform monitoring sentences.<sup>37</sup>

34. AKL recommended that the government reduce the length of alternative civilian service to the shortest (165 days) or average (255 days) duration of the military service along the international human rights standards; ensure that any group or committee considering alternative civilian service for conscientious objectors would not be under military control and abided by international human rights standards; and ensure that in future the non-military service would not be punitive in its nature and duration.<sup>38</sup>

35. AKL and IFOR further advised that sufficient information be provided concerning the possibility of applying for non-military service both in the draft and during the military

service; that all conscientious objectors in prisons or in monitoring sentence be released; and that any other forms of punishment of conscientious objectors be abolished.<sup>39, 40</sup>

36. IFOR observed that the insufficient and sometimes biased information that young men received during or prior to being recruited implied that conscripts did not receive sufficient information on alternatives to the military service.<sup>41</sup>

37. CPTI recommended the government to reverse the decision to impose the same alternative service requirements on Jehovah's Witnesses; reduce the duration of the alternative service required until it is equal to the basic period of military service; and provide options, which are completely independent of the national security apparatus and compatible with all grounds for objection.<sup>42</sup>

38. CPTI further recommended that Finland remove from its legislation any possibility of imprisonment for "total objectors" who refuse both military service and the alternative service available.<sup>43</sup>

39. Elonvaalijat proposed that the government re-evaluate the powers of police to oversight into the funding activities of NGOs and ensure that there is proper external investigation system into cases where the police were alleged to have used their oversight powers suspiciously. Elonvaalijat encouraged Finland to take example from countries that have introduced the so called 'civilian control model' that allows external agencies to conduct independent investigations of police and use of significant powers such as arranging compulsory hearings and conducting covert surveillance. The external agency will allow police officers to more freely reveal internal misconduct and deter against clearly partial behaviour.<sup>44</sup>

40. Effi recommended that Finland refrain from arbitrarily applying its fundraising law, selectively denying fundraising licences to NGOs, and abusing civil lawsuits, as a means of shutting down public participation, debate and critical human rights advocacy; abolish restrictive sections of the Money Collection Act that currently impose an excessive burden on NGOs seeking to raise funds for their public interest work; and remove the National Police Board of Finland and local police departments as arbiters who get to decide who is or is not allowed to raise funds, and allow fundraising activities with just notification.<sup>45</sup>

41. Effi stated that Finland had an obligation to facilitate the exercise of the rights of freedom of expression, peaceful assembly and association, which included a duty to establish and maintain an enabling environment in which civil society can operate freely and without fear that they may be subject to harassment, including legal harassment, when carrying out their work.<sup>46</sup>

42. JS1 observed that the Evangelical Lutheran Church of Finland and the Orthodox Church of Finland enjoyed privileged status under law in relation to the State. According to Article 76 of the Constitution, the parliament may approve amendments to the Church Act only by proposal of the Church Assembly of the Evangelical Lutheran Church. JS1 proposed that the special status of the Finnish Evangelical Lutheran Church and the Finnish Orthodox Church in relation to the Finnish state should be eliminated. JS1 claimed that all citizens should be treated equally, regardless of religion or belief, with respect for freedom of religion, perspective and conscience and that this required legislative amendments.<sup>47</sup>

43. JS1 stated that the criminalization of blasphemy curtailed freedom of speech and called on the government to withdraw the law.<sup>48</sup>

44. While blasphemy is included in the criminal code in Finland, the nation cannot fully intervene in religious-based human rights violations in international institutions. The interpretation of blasphemy laws in various countries is highly arbitrary.<sup>49</sup>

#### *Right to marriage and family life*

45. According to ILAry, Finland might not be fully complying with articles of the European Convention on Human Rights and possibly of the UN Convention on the Rights of the Child, when it came to shared parenting after divorce.<sup>50</sup>

46. PPRY considered that both the courts as well as the social workers in charge of protecting children were biased, resulting in an exceptionally high number of fathers being

alienated from their children. It also claimed that the methodology for making these decisions were based on arbitrary and non-transparent criteria.<sup>51</sup>

47. MJKL referred to data showing, insufficient recognition for fatherhood and unfair treatment of fathers in custody matters.<sup>52</sup>

*Prohibition of all forms of slavery, including trafficking in persons*

48. JS2 stressed that the new Action Plan against Trafficking in Human Beings (2021) defined important measures to tackle labour exploitation, including awareness raising among both public authorities and private businesses. However, the access of victims of labour exploitation to legal protection is limited because they are not always recognized as victims of human trafficking, to whom a specific assistance system is provided.<sup>53</sup>

49. Demla ry urged Finland to allocate sufficient resources to the prevention of discrimination, exploitation and human trafficking, and ensure due investigations of exploitative and human trafficking cases.<sup>54</sup> Demla ry asked to enhance the services of victims of human trafficking.<sup>55</sup>

50. OSCE-ODIHR found that the relevant Finnish legal framework to combat human trafficking was is generally respecting international legal standards and recommendations.<sup>56</sup>

51. OSCE-ODIHR recommended Finland to improve the definition of “trafficking in human beings” found in the Criminal Code of Finland in line with the latest guidance provided in the UNODC Model Legislative Provisions Against Trafficking in Persons; ensure that trafficking committed by all public officials in the performance of their duties constitutes an aggravating circumstance; refrain from passing information about victims to the law enforcement authorities until the recovery and reflection period is completed, unless strictly necessary, in narrowly defined situations; and establish a clear national referral mechanism with a system of victim identification by law enforcement authorities and social services providers for assistance and support purposes.<sup>57</sup>

*Right to social security*

52. JS2 observed that the government had appointed a Parliamentary Committee to implement social security reform over two electoral terms (2020-2027), providing a crucial opportunity to amend the structural problems preventing people from fully enjoying their social and economic rights. However, this required a strong commitment from the state to developing the system in line with its human rights obligations.<sup>58</sup>

53. JS2 called on the government to ensure that the ongoing Social Security reform is based on a thorough human rights impact assessment that gives particular emphasis to the situation of the groups at most risk of poverty, marginalization and discrimination, and provides for specific measures to mitigate it.<sup>59</sup>

*Right to an adequate standard of living*

54. FW observed that basic social security has not been raised to an adequate level, and that inadequate provision of social security benefits meant some people went without sufficient food, medicine or health care because of a lack of financial resources.<sup>60</sup>

55. JS2 stated that, formally, the Finnish law treated national and foreign workers equally. However, insufficient attention was given to the vulnerable position of migrant workers, such as seasonal workers in agriculture, who were susceptible to exploitative practices due to their weak language skills and legal awareness, as well as fear of retaliation, loss of income or residence. Excessively low pay as well as withholding of wages by the employers had been reported.<sup>61</sup>

56. According to JS2, a particularly vulnerable group were the wild berry pickers, mainly from Thailand or Ukraine. Considered self-employed or entrepreneurs, they were excluded from the protections of the labour law. While the new Act on the Legal Status of Foreigners Picking Natural Products (2021) prohibits, for instance, charging of recruitment fees and excessive costs for accommodation, it is unclear how the law will be enforced in practice.

The law also failed to guarantee a minimum level of income that would prevent exploitative practices.<sup>62</sup>

#### *Right to health*

57. SOS Children called on the government to ensure the active and meaningful participation of children and young people, especially vulnerable groups, in the implementation of health and social services reform, by involving them in the planning and delivery of the services, to which they are entitled, under the wellbeing services counties. It also urged to collaborate with and support civil society organizations working with and for children in vulnerable situations, such as children in alternative care.<sup>63</sup>

58. JS2 stated that primary healthcare services were not equally available and accessible throughout the country. Important regional differences existed in the availability of mental health services and preventive care was insufficient. The situation of mental health care for children and youth was particularly alarming and was exacerbated by the Covid-19 pandemic. JS2 called on the government to reinforce universal and low-threshold basic-level mental health services, including preventative services for children and young people.<sup>64</sup>

59. JS2 stressed that there was no legislation securing undocumented migrants' access to health care beyond emergency health services, to which their access was limited in practice due to service fees. JS2 called on the government to amend legislation in order to secure necessary, cost-free healthcare services for all undocumented migrants.<sup>65</sup>

#### *Right to education*

60. BCN stressed the need to provide human rights training to teachers, including on prevention of exclusion of pupils, as well as the need for diminished discrimination against people, particularly students from migrant backgrounds, and for diminished racism and xenophobia such that teachers pay particular attention to students from secluded groups and are provided with adequate training to do so.<sup>66</sup>

61. BCN also urged the government to change the curricula so as to no longer provide a Euro-centric education,<sup>67</sup> provide adequate support for children from low socioeconomic classes<sup>68</sup> and urgently secure accessibility for children with disabilities in all schools.<sup>69</sup>

62. JS2 advised the government to reform the teacher training curricula to include more comprehensive and up-to-date human rights education, in line with international and regional standards.<sup>70</sup>

63. SCFinland recommended the government to provide guarantees that human rights education and equality and non-discrimination plans in all educational institutions include systematical monitoring and coherent actions against racism and discrimination and promotion of equality of vulnerable groups of children, including LGBTIQ+ children and youth.<sup>71</sup>

#### *Development, the environment, and business and human rights*

64. FW stated that Finland had not used all the means at its disposal to ensure that taxation was fair and progressive, but it has taken steps to the maximum of its available resources to ensure the realization of economic, social and cultural rights. It suggested to significantly increase tax revenues, by closing the loopholes that allow tax evasion, in line with the recommendations of experts.<sup>72</sup>

## **2. Rights of specific persons or groups**

### *Women*

65. FW informed that, although Finland was committed to the Istanbul Agreement, as raised during the last UPR, adequate resources for the action plan to reduce violence against women had not been provided. Its response to gender-based violence remained systematically under-resourced.<sup>73</sup>

66. Demla ry recommended that the government carry out a close scrutiny of the resources needed to secure sufficient places in shelters as well as the provision of other forms of support and social services for victims of violence against women; provide training for the police and other officials to identify victims and make preventive actions efficiently; and ensure due process for victims.<sup>74</sup>

67. Demla ry considered that Finland's human rights obligations would be best fulfilled, by enacting a separate criminalization provision in the Penal Code criminalizing forced marriage, in which all the special features of forced marriage can be fully considered.<sup>75</sup>

68. Demla ry emphasized that the victims of forced marriage often found themselves in a vulnerable and subordinate position, so the mere provision criminalizing forced marriage was not a sufficient reform to help victims of forced marriage and improve legal protection.<sup>76</sup>

69. CoE recommended Finland to enhance the application of a gendered perspective in the implementation of the Istanbul Convention, including its provisions in relation to domestic violence; take measures to ensure that the provisions of the Istanbul Convention are implemented without discrimination and develop a long-term coordinated plan placing the rights of victims at the centre of all measures to implement the Istanbul Convention in its entirety, giving due importance to all forms of violence against women.<sup>77</sup>

### *Children*

70. SC Finland recommended the government to prohibit the detention of children in migration, by developing alternatives to detention for children and their family members<sup>78</sup>; minimize the barriers of family reunification<sup>79</sup>; and tackle child poverty by providing families with employment and sufficient financial resources and social security.<sup>80</sup>

71. SOS CV Finland recommended the government to ensure that children's rights and child-friendly policies would be at the centre of the health and social services reform, so that children and families in vulnerable situations would not be excluded and could benefit from high-quality services.<sup>81</sup>

72. SOS CV advised the government to make legal protection practices for children and young people clearer, more accessible and more effective as part of the health and social services reform to ensure that children, particularly those in vulnerable situations, had easy access to legal protection services and were adequately informed about them.<sup>82</sup>

73. Voimakivi stated that there were 18,928 children and adolescents separated from their families and living in alternative care during 2019, according to public health agency, and that there has been steady growth of emergency and foster care placements of children in Finland during the past 30 years.<sup>83</sup>

74. Voimakivi stated that although foster care was sometimes needed, it had become a huge business in recent years and that, a consequence of this phenomenon had been a distortion of the child protection field and the ethics of the decision-making.<sup>84</sup>

75. Voimakivi raised concerns over the emergency placements of children, which it claimed were sometimes used in situations that could have been solved by milder actions, including by supporting and guiding families at homes or providing them adequate health care services.<sup>85</sup>

76. Kadotetut observed that the Ombudsman for Children had submitted a report to Parliament on the status of children and the realization of their rights in Finland in 2018–2021, and spoke about violence against children, but did not mention violence against placed children, suicides, ill-treatment of families with children. The launch of a review of the current status of substitute care should be an urgent matter for the government, and the Ombudsman for Children should defend all children, particularly vulnerable children in substitute care.<sup>86</sup>

77. CoE urged Finland to take the necessary legislative or other measures to set up or designate mechanisms for data collection or focal points at national or local level and in collaboration with civil society, for the purpose of observing and evaluating in terms of quantitative data collection the phenomenon of the sexual exploitation and sexual abuse of children in general and child sexual abuse committed in the circle of trust, in particular.<sup>87</sup>



78. CoE considered that Finland should set up a national or local system for recording case-based data for child sexual abuse in the circle of trust cases in the various sectors liable to come into contact with children victims in such instances; such administrative data collection systems should be implemented allowing to compare and cross-check the data thus collected at national level and avoid duplication.<sup>88</sup>

#### *Older persons*

79. JS2 observed that the availability of residential care for the elderly was insufficient and the access was limited due to high costs. Significant shortcomings in some privately-owned residential care homes forced the authorities to close units. The passing of a law that set a minimum of 0.7 employees per resident in intensified residential and long-term institutional care was a welcome advance. Yet, resources needed to be directed to monitoring the quality of care and treatment, in addition to the numerical requirement. JS2 called on the government to allocate sufficient resources to monitor the residential care of the elderly, in terms of both quality and quantity.<sup>89</sup>

#### *Persons with disabilities*

80. JS2 stated that authorities, education providers, employers and providers of goods and services were required to provide reasonable accommodations as needed. The denial of such accommodations constituted discrimination under the Non-Discrimination Act. However, the definition of reasonable accommodation was interpreted so narrowly that it failed to properly reflect the requirements of the CRPD.<sup>90</sup>

81. JS2 observed that among persons with intellectual disabilities, only 3 percent (400–500 out of 25,000) participated in paid employment. In government policy, persons with disabilities tended to be seen as receivers of social benefits instead of potential labour market participants, and few municipalities offered supported employment and job coaching services, which would enable entry to paid employment for people with disabilities.<sup>91</sup>

82. JS2 found that thousands of people with intellectual disabilities in Finland worked in integrated sheltered employment, which was performed in municipality-run sheltered workplaces, or in regular workplaces. This type of work was not based on an employment contract and instead of a salary, the participants received an incentive pay of on average €5 per day. They lacked work-related legal entitlements such as annual and sick leave, pension and occupational health care.<sup>92</sup>

#### *Indigenous peoples*

83. JS2 recommended the government to implement the linguistic and cultural rights of the Sami, including by providing education and early education, and health and social services in the Sami languages, also for people with disabilities and elderly people, within the Sami homeland as well as outside of it; and to secure financial and other means for continued psychosocial support for Sami people during and after the Truth and Reconciliation process.<sup>93</sup>

#### *Lesbian, gay, bisexual, transgender and intersex persons*

84. JS3 recommended that the government establish a comprehensive action plan for protection of the fundamental and human rights of LGBTIQ+ people in Finland and provide sufficient resources for the implementation of the plan. The action plan should identify responsible authorities and the implementation of the plan must be monitored.<sup>94</sup>

85. JS3 recommended the government to strengthen dialogue and cooperation between the police and LGBTIQ+ organizations to enhance trust and remove barriers from reporting incidents; and include data collection development and research about LGBTIQ+ people's lives in the comprehensive action plan for protection of the fundamental and human rights of LGBTIQ+ people.<sup>95</sup>

86. SCFinland called on the government to acknowledge the rights of the most vulnerable children, including LGBTIQ+ children, and proceed with a comprehensive national action plan focusing on the rights and protection of LGBTIQ+ people, including children.<sup>96</sup>

87. Demla ry considered that legal recognition of gender should also be provided for minors in order to implement the rights of the child and to strengthen the principles of the best interests of the child and the right to self-determination. Changing gender information in the population register has an absolute value for a person who do not feel that their sex at birth corresponds to their own experience of gender. Gender should be a mere notification question based on a person's own experience of gender.<sup>97</sup>

*Migrants, refugees and asylum-seekers*

88. Demla ry observed that there was a large number of undocumented people in Finland, including children, whose asylum process had not meet the requirements of a due process. Several studies concluded that the decisions of the Finnish government in 2015 and 2016 dismantled the Finnish asylum procedure in a way that led to serious human rights violations. Several changes were made to the Aliens Act and legal security was reduced, with dramatic consequences. Humanitarian protection was removed from the Aliens Act and the legal protection of asylum seekers was weakened by changing the provisions on legal aid.<sup>98</sup>

89. Demla ry further stated that there was political pressure on the activities of independent authorities, which resulted in a situation where the cases were not investigated individually according to the law. This was a major violation not only to the applicants' legal protection, but also to the entire state of rule of law in Finland. The government had taken steps and made corrections to the provisions of legal aid of asylum seekers. Demla ry considered that the residence of those who arrived in Finland before 2017 and were still without a residence permit should be formalized by a separate law.<sup>99</sup>

90. Demla ry urged the government to ensure better protection of immigrant groups that were vulnerable to exploitation.<sup>100</sup>

91. Demla ry stated that there was an urgent need for prompt actions to secure the protection of vulnerable immigrant groups.<sup>101</sup> for new legislative acts to secure the rights of platform economy workers who in Finland were mainly immigrants; and to ensure the implementation of non-discrimination law especially in the Finnish labor markets.

*Notes*

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org) (one asterisk denotes a national human rights institution with A status).

*Civil society*

*Individual submissions:*

CPTI-IFOR	Conscience and Peace Tax International, Grand Lancy, (Switzerland);
AI	Amnesty International, London (United Kingdom);
AKL	Aseistakieltäytyjäliitto, Helsinki,(Finland);
BCN	The Stichting Broken Chalk, Amsterdam, (Netherlands);
Civix	Civix, Multia (Finland);
Demla ry	Oikeuspoliittinen yhdistys Demla ry - Legal policy association in Finland, Helsinki (Finland);
ECLJ	European Centre for Law and Justice, Strasbourg (France);
Effi,	Electronic Frontier Finland, Vantaa, (Finland);
Elonvaalijat	Elonvaalijat ry, Helsinki (Finland);
FW	Finnwatch ry, Helsinki,(Finland);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva, (Switzerland);
IFOR	International Fellowship of Reconciliation, Utrecht (Netherlands);
ILAry	Isat lasten asialla Assoc., Helsinki (Finland);
Kadotetut lapset	Kadotetut lapset, Kerava (Finland);
MJKL	Miesjärjestöjen keskusliitto ry, Helsinki (Finland);
PPRY	Perheiden Parhaaksi Ry, Espoo (Finland);
SC Finland	Save the Children Finland, Helsinki (Finland);
SOS CV Children	SOS Children's Villages Finland, Helsinki (Finland);
Voimakivi ry.	Lapsiperheiden tuki Voimakivi ry, Helsinki (Finland);

VAL ry	The Union of Freethinkers of Finland, Helsinki (Finland).
<i>Joint submissions:</i>	
JS1	<b>Joint submission 1 submitted by:</b> VAL ry, The Union of Freethinkers of Finland, Helsinki (Finland);
JS2	<b>Joint submission 2 submitted by:</b> FIDH, International Federation for Human Rights, Paris (France);
JS3	<b>Joint submission 3 submitted by:</b> Seta, Trasek Coalition of NGO's for UPR- Finland, Helsinki (Finland).

*National human rights institution:*

The Centre Finnish Human Rights Centre, Helsinki (Finland).

*Regional intergovernmental organizations:*

CoE The Council of Europe, Strasbourg (France);

OSCE-ODIHR Office for Democratic Institutions and Human Rights/Organization for Security and Co-operation in Europe, Warsaw (Poland).

<sup>2</sup> See A/HRC/36/8 and A/HRC/36/8/Add.1, and A/HRC/36/2.

<sup>3</sup> The Centre, para. 1.

<sup>4</sup> The Centre, para. 3.

<sup>5</sup> The Centre, para. 13.

<sup>6</sup> The Centre, paras. 32–33.

<sup>7</sup> The Centre, para. 24.

<sup>8</sup> The Centre, para, 27.

<sup>9</sup> The Centre, para. 14.

<sup>10</sup> The Centre, para. 15.

<sup>11</sup> The Centre, para. 17.

<sup>12</sup> The Centre, para. 31.

<sup>13</sup> The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

<sup>14</sup> JS2, para. 2.4.

<sup>15</sup> ICAN, p. 1.

<sup>16</sup> JS2, para. 1.1.

<sup>17</sup> CoE, p. 8.

<sup>18</sup> JS2, para. 2.2.

<sup>19</sup> JS2, para. 2.2.

<sup>20</sup> JS2, para. 2.4.

<sup>21</sup> SCFinland, para. 4.2.1.

<sup>22</sup> JS2, para. 4.3.

<sup>23</sup> JS3, pp. 2, 3.

- 24 JS2, para. 1.1.
- 25 JS2, para. 1.2.
- 26 BCN, para. 21.
- 27 Demla ry, para 7.
- 28 Demla ry, para. 7.
- 29 JS2, para. 2.
- 30 JS2, para. 2.
- 31 JS2, para. 2.1.
- 32 OSCE-ODIHR, para. 12.
- 33 JS2, para. 2.1.
- 34 JS2, para. 2.3.
- 35 Kadotetut, p. 5.
- 36 AKL, para. 3.
- 37 AKL, para. 19.
- 38 AKL, para. 30.
- 39 AKL, para. 30. See also IFOR, p. 9.
- 40 IFOR, p. 9.
- 41 IFOR, pp. 4–5.
- 42 CPTI-IFOR, p. 5.
- 43 CPTI-IFOR, p. 5.
- 44 Elonvaalijat, pp. 5–6.
- 45 Effi, p. 5.
- 46 Effi, p. 5.
- 47 JS1, pp. 1–2.
- 48 JS1, p. 2.
- 49 JS1, p. 2.
- 50 ILAry, p. 1. See also PPRY, p. 3.
- 51 PPRY, p. 1.
- 52 MJKL, para. 23.
- 53 JS2, para 4.3
- 54 Demla ry, para. 7.
- 55 Demla ry, para. 7.
- 56 OSCE-ODIHR, p. 2.
- 57 OSCE-ODIHR, p. 2.
- 58 JS2, para. 4.1.
- 59 JS2, para. 4.1.
- 60 FW, para. 7.
- 61 JS2, para. 4.3
- 62 JS2, p. 10.
- 63 SOS Children, p. 6.
- 64 JS2, para. 4.2.
- 65 JS2, para. 4.2.
- 66 BCN, para. 21.
- 67 BCN, para. 21.
- 68 BCN, para. 27.
- 69 BCN, para. 28.
- 70 JS2, para. 1.2.
- 71 SCFinland, para. 2.2.
- 72 FW, para. 8.
- 73 FW, para. 7.
- 74 Demla ry, para. 5.
- 75 Demla ry, para. 1.
- 76 Demla ry, para. 2.
- 77 CoE, p. 6, “Istanbul Protocol” annex.
- 78 SCFinland, para. 5.2.1.
- 79 SCFinland, para. 2.2.3.
- 80 SCFinland, para. 6.2.1.
- 81 SOS CV Finland, p. 6.
- 82 SOS CV Finland, p. 6.
- 83 Voimakivi ry, p. 1.
- 84 Voimakivi ry, p. 1.
- 85 Voimakivi ry, p. 1.

- <sup>86</sup> Kadotetut, p. 6.  
<sup>87</sup> CoE, p. 8.  
<sup>88</sup> CoE, p. 8.  
<sup>89</sup> JS2, para. 4.2.  
<sup>90</sup> JS2, para. 2.  
<sup>91</sup> JS2, para. 4.3.  
<sup>92</sup> JS2, para. 4.3.  
<sup>93</sup> JS2, para. 2.4.  
<sup>94</sup> JS3, para. 1.  
<sup>95</sup> JS3, p. 3.  
<sup>96</sup> SCFinland, para. 2.2.3.  
<sup>97</sup> Demla ry, para. 11.  
<sup>98</sup> Demla ry, para. 9.  
<sup>99</sup> Demla ry, para. 9.  
<sup>100</sup> Demla ry, para 7.  
<sup>101</sup> Demla ry, para 7.
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