



Åland's implementation of the UN Convention on the Rights of Persons with Disabilities, CRPD

- Reporting prior to Finland's initial report
Year 2018

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Introduction

The Åland Parliament gave, on 27 May 2015, its consent to the Act on the Implementation of the provisions of the UN Convention on the Rights of Persons with Disabilities and its facultative protocols which belong to the field of legislation, for them to enter into force in Åland.

Åland has, through Finland's ratification of the Convention on 10 June 2016, committed itself to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities. No laws, procedures or provisions may go against the provisions of the Convention. The key principle of the Convention is the prohibition of discrimination.

On 3 April 2018 the Ministry for Foreign Affairs, Unit for Human Rights Courts and Conventions of the Legal Service, requested the Åland Government's opinion on the implementation of the Convention on Åland, in particular on the Convention's articles concerning Åland's legislative authority. The States Parties are obliged to make a full report on measures taken to give effect to its obligations under the Convention and on the progress made in that regard within two years after the entry into force of the Convention.

The Social Affairs and Environment Department has prepared this report in cooperation with all the departments within the Åland Government's general administration, underlying authorities and the Åland Council for persons with disabilities. The Council includes, among other things, persons with disabilities, relatives and representatives of persons with disabilities by the interest organisation Åland's Association for Persons with Disabilities. In the appointment of the Council, section 4a of the Act on Equality between Women and Men (1986/609), applicable on Åland in accordance with section 1 of the Åland Act (1989:27) on the Application of Act on Equality between Women and Men, has been taken into account. The Council has, according to established regulations, the task of acting as a cross-sectoral coordination mechanism concerning implementation, monitoring and reporting of the UN Convention on the Rights of Persons with Disabilities. The Åland Non-Discrimination Ombudsman and Children's Ombudsman and Save the Children in Åland have also had the possibility to participate in the reporting.

The report describes, in accordance with article 35.1 of the Convention, and the guidelines drawn up by the Committee, how human rights are promoted and protected in Åland with focus on persons with disabilities. The report outlines the measures taken, and the challenges identified, to clarify how the legislation within Åland's authority and other conditions of Åland relate to the Convention.

The report is based on the *Guidelines on treaty-specific document to be submitted by states parties under article 35, paragraph 1, of the Convention on the Rights of Persons with Disabilities* and Åland's legislative authority under the Act on the Autonomy of Åland (ÅSS 1991:71).

I. General provisions

Article 1 Purpose and Article 2 Definitions

The terms *disability*, *accessibility*, *universal design*, *discrimination on the basis of disability*, *communication*, as well as, *language* have, by the Åland Government, been given the following meaning in Åland.

In *An available Åland – action programme for the Åland Government’s disability policies for the years 2017–2020*, it is shown that functional capacity may vary in an individual throughout life as a result of accidents, illnesses or old age. There may also be birth defects or diseases which affect functional capacity. These variations in functional capacity are called disabilities and it may be a matter of reductions of physical, psychological, sensory or intellectual nature. A functional impairment is something that occurs in the individual's environment, a subjective experience of something limiting the individual’s possibility of participation. Functional impairments can be prevented and removed by changing the environment and surroundings. The term accessibility emanates from;

- *Physical accessibility* – the indoor and outdoor environment should be accessible for persons with reduced mobility and orientation ability.
- *Communicative accessibility* – the environment should be supplemented where necessary by assistive device, for example by a hearing loop.
- *Informative accessibility* – the citizens should be able to take part of information, for example, easy-to-read texts.
- *Psychosocial accessibility* – negative attitudes and a lack of response can be a major obstacle.

In the *Åland Government’s programme for a sustainable Åland - Mobilisation for stability and change (2015–2019)* it is shown that accessibility and universal design are matters of finding solutions for buildings, products and environments that are accessible for everyone, a question of democracy which is based on the UN Convention on the Rights of Persons with Disabilities.

The Åland Government and Åland Parliament joined, during the year 2014, for a common effort towards a fully sustainable Åland by the year 2051. The process of the development of a *Development and sustainability agenda for Åland* coincided with the UN Member States deciding on *Agenda 2030*, with 17 global sustainable development goals. In the Åland agenda, strategic development objective 2 specifies that "Society in 2030 is accessible for everyone, and both residents and visitors with some form of disability are taken into account in all areas of society. Influence and participation in all urban planning, planning and design of physical structures are highly prioritised, in a continuous and inclusive dialogue".

In 2017, the Åland Government adopted a *Communication Strategy for the Government of Åland's general administration*. The communication strategy contains the foundational values for the general administration of the Government of Åland. The goal for all communication is that the Åland Government both internally and externally must be prepared to actively, correctly, fast and accessibly inform of its work and present decisions and measures in their practical, political and historical contexts. The one communicating the issue must be credible, open and honest. Both language and content should be easily accessible and easy to understand. Communication and information must always emanate from the target group and, therefore, be adapted to it. The Åland Government's external communication shall improve the conditions for a functioning democracy where the rights of the citizens are met and business conditions for companies and organisations are created.

There is no separate language legislation in Åland that defines what is meant by *language*. Chapter 16 in the Act on the Autonomy of Åland (ÅSS 1991:71) includes language provisions in Åland. Section 2 in the Child Welfare Act for Åland (ÅSS 2011:86) provides for language within childcare operations conducted under municipal management. Among other things, the activities shall support children with a mother tongue other than Swedish and give all children a good basis for their cultural and linguistic identity. The Basic Education Act (ÅSS 1995:18) for Åland provides in section 17 on the teaching language in primary school. Students with a mother tongue other than Swedish shall, if possible, obtain temporary support education in their mother tongue. For hearing impaired students sign language can be used in teaching. The right for a resident of Åland to obtain interpretation service can be ensured by the Act on Interpretation Services for Persons with Disabilities (133/2010) which applies through the Åland Act (ÅSS 2010:99) on the Application in Åland of the Act on Interpretation Services for Persons with Disabilities. In the Act, interpretation refers to mediation of messages in sign language or with another method which clarifies the communication; the mediation of messages can be made between two languages or languages internally, when a method which supplements or clarifies the communication is used.

In 2017, the Åland Parliament adopted a revision of the Plan and Building Act for Åland (ÅSS 2008:102). The Plan and Building Act consists, therefore, of a definition of universal design according to section 2, 15) universal design: planning and execution which is pervaded by designs made for universal accessibility and usability which includes solutions for buildings, infrastructure and environment that shall be useful for everyone. Section 39 clarifies how easily remedied obstacles can be remedied: an obstacle to accessibility or usability in a public area shall always be remedied if the obstacle, taking into account the practical and economic conditions, is easy to remedy. Detailed provisions on the practical and economic conditions shall be assessed may be given in Åland regulations.

Åland is subject to a shared legislative authority concerning anti-discrimination legislation. According to section 5 of the Åland Act (ÅSS 2005:66) on the Prevention of Discrimination in Åland, discrimination on the grounds of racial or ethnic origin, religion or other belief, disability

or sexual orientation is prohibited in professional provision of goods and services, including housing, relating to activities within Åland's authority. If there is a possibility of discrimination in private employment relationships on Åland, one must notify the national authorities. Discrimination means that a person is treated less favourably than another in a similar comparable situation. Ethnic origin, religion or other belief, sexual orientation, gender, age or disability may not affect the possibility for a person to participate in society. According to the law, there are different forms of discrimination;

- Direct discrimination
- Indirect discrimination
- Lack of accessibility
- Harassment and sexual harassment
- Instructions to discriminate

During 2017, the Åland Council for persons with disabilities, the Åland Non-Discrimination Ombudsman and the Åland Government noted shortcomings in Åland's discrimination legislation. In order to comply with the UN Conventions provision and in order to promote the development of the individual's right to equal treatment on Åland, *failure to make reasonable accommodations* should be introduced as grounds for discrimination in the Åland Non-Discrimination Act.

The Act on Services and Assistance for the Disabled (380/1987), is applied in Åland through the Åland Act (ÅSS 2010:50) on the Application in Åland of the Act on Services and Assistance for the Disabled, which gives persons with disabilities special rights to service and economic remunerations. The act defines a person with disabilities as one who, as a result of injury or illness for long periods of time, has special difficulties in coping with the functions related to normal life. The definition of severely handicapped distinguishes itself in the law in connection to the rights to the different forms of service.

The Act on Special Care for Persons with Intellectual Disabilities (519/1977), is applied in Åland through the Åland Act (ÅSS 1978:48) on the Application of the Act on Special Care for Persons with Intellectual Disabilities. The act contains provisions on special care for persons whose development or mental functioning have been inhibited or disrupted by a congenital or developmental illness or disability and who cannot receive the services they need by virtue of any other Act.

In the Åland legislation, the concept is used as *persons with disabilities* or *handicaps*, *handicapped* or *severely handicapped*. The old concepts are retained in the laws pending that the new are progressively introduced.

Article 3 General principles and Article 4 General obligations

The overall basic idea in Åland's disability policy work is that all people, regardless of disability, should be able to participate in society with equitable living conditions and have their human rights met.

The Government of Åland is responsible for governing a wide range of community building functions, from IT-issues and digitalisation to public transportation, building production, labour markets, basic education and studies, culture, sport, social care, environmental work, healthcare, industry, tourism, fiscal and procurement issues. As the disability policy work on Åland is considered from a larger perspective, certain comprehensive development areas can be discerned. These areas represent basic requirements that need to be promoted and consolidated in order for disability policy development work to achieve success;

- ✓ Education, training and skills development (internal focus)
- ✓ Communication and dissemination of knowledge (external focus)
- ✓ Networking and cooperation
- ✓ Digitalisation and accessibility
- ✓ Development of physical accessibility
- ✓ Development of service and support measures
- ✓ Improved legislation and regulatory documentation
- ✓ Effective supervision and monitoring

The Government of Åland has the basis structure for conducting disability policy by adopting cross-sectoral action plans. During 2017, *An accessible Åland – action programme for the Government of Åland's disability policies for the years 2013-2016 From words to action - final report* was evaluated. It can be noted that a number of cross-sectoral measures were taken during the programming period 2013–2016. The Government of Åland adopted in 2017 *An accessible Åland – action programme for the Government of Åland's disability policies for the years 2017–2020* which includes 39 content areas and a total of 84 measures related to specific articles in the UN Convention. Among other things, a measure on articles 3 and 4 concerns clarifying the possibility of social responsibility and accessibility requirements in the public procurement law of Åland.

In 2007 and 2010 Statistics and Research Åland, ÅSUB, has on behalf of the Discrimination ombudsman (DO) conducted a survey on perceived discrimination in the Åland society. The survey's first objective was to identify whether there is perceived discrimination in Åland, and the second objective was to identify the Ålanders' awareness of the legal protection against discrimination, as well as to see if there has been any changes regarding these issues between the years 2007 and 2010. The results of the survey can serve as a basis for comparison with future studies on the effects of the progress made due to the ratification of the UN Convention on the Rights of Persons with Disabilities.

An important factor for achieving the objectives of the disability policy is an ongoing dialogue with the civil society, which is of great importance for the design of policy and plays an important role in identifying and drawing attention to problems. The Social Welfare and Environment Department of the Government of Åland granted in February 2018 a total amount of €1,520,503 raised through gaming operations as support for social non-profit activities and to associations and unions whose tasks include, among other things, monitoring and acting in disability issues. Another € 90,000 in support funds have been granted for enabling innovative activities and evaluating and developing activities/models for promoting mental health among the elderly in Åland.

In 2016 the Government of Åland evaluated *the Åland Disability Council's* role in connection with the evaluation of Åland's execution of articles 33 and 35 of the UN Convention. On 29 November 2016, the Government of Åland decided to reform the Disability Council through the adoption of a regulation for an *Åland Council for persons with disabilities*. The new council shall act as coordination mechanism for Åland in regards to implementation, monitoring mechanism and support reporting on the UN Convention on the Rights for Persons with Disabilities in order to facilitate affiliated operations within different sectors and on different levels. The objective of the Government of Åland is to work across sectors, so that each department knows its special responsibility. The new Council shall consist of representatives of disability organisations, the municipal association of Åland, Mariehamn's town, Åland Public Healthcare Services (ÅHS), Åland Labour Market and Student Service Authority (AMS), as well as a representative from each department within the Government of Åland's general administration (Department of Trade and Industry, Government Office, Department of Infrastructure, Department of Finance, Department of Education and Culture, as well as the Social Affairs and Environment Department).

Åland is well -suited to meet the requirements of the Convention, but there are areas where work remains to be done before the objectives and requirements can be considered met. This includes, among other things, the obligations contained in article 9 on accessibility. Living up to the provisions of the Convention requires an ongoing work to ensure their implementation in the preparation of new legislation.

II. Specific provisions

Article 5 Equality and non-discrimination

According to section 5 of the Åland Act (ÅSS 2005:66) on the Prevention of Discrimination in Åland, discrimination based on racial or ethnic origin, religion or other belief, disability or sexual orientation is prohibited in the professional provision of goods and services, including housing, relating to activities within Åland's authority. If there is a possibility of discrimination in private employment relationships on Åland, one must notify the State authorities as the

area is within the power of the State. Discrimination means that a person is treated less favourably than another in a similar comparable situation. Ethnic origin, religion or other belief, sexual orientation, gender, age or disability may not affect the possibility for a person to participate in society. According to the section 2 of the Act different forms of discrimination are defined;

Direct discrimination is considered to occur when one person is treated less favourably than another person is treated, has been treated or would be treated in a comparable situation.

Indirect discrimination is considered to occur when an apparently neutral provision, or an apparently neutral criterion or practice puts a person at a particular disadvantage compared with other persons, unless that provision, criterion or practice has an acceptable aim, and the means used are appropriate and necessary for achieving this aim.

Harassment is considered to occur in the deliberate or de facto infringement of the dignity and integrity of a person or group of people by the creation of an intimidating, hostile, degrading, humiliating or offensive environment.

The Non-discrimination Act prohibits discrimination as follows;

section 3. *Prohibition of discrimination of employees and traders;*

Discrimination based on ethnicity, religion or other belief, disability, age or sexual orientation is prohibited

- 1) in the context of conditions for access to self-employment and to business activities,
- 2) in the context of conditions for access to professional guidance, professional training and retraining, including professional practice, as well as
- 3) in the context of conditions for admission to a public-sector post of the Government of Åland or municipalities or service conditions.

Differential treatment based on age may not be considered discrimination if it can be objectively and appropriately motivated by objectives related to employment policy, labour market or vocational training or some other comparable justified objective.

Differential treatment shall not be considered discrimination if it is founded on a genuine and decisive requirement relation to a specific type of occupational activity and the performance of said activity, on the condition that the objective is justified and the requirement proportional.

Provisions in the Act on the Autonomy of Åland and the Land Acquisition Act for Åland (3/1975), or in acts based on these provisions, concerning requirements of knowledge of Swedish or of the possession of right of domicile in Åland or Finnish citizenship, shall not be considered discrimination according to subsections 1–3.

section 4. *Prohibition of discrimination within healthcare services and social welfare*

Discrimination based on ethnicity, religion or other belief or sexual orientation is prohibited within healthcare services and social welfare.

section 5. *Prohibition of discrimination in education, as well as within the goods and services sector*

Discrimination based on ethnicity, religion or other belief, disability or sexual orientation is prohibited within education, as well as in the professional provision of goods and services, including housing, in relation to activities within Åland's authority.

There is a requirement in the act to take action;

section 6. *Actions for the benefit of employees with disabilities*

The Government of Åland and the municipalities shall, in each specific case, take the necessary actions to enable a person with a disability to, on the same terms as a person without a disability, obtain a service, be active as an employee, participate in further training for employees and be promoted as an employee, unless such actions would impose a disproportionate burden on the employer.

section 7. *Positive discrimination*

The provisions in this Act do not prevent decisions on specific measures aimed at preventing that persons are disadvantaged based on ethnicity, religion or other belief, disability, age or sexual orientation or to compensate for such a disadvantage.

The Office of the Åland Ombudsman shall exercise supervision and shall, according to section 10, ensure that the Åland Non-discrimination Act is complied with. When there is probable cause to believe that someone has committed an act that is punishable in accordance with the provisions in section 13, the Office of the Åland Ombudsman shall report the matter to the public prosecutor. In Åland, the provisions of Chapters 11 and 47 of the Penal Code of Finland (FSS 39/1889) on the penalty for discrimination are applied as they stood when the act entered into force. Changes and new provisions on penalties for discrimination shall be applied from the day they enter into force with respect to the state. If someone, despite comments from the Office of the Åland Ombudsman, does not comply with the Non-discrimination Act, the Office of the Åland Ombudsman may impose the threat of fines so they fulfil their obligations under the Act. Further provisions on fines are found in the Åland Act (ÅSS 2008:10) on the Application in Åland of the Act on Conditional Fines.

ÅSUB's study (2010:9) on the residents' views of the municipalities' operations and organisation demonstrates that the *disability services* received one of study's lowest ratings in regards to *the quality* of the service: A place twelve of 15 and, of the social welfare's studied service areas, the lowest. Many (40%) of the respondents chose not to give an opinion on the disability services. In the open comments it was highlighted that the disability care was not handled uniformly and fairly in Åland, that there should be more assistance in various forms for the persons with disabilities who live at home and that the disability care, in order to ensure equal treatment, should be managed by one organisation in Åland (ÅSUB 2010:9, p. 49–50, p. 56, p. 101, p. 104). In Åland there are currently 16 municipalities that all, separately, provide disability service for their own residents. A coordination exists in Åland on performance of

special care for persons with intellectual disabilities, based on the Åland Act (ÅSS 1978:48) on the Application of the Act on Special Care for Persons with Intellectual Disabilities. The service is provided for the whole Åland by Åland's Care Association.

In October 2013, a law drafting group was established for the coordination social welfare on Åland. During 2014 law drafting work was ongoing concerning the coordination of social welfare on Åland. The Government of Åland developed a financial model and a plan for the realisation of a coordinated social welfare in Åland in a single authority, *the Municipalities' social welfare*, KST. The coordination includes all social services except childcare and care for the elderly. The Åland Act on Municipality Coordinated Social Service entered into force in the beginning of 2016. According to a decision by the Åland Parliament, any eventual solution that the municipalities suggest shall be implemented at the latest by 1 January 2020, if the KST is not organised in the form of a municipality association for the whole of Åland and starts its operations by 1 January 2021. The purpose of a coordinated social service under this Act is to promote equal service, an efficient use of resources, a comprehensive competence and an increased specialisation within the workforce, a greater integrity, a strengthened anonymity and a good legal protection.

The municipal social services shall promote an equivalent level of service to persons with long-term physical, mental, cognitive, intellectual, or sensory disabilities, or a combination of these. That is, an equivalent service shall be offered and received in accordance with individuals with the disability's individual needs, not because of the individual's/target group's specific diagnosis or based on how the disability's appeared.

The Government of Åland has adopted various action programmes to achieve more equality for, among others, persons with disabilities; the *Development and sustainability agenda for Åland*, which coincided with the UN member states adoption of *Agenda 2030*, includes 17 global sustainable development goals; *An accessible Åland 2013–2016* and *An accessible Åland 2017–2020* conduct cross-sector disability policy; the *Communication strategy in 2017*, as well as the *Equality and equal treatment plan in 2018* for the general administration of the Government of Åland.

Article 8 Awareness-raising of the situation for persons with disabilities

To raise the awareness on persons with disabilities, to promote respect for the persons' rights and dignity, ability and contribution, and to combat stereotypes and prejudices, different actions have been taken by, among other things, information, training, studies, granting of support, attention to the media through press releases and press invitations, newsletters, distribution of the UN Convention and seminars etc.

The Nordic Council of Ministers has, since 2013, established a consultative body, *The Council of Nordic Cooperation on Disability*, for supporting the various policy areas and for the entire

Nordic cooperation to contribute to this inclusion. The Council includes a representative of the Government of Åland and a representative for the disability movement, Åland's Association for Persons with Disabilities. The Disability Council has, among other things, monitored the Nordic Council of Ministers' *Action plan for Nordic Cooperation on Disability 2015–2017: Human rights – Diversity – Freedom of movement*. The action programme includes activities regarding; expert networks for strengthened implementation of the UN Convention, a conference on the implementation of the UN Convention, Nordic training on disabilities and rights, systematic monitoring and attention to the disability perspective according to the sector responsibility principle (mainstreaming) in the official Nordic cooperation, multiple discrimination and gender related violence against women and men with disabilities, workgroup on Universal design as means for a sustainable society, awareness and attention to the disability perspective within the border barriers cooperation, studying the movement of persons with disabilities in the Nordic labour market, as well as studying the educational mobility of persons with disabilities between the Nordic countries. On 10 April 2018, the Nordic Council voted on a new action plan for Nordic cooperation on disability in 2018-2022 with three focus areas: Human Rights, Sustainable development and Freedom of movement.

In accordance with the Government of Åland's disability policy action programme, *An accessible Åland*, continuous training regarding accessibility and treatment shall be provided. The objective is to raise the service level, and to increase the competence of the Government of Åland as an employer. The Government of Åland continuously works (internally) to give employees of the Åland Government's administration increased knowledge and awareness of disabilities and persons with disabilities, and also with measures which aim to raise public awareness (external) regarding persons with disabilities, in-house or in cooperation with other actors.

Among other things, the following steps have been taken;

- A seminar on accessibility thinking in the construction chain. The report "Accessibility thinking in the construction chain was presented". This opportunity led to accessibility aspects being highlighted for the key players in the construction chain.
- The lecture "Everyone shall have access to the main entrance, no one shall be sent to the side entrance." The lecture was meant to raise awareness of people's differences and how a conscious attitude contributes to equal treatment.
- The Conference "Health, care and gender equality" which was arranged by the Nordic Committee of Senior Officials in cooperation with the Government of Åland which touched on the issue of disability, with the main focus on gender and gender equality.
- In collaboration with Funka NU's experts, two training sessions on clear language and accessible Web.
- Training concerning equal opportunities and equal treatment (with Malin Gustavsson/Ekvalita). The first part focused on increasing knowledge and the second part focused on treatment.

- Two conferences regarding knowledge of facts and prevention work concerning all men and women from a diversity perspective. "Women's health – facts and myths" and "Masculinity and health". Both conferences dealt with, among other things, how the workplace excludes or includes persons with disabilities.
- The distribution of the UN Convention in paperback to authorities and to well visited sites in Åland for the general public.

The Government of Åland has partnered with Åland's Association for Persons with Disabilities to develop and collaborate on training. In dialogue with the disability movement, administration and authorities identify additional training needs related to disability and accessibility. In collaboration with Åland's Association for Persons with Disabilities *test occasions* were arranged to raise knowledge of the Government's administration on how it feels to live with various disabilities.

Statistics and Research Åland, ÅSUB, is an independent institution whose primary function is to act as the official statistical authority of Åland and to conduct research and investigation activities. ÅSUB produces official statistics for decision-making, debate and research in most areas of society. The emphasis in the research and investigation activities is within the field of socioeconomics but it also covers many other current social issues. Increased insight into people's living conditions is a prerequisite for achieving change. In 2017 ÅSUB published among other things the study *Violence in close relationships 2017*, and *Speaking of equality 2017*. In 2018 the Government of Åland has hired ÅSUB to conduct a questionnaire survey on trust, as well as a literature review. The objective is to get an overview of the current trust research and the Ålanders' trust in institutions, authorities, media and politicians. The background of the study is an objective of Åland's development and sustainability agenda that everyone in the Åland society, no matter age or gender, shall in 2030 be able to trust and have real possibilities to participate.

The Government of Åland grants slot machine funds as support for social non-profit operations and to associations and federations, which, among other things, organise public awareness campaigns aimed at the general public, within the education system and actions undertaken through regular media. Actions are also taken to raise awareness and inform persons with disabilities, and other parts of society, about the Convention and the rights it contains. In 2018 the Åland Neurological Association intends to arrange a lecture on how to implement the UN Convention in practice, the Autism Spectrum Association of Åland intends to give information in schools about ADHD, Asperger, autism spectrum, Åland's Fountainhouse will arrange a mental health week and Reseda Mental health day.

Within the project *mental health of the elderly*, a seminar has been held on mental ill-health among the elderly and training of nursing personnel in Åland in the Mental health first aid method has been arranged.

Article 9 Accessibility

The Government of Åland is responsible for governing a wide range of community building functions, from IT issues and digitalisation to public transportation, building production, labour markets, basic education and studies, culture, sport, social care, environmental work, healthcare, industry, tourism, fiscal and procurement issues. In the accessibility work the Government of Åland should precede with a good example to effectively reach results. The Government of Åland considers the work to make social functions accessible for persons with disabilities as a part of the work for increased participation and equality.

Construction in Åland is controlled on the basis of the Plan and Building Act (ÅSS 2008:102) for Åland – ÅSS 2008/102 with changes ÅSS 2010/32, ÅSS 2011/113 and ÅSS 2014/32, the Plan and Building Regulation (ÅSS 2008:107) for Åland – ÅSS 2008/107 and Åland Regulation (ÅSS 2015:5) on Åland's Building Code – ÅSS 2015/5. Within municipalities, there are additional provisions through municipal construction schemes and plans. Chapter 3 in Åland's Building Code includes specific provisions on accessibility. The Government of Åland exercises the general supervision over the municipalities' planning, assists the municipalities in their planning and issues opinions on the municipalities' detail and general plans.

The Government of Åland commissions a systematic inventory of buildings and environments to which the public has access or where ongoing work is conducted. Within the framework for the *Mobilisation for growth and occupancy* (Team Åland), the Government of Åland has also granted funds for accessibility inventories within the hospitality industry in Åland. 38 accessibility inventories have been carried out and proposals for actions have been prepared.

The Government of Åland performed in 2017 an examination, *Accessibility thinking in the construction chain – A lost responsibility* by reason of the UN Convention and that there are several flaws in the accessibility of the built structure where the accessibility requirements are not followed, in new constructions or redevelopment or barriers in existing buildings that have not been remedied. The examination concerns how the responsibility for the implementation of the accessibility requirement is distributed within the construction chain, from detail planning of one area to the building's completion. The study's result shows that accessibility flaws in buildings depend on several flaws in the construction chain. There are flaws partly in the availability of detailed plan level, partly in the legislation but also in the Building Committee. There is also a lack of knowledge in the construction inspection about accessibility issues for public buildings, primarily in smaller municipalities. There are also problems in that the inspection only reviews the accessibility aspects in connection with the building permit application which, at that stage, is illustrated to a small extent. Then the accessibility is not checked until the last control: final review, in which the Building Committee shows a lack in consequence action. There is a need for regulations which complement legislation concerning easily remedied obstacles and a request from a number of parties for support that contain information about the applicable rules. In addition, there are requests for trainings and

information in connection with, among other things, the updating of legislation. The distribution of responsibilities is perceived as unclear, leading to a reduction in the responsibilities of both the developer and team leader.

There are good opportunities for Åland to rectify these flaws, in particular by increasing the consequence action, realising the importance of vision and goal-setting within the municipality and by an increased cooperation between the various actors. The Building Committee can exercise their power and secure the accessibility in a building permit stage. The technical development promises excellent opportunities to reduce misunderstandings between client, architect and structural engineer, and increases the possibility of finding and fixing errors in the early planning stages. The Government of Åland means to review the need for complementary aids for interpreting the legislature, specifically with regards to the signification of removal of simple rectified obstacles in public buildings, as well as public areas.

The Government of Åland can on application grant support to elderly and sick pensioners for reparations in their own home in order to be able to live there. The support is no more than 40 percent of the costs and €11,000 at the most. Special contributions may also be granted for the installation of elevators in residential buildings with at least two stories and at least four homes (in the floors above ground level). A conditions for elevator support is that there is no elevator in the stairwell where the elevator will be installed. Installation of a new elevator instead of an already existing elevator is considered rebuilding of elevator and is not supported. The contribution amounts to 30% of the approved costs, at the most. The amount of the contribution is reduced by 60% if the elevator does not stop on the same level as the floor. Approved costs can amount to €15,000, at the most, per residence with access to the elevator.

According to section 9 of the Service and Assistance for the Disabled Act (380/1987)¹ the municipality should pay a person with severe disabilities for reasonable costs for modifications in the home, as well as for the procurement of tools and devices in the home, where such measures with regard to the disability or illness are necessary for the person with disabilities to manage the functions that belong to a normal way of life. The costs for the acquisition of equipment, machinery and appliances which the person with disabilities needs in order to manage daily life functions are replaced by half. The costs for necessary modifications which, due to the disability, must be performed on equipment, machines or appliances of standard model, are paid for in whole.

Increasing the accessibility of the transport system is a fundamental democratic issue and an important measure for creating inclusion. Accessibility and usability of different modes of transport in Åland concerns different instances, both the Government of Åland and municipalities as well as private industry. The legislative protection available in the field of

¹ applicable in the Åland through the Åland Act (ÅSS 2010:50) on the Application in, of the Service and Assistance for the Disabled Act.

transport concerns public transport² (bus, taxi and archipelago ferries), school bus³, special care person transports⁴, social care transport and companion service⁵, transportation service and companion for persons with severe disabilities⁶. In EU Regulation 181/2011 it is emphasised that persons shall irrespective of disabilities be able to use the bus.. EU Regulation 1177/2010 raises the possibility of using transportation by sea and inland waterways.

In the case of the physical environment in connection with bus stops, there are general principles and directives for the construction of the bus stops. The Åland Government's road planners take into account accessibility in the drawings of the roads on Åland, but when external contractors are hired the procurement needs to clarify more clearly that the bus stops must be accessible for people with disabilities.

The municipality can, according to applicable legislation, grant transport and companion service⁷ or transportation service and companion service.⁸ The deductible for transportation service for persons with severe disabilities according to the Disability Service Act is linked to the public transportation charges. The Act on Special Care⁹ provides for passenger transportation within special care.

Treatment and information are two important aspects in the accessibility work. The Infrastructure Department, particularly Åland's traffic, means to be clearer in its information on what applies, for example, to the physical accessibility and the possibility for assistance in transportation with the means of transportation that Åland's traffic provides. Companion to the passengers with disabilities travel free of charge and there is no fee for wheelchairs. Furthermore, staff, who provide public services, will receive training in order to increase the knowledge of the various forms of disability and ensure proper treatment. Between bus stops,

² The European Parliament's and the Council's Regulation (EU) No 181/2011 on the rights of passengers in bus and coach transport, and amending Regulation (EC) No 2006/2004 (Note: when transport distances on Åland are under 250 km, Articles 4.2, 9, 10.1, 16.1b, 16.2, 17.1, 17.2 and 24 - 28 are applied), the European Parliament's and the Council's Regulation (EU) No 1177/2010 Rights of the passengers travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004, Åland Act (ÅSS 1957:23) on Public Roads in the Åland, Åland Act (1964:16) on Municipal Roads, Åland Act (ÅSS 2008:59) on Private Roads in Åland, Åland Act (1993:19) on Inspection and Registration of Vehicles, Åland Act (ÅSS 1976:33) on Commercial Traffic, Åland Regulation (1979:6) on Ferries

³ Driver's License Act (2015:88) for Åland, Åland Act (ÅSS 1976:33) on commercial traffic, Åland Regulation (2008:140) on School Transportation

⁴ The Act on Special Care for Persons With Intellectual Disabilities (519/1977), is applied in Åland through the Åland Act (ÅSS 1978:48) on the Application of the Act on Special Care for Persons With Intellectual Disabilities.

⁵ The Social Welfare Act (710/1982), is applied in Åland through the Åland Act (ÅSS 1995:101) on the Application in Åland of National Regulations in Social Welfare

⁶ The Services and Assistance for the Disabled Act (380/1987), is applied in Åland through the Åland Act (2010:50) on the Application in Åland of the Services and Assistance for the Disabled Act

⁷ The Social Welfare Act (710/1982), is applied in Åland through the Åland Act (ÅSS 1995:101) on the Application in Åland of National Regulations in Social Welfare

⁸ The Services and Assistance for the Disabled Act (380/1987), is applied in Åland through the Åland Act (ÅSS 2010:50) on the Application in Åland of the Services and Assistance for the Disabled Act

⁹ The Act on Special Care for Persons With Intellectual Disabilities (519/1977), is applied in Åland through the Åland Act (ÅSS 1978:48) on the Application of the Act on Special Care for Persons With Intellectual Disabilities.

bus timetables are visible and in the buses there are audio-visual information systems, illuminated signs and voice, which notify of the next bus stop. The Government of Åland has purchased modern digital info bulletin boards that are easy to place in the waiting rooms or port terminals. The Government of Åland is preparing a new Transportation Service Act. The act concerns, among other things, a statute of in-depth training for taxi drivers including treatment of persons with various disabilities. The Åland Vocational High School organises education in accordance with EU Directive 181/2011 on transportation of persons with reduced mobility in bus.

The Government of Åland has decided to transfer a law memorandum to legislative drafting on the changes required based on EU law, implementation of the European Parliament and the Council's directive (EU) 2016/2102 of 26 October 2016 on the accessibility of public authorities' websites and mobile applications, the accessibility directive. The Åland Government has found that this area belongs to Åland's authority and that the directive must be implemented in the legislation of Åland. The intention is to create a common internal market for accessible IT and to increase the accessibility of public digital services for persons with disabilities.

The directive shall be implemented in national legislation by 23 September 2018 and be applied to websites of public sector bodies as follows:

- for websites which entered into service after 22 September 2018, from 23 September 2019
- for other websites from 23 September 2019
- for public authorities' mobile applications from 23 June 2021

Currently there is no legislation in Åland based exclusively on the authorities' relationship to digitalisation. Certain provisions on the electronic aspects of case management within the authorities have been implemented in administrative law, the Municipalities Act and special laws on the respective authority.

The Åland authorities' websites are currently built with a variety of techniques; some websites are new or relatively new while others are obsolete. In order to meet the accessibility directive's requirements, requirements are set on the technical platform used and requirements for knowledge on the part of the persons handling the website of how information and material will be published for accessibility requirements to be met. Regarding the technical platform, Åda Ab has developed a solution adapted for the authorities. This currently to a large extent meets the requirements set according to the accessibility directive and will be further developed so that all the requirements which can be handled technically are met. The solution is currently used by ten authorities.

Social aspects of procurements relate to the actions that ensure that fundamental rights, equal treatment and the principle of non-discrimination are respected. Accessibility and usability are

examples of socially responsible requirements which may be imposed at procurement. When the Government of Åland makes public procurements, they are currently lacking guidelines regarding socially responsible procurement. The possibility of setting requirements for social responsibility exists in the procurement law that applies in Åland for procurements over the EU threshold value and that are based on the EU directive on public procurement. The Government of Åland shall, to a greater extent, set requirements on social responsibility of procurements as an instrument to achieve better accessibility in society. A review of the legislation under the EU threshold values and instructions relating to social responsibility in procurement generally will be implemented. The starting point is that the goods and services purchased with public funds should be available for use by everyone. Applicable on Åland are the Government of Åland's decision (ÅF 2018:13) concerning certain procurements and the Åland Act (ÅSS 1994:43) on the Application of the Procurement Act in Åland, according to which the following State Acts are mainly relevant

- The Act on Public Procurement and Concession Contracts (1397/2016)
- The Act on Procurement within the Water, Energy, Transport and Postal Services sectors (1398/2016)

The Government of Åland has adopted revised principles for support to the business community. In the case of accommodation in the tourism sector, a requirement has been introduced on attaching to the application a plan that describes how the investment takes account of sustainable development and increased accessibility for everyone. The Government also give priority to support/loans and to granting of funds raised through gaming operations for renovation or refurbishment of sports facilities that raise accessibility and usability for persons with disabilities.

Various development areas have been identified that need to promote and consolidate accessibility¹⁰ and several cross-sector actions have been taken in *An accessible Åland – action programme for the Government of Åland's disability policies for the years 2013–2016 and 2017–2020*.

Accessibility work in Åland's healthcare (ÅHS)

ÅHS management group formed a working group in 2013 whose mission is to work continuously with the accessibility adaptation of ÅHS. The working group includes the information secretary, the security manager, the technical manager, the building planner and the guard. The group was expanded in 2016 with two ergo therapists. The group meets approximately four times a year. The group's focus areas in the accessibility work are

¹⁰ Education, training and competence development (internal focus), Information mediation and the dissemination of knowledge (external focus), Networking and collaborations, Digitalisation and accessibility, Development of physical accessibility, Development of service and support measures, Improved legislation and governing documents, Functioning supervision and monitoring

information, physical accessibility and service/personal service.

At new construction and reconstruction within ÅHS the respective construction project group consults the working group on accessibility adaptation. The working group requests in turn or refers to the opinion from external expertise such as for example Åland's Association for Persons with Disabilities.

ÅHS informs internally about lectures, conferences and training on disability and accessibility adaptation. Members of the working group, as well as other staff within ÅHS, participate in training events. The aim is that the training will promote accessibility work within the organisation.

ÅHS has a representative and alternates in the Åland Council for persons with disabilities. In this way, the ÅHS has direct contact with expertise and other organisations that work to make Åland accessible. The representative and substitute are members of the work group.

The healthcare director has the ultimate responsibility for the accessibility work at ÅHS. The working group plans and executes the work, and reports to the management group.

Article 10 Right to life

The right to life is protected under section 7 of the Finnish Constitution. Legislation that recognises and protects the right to life and administrative intervention in the personal freedom lies, according to chapter 5 of the Act (1991:71) on the Autonomy of Åland, under the State's legislative authority.

The Åland Act (ÅSS 2011:114) on Healthcare section 15 provides that treatment within Åland's healthcare shall be based on science and proven experience, as well as good care practices and good procedures. The activities shall be high-quality and safe and carried out in a competent manner. The Government of Åland issues, if necessary, more detailed instructions regarding proper care practices. The care shall be given respecting human equality and human dignity of the individual. In section 37 it is indicated that healthcare shall be performed with regard to the patient's need of medical care, science and proven experience, as well as good care practice and good procedures as referred to in section 15.

The Act on the Status and Rights of Patients (785/1992) is applied in Åland through the Åland Act (ÅSS 1993:61) on the Application in Åland of the Act on the Status and Rights of Patients. Section 6 provides the patient's right to self-determination; the care and treatment shall be provided in mutual understanding with the patient. If the patient refuses a certain treatment or measure, they have to be cared, as far as possible in another medically acceptable way and in mutual understanding with them.

If a patient who has reached the age of majority because of mental disorder or intellectual disability or for any other reason cannot decide on the treatment given to them, his legal representative, a family member or other close person has to be heard before making an important decision concerning treatment in order to assess what kind of treatment that would be in accordance with the patient's will. If this cannot be assessed, the patient has to be given a treatment that can be considered to be in accordance with their personal interest.

In cases referred to in paragraph 2, the patient's legal representatives, a close relative, or other person closely connected with the patient, must give their consent to the treatment. In giving their consent, the patient's legal representatives, close relative, or other person closely connected with the patient must respect the patient's previously expressed wishes or, if no wishes had been expressed, the patient's well-being. If the patient's legal representatives, close relative, or other person closely connected with the patient forbid the care or treatment of the patient, care or treatment must, as far as possible in agreement with the person who refused consent, be given in some other medically acceptable manner. If the patient's legal representatives, close relative, or other person closely connected with the patient disagree on the care or treatment to be given, the patient shall be cared for or treated in accordance with his or her best interests.

For treatment irrespective of the patient's will, the Mental Healthcare Act applies in Åland to the extent that the provisions fall within the State's legislative authority. The Substance Abuse Care Act applies in Åland through sections 70 and 71 of the Act on the Autonomy of Åland. The Act on Special Care is applied through the Åland Act (ÅSS 1978:48) on the Application of the Act on Special Care for Persons with Intellectual Disabilities, which was last changed through (ÅSS 2017/144). The Communicable Diseases Act is applied in its entirety in Åland as the Act is under the authority of the State.

Article 11 Situations of risk and humanitarian emergencies

In section 18, subsection 6 of the Act on the Autonomy of Åland, it is stipulated that Åland has legislative authority in matters of public order and security, with the exceptions as provided in section 27, subsections 27, 34 and 35 of the Act on the Autonomy of Åland, as well as in firefighting and rescue services.

The State's authority includes according to section 27 of the Act on the Autonomy of Åland, subsection 3 the organisation and activities of State officials, subsection 28 civil defence, subsection 34 the armed forces and the border guards, actions of the authorities to ensure the security of the State, state of defence, as well as readiness for a state of emergency .

The President of the Republic's Regulation on the management of Åland of preparatory tasks for emergency conditions (900/2000) statutes that the *preparatory* administrative tasks and other tasks that are the responsibility of the State's authorities within the civil defence,

security of supply and the general readiness for states of emergency shall be managed jointly by the State's and the Åland authorities. A consultation delegation for preparedness cases exists for these tasks.

In Åland, the Government of Åland and the State Office in Åland have a common overall responsibility for civil defence through the *consultation delegation for emergency cases*. The municipality has the responsibility for civil defence within the municipality and most of the municipalities have a civil defence manager. The civil defence is for protection of all the people and property under emergency conditions such as during war and threats of war. Civil defence means in the first place national preparedness for the protection of people and property.

Further stated in the Act on the Autonomy of Åland section 27, subsection 28 that the decision to evacuate, residents of Åland referred to in the Emergency Powers Act section 121, to a place outside Åland may only be made with the consent of the Government of Åland.

The President of the Republic's Regulation (2000:80) on Management in Åland of Preparatory Tasks for the Emergency Conditions, Rescue Act (2006:106) Åland, Rescue Regulation (2006:111) of Åland, Åland Regulation (2006:112) on Quality Demands within the Rescue Services and the President of the Republic's Regulation (2004:21) on the Border Guard System's Tasks in Åland are applied on Åland.

On the basis of international agreements Åland is a demilitarised and neutralised territory. This prevents the introduction of military forces, military vehicles and munitions to Åland, as well as the transit of these via Åland, with certain exceptions in the case of Finland.

The neutralisation means that the demilitarised zone is in wartime considered a neutralised area which may not be directly or indirectly employed for purposes which in any way are connected with military business. In the event of war concerning the Baltic Sea, Finland may lay temporary mines in the water area within the zone and take such maritime measures as are strictly necessary in order to ensure respect for the zone's neutralisation.

All of the conventions governing the demilitarisation and neutralisation are still in force and, furthermore, the demilitarisation and neutralisation now constitute regional customary law that also binds others than the parties to the Convention.

Article 12 Equal recognition before the law

According to the Act on the Autonomy of Åland, the Act (442/1999) on guardianship services, the Act (648/2007) on Power of Attorney, the Act (228/1929) on Legal Acts in the Field of Property Law and the Code of Inheritance (40/1965) are under the authority of the State. Liability legislation, which also provides protection, is attributable to the private legal affairs referred to in section 27, subsection 41 of the Act on the Autonomy of Åland, and belongs to

the State's legislative authority.

The Administrative Procedure Act (2008:9) for Åland provides in section 11 on minor's actions and in section 12 on the guardian's right to bring an action, section 29 provides on hearing of the principal and the guardian or custodian.

A minor's actions are brought by the minor's guardian, custodian or any other legal representative. A minor has, however, the right to speak alone in matters relating to income or wealth which he or she prevails over. A minor person who has reached the age of eighteen years speaks alone in a matter that concerns his or her person, if the minor can understand the importance of the matter. A minor who has reached the age of fifteen years and his or her custodian or any other legal representative has the right to speak in a matter concerning the minor's person or personal advantage or right.

A guardian that has been assigned for a person of legal age shall, in addition to the principal, speak independently in matters relating to the guardian's assignment. If the guardian and the principal then are of different opinion, the principal's standpoint will be decisive, if he or she can understand the importance of the matter. If the principal's competency has been restricted in some other way than by pronouncing the principal legally incompetent, the guardian alone shall speak for the principal in matters in which the principal does not have the right to make decisions. The guardian and the principal speak, however, jointly in matters on which they shall jointly decide.

When the guardian, custodian or any other legal representative speaks, the principal shall be heard and when the principal speaks the guardian, custodian or any other legal representative shall be heard, if this is necessary with respect to the principal's advantage or for the matter to be investigated.

The Act on the Status and Rights of Patients (785/1992)¹¹ contains provisions on the patient's right to obtain information on their health and care, in such a way that its contents in an adequate way can be understood, on the patient's self-determination and on his or her legal representative or hearing of a close relative, or other closely connected person. It also contains provisions on when a person cannot decide on their treatment, such as the obligation for such a person to take into account the previously expressed will of the patient. The Act on the Status and Rights of Clients (812/2000)¹² contains similar provisions.

Section 42 of the Act on Special Care¹³ contains provisions on strengthening the right of self-

¹¹ Is applied through the Åland Act (ÅSS 1993:61) on the Application in Åland of the Law on Act on the Status and Rights of Patients.

¹² Is applied through the Åland Act (ÅSS 1995:101) on the Application in Åland of State Legislation on Social Welfare.

¹³ Is applied in Åland through the Åland Act (ÅSS 1978:48) on the Application of the Act on Special Care for Persons With Intellectual Disabilities and changes (ÅSS 2017/144).

determination. Special care shall be organised and persons given special care shall be treated so that their human rights are not violated and that their beliefs and integrity are respected. When special care is given, the wishes, opinions, interests and individual needs of the persons shall be taken into account. The one given special care shall be ensured the possibility of participation and involvement in their own matters. Well-being, health and security of persons who are given special care shall be maintained and promoted.

Article 13 Access to justice

According to the Act on the Autonomy of Åland, the area lies under the authority of the State according to section 27, subsection 22 which concerns justice with the exceptions provided by section 18 subsections 25, and subsection 26 which concerns preliminary investigation, execution of judgments and punishment, as well as extradition for crimes.

Article 14 Liberty and security of person

According to the Act on the Autonomy of Åland, section 27, subsection 22; criminal law with the exception of what is provided in section 18 subsection 25, as well as section 23 justice with regards to what is provided in sections 25 and 26; preliminary investigation, execution of judgments and punishment, and extradition for crimes fall within the authority of the State.

To the extent that the Act on Special Care for Persons with Intellectual Disabilities (519/1977) or the Mental Health Act (1116/1990) provide for administrative intervention in personal freedom, the competency area lies under the State's authority according to the Act on the Autonomy of Åland section 27, subsection 24, and applies to Åland under the same wording as in the State.

Through the Åland Act (ÅSS 2017:144) amending the Åland Act on the Application of the Act on Special Care for Persons With Intellectual Disabilities, the provisions of the Act have been strengthened to ensure that persons with disabilities benefit from the right to liberty and security of person on the same terms as others, not be deprived of their liberty unlawfully or arbitrarily. With the amendment, the right to autonomy is emphasised.

Article 15 Freedom from torture or cruel, inhuman or degrading treatment or punishment

In 2009 the Åland Parliament gave, as provided in section 59, subsection 1 of the Act on the Autonomy of Åland of 16 August 1991, its consent to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, and the additional protocols annexed thereto on the Prohibition of Cloning of Human Beings, and concerning Transplantation of Organs and Tissues of Human Origin, as well

as with draft laws on the implementation of the provisions of these belonging to the field of legislation and amendment of chapter 11, section 11 and chapter 47 section 3 of the Penal Code. Article 1 states that the parties to the Convention shall protect the dignity and identity of all human beings and guarantee everyone, without discrimination, respect for their integrity and other rights and fundamental freedoms with regard to the application of biology and medicine. Article 2 provides that the interests and welfare of the human being shall prevail over the sole interest of society or science. According to article 4, any intervention in the health field, including research, must be carried out in accordance with relevant professional obligations and standards. An intervention in the health field may only be carried out according to article 5 after the person concerned has given free and informed consent to it.

Åland Act (2011:114) on Healthcare section 15 provides that treatment within Åland's healthcare shall be based on science and proven experience, as well as good care practices and good procedures. The activities shall be of high quality and safe and carried out in a competent manner. The Government of Åland issues, if necessary, more detailed instructions regarding proper care practices. The care shall be given with respect for the human equality and human dignity of the individual. Section 37 indicates that healthcare shall be performed with regard to the patient's need of medical care, science and proven experience, as well as good care practice and good procedures as referred to in section 15.

Section 6 of the Act on the Status and Rights of Patients (785/1992)¹⁴ prescribes a patient's right to self-determination; the care and treatment shall be provided in agreement with the patient. If the patient refuses a certain care or treatment, it shall, whenever possible and in agreement with him, be given in any other manner acceptable from the medical point of view.

In 2014, the Åland Parliament gave, as provided in section 59, subsection 1 of the Act on the Autonomy of Åland of 16 August 1991, its consent to the facultative protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and with draft law on the implementation of the provisions in the protocol that belong to the field of legislation, on the application of the protocol and to the act on changing of the law if the parliamentary Ombudsman,.

Article 16 Freedom from exploitation, violence and abuse

According to section 7 of the Constitution of Finland (731/1999), everyone has the right to life and to personal liberty, integrity and security, wherein no one may be exposed for any treatment that violates human dignity. It is provided in section 19 of the Constitution that those who cannot obtain the means necessary for a life of dignity have the right to receive indispensable subsistence and care, and that the public authorities shall guarantee for

¹⁴ is applied through the Åland Act (ÅSS 1993:61) on the Application in the Åland of the Act on the Status and Rights of Patients.

everyone, as provided in more detail by an Act, adequate social services, and support families and others responsible for providing for children so that they have the ability to ensure the wellbeing and personal development of the children. The Constitution's provisions mean that the authorities have a responsibility to protect the population from abuse and other violations.

According to the Act on the Autonomy of Åland section 27, subsection 22 criminal justice, with the exception of that which is provided in sections 18 and 25, subsection 23 justice with regards to what is provided in sections 25 and 26; preliminary investigation, execution of judgments and punishment, as well as extradition for crimes fall within the authority of the State.

Needs and conditions for preventive measures for the protection of personal integrity and the promotion of personal security for persons with disabilities can differ. An example is the system for legal risk assessments in order to ensure suitability of staff or ensure common methods for discovering abuses. The Åland Act (2004:3) on Investigation of the Criminal History of Persons Working with Children provides for a verification procedure to make employers aware of the possible criminal background of those who will be working with persons under the age of 18. The purpose of the law is to protect the personal integrity and promote the personal security for persons under the age of 18. Corresponding protection in legislation is not found concerning volunteers who participate in activities among children or for other target groups that can be considered to represent especially vulnerable target groups, for example, adults who have intellectual disabilities, persons with psychological disabilities etc. The Government of Åland decided in February 2018 to transfer a legislative memorandum to the drafting of legislative measures on new legislation on the control of criminal background. The Government of Åland wants, among other things, to strengthen the legislation that especially regulates control of criminal background of volunteers who participate in activities with children, for example, assistant activities, as well as protection for other vulnerable groups over the age of 18, for example, persons with different forms of disabilities that can find themselves in defenceless situations.

Professional rights within healthcare fall within the authority of the State, while professional rights within social welfare fall within the authority of Åland. In order to promote client and patient safety, the National Supervisory Authority for Welfare and Health currently practices supervision in the State of staff in healthcare and social welfare, and therefore provides a directory of qualified staff and staff with protected occupational title within healthcare and social welfare. Health professionals on Åland are registered in the register of the National Supervisory Authority. Åland does not currently have a corresponding register of professionals within social welfare, which makes it considerably harder to supervise their professional activities and competency. At present there is also a lack of provisions on the reporting obligation of professionals upon detection of abuse or obvious risks in client safety, ill treatment of clients and actions in the activity culture that are harmful to the clients. The Government of Åland decided in the autumn of 2017 to transfer a legislative memorandum

for the drafting of legislative measures on an Åland act on the qualification conditions for professionals within social welfare. The possibility of introducing a register of staff within social welfare for strengthened supervision and better security for the clients is being investigated in connection with the work on a new law.

In October 2017 the Government of Åland decided to transfer a legislative memorandum to the drafting of legislative measures on an Åland act on support of the elderly population's functional capacity and on social and healthcare services for the elderly on Åland. It is proposed in the memorandum that a provision be incorporated into the law concerning an obligation to report if elderly persons are in need of social welfare and healthcare and incapable of ensuring their care, health or security.

The first international convention on the prevention and combating of violence against women and domestic violence, the so-called Istanbul Convention, came into force in Finland on 1.8.2015. On 1 April 2015, the Åland Parliament gave its consent to the State's Act on Bringing into Force the Istanbul Convention's Provisions entering into force on Åland insofar as the Convention falls within the competence of Åland. In Finland, violence against women is considered to be one of the most serious abuses of human rights. In the Convention, violence against women and violence are examined from a human rights perspective and the objective of the Convention is to abolish all forms of discrimination of women and promote true equality between women and men. Provisions on prevention, intervention and care are also included in the Convention. One of the objectives of the Convention is to guarantee shelters for victims and a national, free around the clock telephone service for victims of violence. Another objective is to support and help authorities and organisations to cooperate effectively and find common approaches in the work against violence.

The Åland Act (ÅSS 2015:117) on Shelters ensures access to shelters for persons that have been affected by violence in close relationships or that live under the threat of such violence.

Responsibility for financing shelter operations lies with the Government of Åland rather than the municipalities, with the result that all Ålanders, irrespective of their municipality of residence, have the same possibility of living at shelters. The Act gives the Government of Åland a clear role in relation to ensuring the availability of shelter services, as well as to coordinating and managing shelter operations. Åland's environment and health protection authority has a precise responsibility to monitor the shelter operations. The purpose of the act is to, through a secured shelter operation, contribute to that those who risk being affected by violence receive shelter and help. The long term objective is to contribute to preventing violence in close relationships and to increase equality between women and men in Åland.

Based on the Act, the Åland Regulation (ÅSS 2015:118) and an amendment of the Åland Regulation on Shelter Staff (2016:56) have also been issued with regards to the authority and competency of staff, training, as well as competence development. Training and competence development for different target groups, both concerning relevant authorities and other

interested parties, have been offered in the form of a Nordic conference arranged on Åland, as well as the Government of Åland arranging conferences and seminars.

The Government of Åland is working to draft the basis for a new social welfare act with the country's Social Welfare Act (1301/2014) as base. Considered in the work with new laws is, among other things, the introduction of a reporting obligation for staff so that abuses in client work and the risks for them become known and can be remedied in an early enough stage. The provisions of the Istanbul Convention and the UN Convention on the Rights of Persons with Disabilities are taken into consideration in the proposal for a new social welfare act.

The Government of Åland has performed a survey regarding the presence of violence in close relationships. Increased insight into people's vulnerability for different types of violence is a prerequisite to achieve change. There exists current data for politicians and responsible authorities as grounds for active and energetic actions.

The results in the investigation regarding Åland show that the total amount of subjected Ålanders in 2017 were approximately 2,700 persons. Violence in close relationships occurs in all social classes regardless of socio-economic group. Women on Åland have been more subject to violence in close relationships during their lives than men. More than every third woman and every fifth man (36 percent of women and 20 percent of men in the age of 18–79) have *some time in their life* been subject to violence in close relationships. The results also show that almost twice as many women as men were subject to violence in close relationships *some time during the past twelve months*. The study reported the results of their vulnerability in the four main forms of violence; physical violence/threats of violence, psychological violence, sexual violence and neglect/material violence. Regardless of the form of violence, women are more vulnerable than men and the more severe the violence the greater the differences in vulnerability. Violence in same sex relationships and violence against persons with disabilities were not reported separately in the study.

Among those that were subjected to violence in close relationships during the past twelve months, there were children living in the household in 34 percent of the cases. Calculations for the study's results show that more than 360 minor children lived in households where at least one person was subject to violence in close relationships. This means that just over six percent were directly or indirectly subject to violence in 2016. This means that about one child in every class in the schools of Åland lives close to violence. Children who experience violence are not a uniform group, they are girls and boys in different life situations and therefore in need of different types of support and assistance. Children cannot choose and the adult world must therefore discover and support these children.

According to the mapping of violence on Åland it is relatively common for victims of violence in close relationships not to seek help from the authorities. It is more common that women seek support and help from friends and relatives than that they turn to one of the help instances that society offers. For a person who is subject to violence in a close relationship, it

may be difficult to seek help, because the victim has a close emotional connection with the perpetrator. Furthermore, acts of violence are often normalised with time and often evoke emotions of guilt and shame in the victim.

The Government's goal is zero tolerance for violence in close relationships which requires a battery of measures to prevent, detect and treat.

The Government will prepare an action plan for the work against violence in close relationships for the period 2018–2019. The action plan will focus on five general areas:

- Control and procedures
- Knowledge-enhancing efforts
- Organised cooperation
- Particularly vulnerable groups, for example, persons with disabilities
- Early and long-term prevention work

The Government has, since 2004, programmes in the form of group activities for perpetrators of violence, Alternatives to Violence. The activity is a cooperation with *Alternativ til Vold* in Oslo.

Åland also has a cooperation with the National Centre for Knowledge on Men's Violence Against Women in Uppsala regarding Sweden's National Women's Helpline allowing persons on Åland to take part in free telephone advice and support via the support telephone. There is an interpreter service if an interpreter is needed.

Ålanders can also take part of the women's helpline website, which in the first place, is addressed to women that are victims of violence and their relatives and is a complement to the support telephone.

Article 17 Protecting the integrity of the person

In accordance with the Åland Act (ÅSS 2011:114) on Healthcare, the care shall be given with respect to all human equality and the individual's dignity. According to the Act on the Status and Rights of Patients¹⁵ every patient has the right to healthcare of good quality. The care shall be arranged and the patient treated so that his dignity is not violated and that his conviction and integrity are respected. The patient's mother tongue and individual needs, as well as the culture that he represents, shall as far as possible be taken into account in the care and treatment.

¹⁵ Applied through the Åland Act (ÅSS 1993:61) on the Application in Åland of the Act on the Status and Rights of Patients.

Within healthcare, professionals shall when necessary develop a plan for the examination, care and medical rehabilitation or another equivalent plan. It shall be apparent in the plan how and according to what timetable the care of the patient will be arranged. The plan shall be developed in agreement with the patient or their relatives or other related person or legal representative. Regarding the content of the plan and those involved in the case also applies what is especially provided.

A patient has the right to receive information on their state of health, the care and treatment's significance, different care and treatment alternatives and their effects, as well as other circumstances that relate to the care and the treatment and which have significance when decisions are made on how the patient shall be cared for. Information shall, however, not be given against the patient's will or if it is apparent that they would endanger the patient's life or health.

In accordance with the Act on the Autonomy of Åland, administrative interventions in personal liberty belong to the legislative authority of the State which is applicable on Åland. This means that care given against the patient's will is regulated in State legislation.

A professional person within healthcare shall provide information in such a way that the patient adequately understands the meaning of them. If a professional in healthcare does not have a command of the language that the patient uses, or if the patient because of auditory, visual or speech impairment cannot make themselves understood, an interpreter shall be hired if possible.

Generally, patients who are dissatisfied with the care or the treatment can turn to the from the healthcare producers independent patient Ombudsman for advice, submit a complaint to the Government of Åland or report perceived wrongdoing to the supervisory authorities, the Government of Åland, Åland's Environmental and Health Protection Authority or the National Supervisory Authority for Welfare and Health (Valvira) in the State. The authorities' operations are statutory and are, in turn, supervised and monitored.

Abortion and sterilisation are within the legislative authority of the State.

Article 18 Liberty of movement and nationality

In accordance with the Act on the Autonomy of Åland section 27 the State has legislative authority in respect of the right to reside in the country, select the place of residence, travel from one place to another and in the case of family name and first name and population registration.

Article 19 Living independently and being included in the community

In Åland, special services for persons with disabilities can be provided under the Disability Services Act (380/1987)¹⁶ which is supplemented through the Services and Assistance for the Disabled Decree (759/1987)¹⁷. Services and assistance according to the law shall be arranged, if one according to the law's concept, "*person with disabilities*" does not based on any other Act, receive such service or such assistance that is sufficient and appropriate for him or her.

The purpose of the Act is to promote the possibilities of persons with disabilities to live and be active as equal members of society, as well as to prevent and eliminate inconveniences and obstacles that the disability entails. In accordance with section 7 of the Disability Services Act, the municipality shall ensure that the municipality's public services are also suitable for persons with disabilities. When the municipality develops its service and its support for persons with disabilities, it shall take into account the needs and considerations that these invoke. The act includes both appropriation bound services such as economic compensation and services that the municipality has a special obligation to arrange independent of appropriations, if the person concerned satisfies the criteria. The municipality shall, for example, arrange reasonable travel service together with companion service, daytime activities, personal assistance and service housing for a person with severe disabilities that, because of their disability or sickness, have a necessary need of such service to meet the functions relating to a normal lifestyle.

Section 4 of the Client Fee Act within social welfare and healthcare (734/1992)¹⁸ provides which services are provided free of charge for persons with disabilities. Among other things, daytime activities with the exception of transport and meals, personal assistance, as well as the special service in connection with the service housing is free of charge.

According to the Decree on Client Fees for Social Welfare and Healthcare (912/1992)¹⁹ for travel service arranged for persons with severe disabilities can be collected a charge equivalent to the charge collected in the public traffic in the area or another comparable reasonable fee. Fees for public transport are provided in the Government of Åland's decision (2011:24) on traffic rates for passengers by bus in commercial traffic in Åland.

Personal assistance

Personal assistance according to the Disability Services Act includes necessary assistance both at home and outside the home to a person with severe disabilities for daily activities, work and studies, leisure activities, social activities and the maintenance of social contacts. With

¹⁶ it applied in Åland through the Åland Act (2010:50) on the Application in Åland of the Service and Assistance for the Disabled Act

¹⁷ is applied in the Åland through the Åland Act (2010:51) on the Application in Åland, of the Regulation on Service and Assistance for the Disabled Act

¹⁸ is applied through the Åland Act (1995:101) on the Application in Åland of Risk Provisions on Social Welfare.

¹⁹ is applied through the Åland Act (1995:103) on the application in Åland of risk provisions on social welfare.

regards to the organisation of personal assistance, a person with severe disabilities is one that as a result of a long-term or progressing disability or a disease necessary and repeatedly in need of another person in order to cope with the functions set out above and the need for help does not primarily depend on diseases and disabilities associated with normal aging. Personal assistance in the daily chores and in work and studies shall be arranged to the extent necessary for the person with severe disabilities. In the case of leisure activities, social activities and the maintenance of social contacts, personal assistance shall be arranged at least 30 hours per month, if a lower number of hours is not sufficient to assure the person with severe disabilities the assistance necessary. The purpose of personal assistance is to help a person with severe disabilities to carry out their own choices in the actions referred to in the act. For personal assistance to be organised assumes that the person with severe disabilities has the capacity to define the content of the assistance and the way in which it is arranged.

In 2016, 6 (0–17 years), 59 (18–64 years) and 15 (65 years and older), a total of 80 clients received personal assistance on Åland.

When the way in which the personal assistance shall be arranged is determined and when the assistance is arranged, the municipality shall take into account the own opinions and wishes of the person with severe disabilities, as well as the individual need defined in the service plan and the life situation of the person with disabilities in its entirety. The municipality can arrange personal assistance according to three different models: the employers' model (reimburse costs for the client's employment of a personal assistant), service banknote (e.g. acquire assistance services from a public or private service provider), own services or purchased services (municipality organises the service). The municipality is not obliged to arrange personal assistance according to all three options. However, the client's opinion is taken into account on how it is arranged.

In 2014 the supervisory authority, Åland's environment and health protection authority, ÅMHHM, requested an account from the Åland municipalities concerning the arrangement of personal assistance services. ÅMHHM also requested clients with granted personal assistance service, in accordance with the employers' model, to answer questions regarding the municipal procedure in the arrangement of personal assistance service. Of the total of 76 clients with granted personal assistance service on Åland, 64 clients were granted assistance service in accordance with the employers' model, the client (or the guardian) was the employer of the assistant.

In conclusion, it was found that the municipalities informed persons with severe disabilities and entitled to personal assistance service in an unsatisfactory manner on the lawful alternative ways to arrange a personal assistance service. Most of the municipalities did not fulfil the legislation with regards to the purpose of respecting the client's right to self-determination by taking account of his or her wishes and opinions on how the personal assistance should be arranged in order to, in the best way, promote her/his independent life

and participation and so that the assistance corresponds to the client's individual needs and life situation. In several municipalities, when selecting the way to arrange a personal assistance service for a client with severe disabilities, the employers' model was referred to without the client receiving the legal possibility to express a request regarding which model they believed would be the most appropriate. Replies from the clients indicate that the employers' model would not always have been the most appropriate option. The municipalities investigated either inadequately or not at all the client's ability and willingness to act as employer for their personal assistant.

Daytime activities

According to section 8 of the Disability Services Act, the municipality shall arrange reasonable daily activities for a person with severe disabilities that, because of their disability or sickness, have a necessary need of such service to meet the functions relating to a normal lifestyle. According to section 8b, a person with disabilities shall, in connection with the organisation of daytime activities, be considered to be incapable of working, that on the basis of an injury or a very severe disability caused by disease does not have any conditions for participation in the work activities according to section 27e of the Social Welfare Act (710/1982)²⁰ and whose livelihood is based on sickness or invalidity. Daily activities shall, as far as possible, be arranged so that a person with severe disabilities can participate in activities five days a week or more rarely, if the person with severe disabilities can participate in work activities part-time or if there is any other for him or her dependent reasons thereto. In accordance with section 2, subsection 4 in the Act on Special Care, the arrangement of work therapy is part of the special care's services.

Service housing for persons with severe disabilities

In 2017, 16 (0–17 years), 50 (18–64 years) and 14 (65 years and older), a total of 80 persons received service housing in accordance with the Disabled Services Act.

The municipality shall, according to the Disabled Services Act, arrange service housing for a person with severe disabilities that, because of their disability or sickness, have a necessary need of such service to meet the functions relating to a normal lifestyle. Service housing is a service that the municipality has a special obligation to provide, it is the subjective right of a person with disability, if he or she meets the grounds for granting that are assumed according to the Disability Services Act and the Disability Services Regulation. The municipality can, thus, not deny service housing by referring to lack of appropriations. The municipality has the right to decide on the way in which the service housing is arranged. In principle, the client's own perception and opinions are taken into account when it is decided on how the service housing is to be arranged. When a person's right to service housing is evaluated and established on the basis of his or her disability, no disability can be left out of the provision's application area. The

²⁰ Is applied through the Åland Act (1995:101) on the Application in Åland of State Legislation on Social Welfare.

Disability Services Act does not know any age restrictions. Thus, when necessary, service housing can be arranged for children, elderly persons and adults.

According to the Disability Services Regulation service housing includes, housing, as well as such services in connection to the accommodation that are necessary for the resident in daily life. The core of the service housing is that the person has a functional residence, where he or she has a resident's rights and responsibilities and that he or she receives enough service and assistance for their accommodation. The economic compensation systems for modifications in the residence are stated in the report under article 9 on accessibility.

Service and services in connection with accommodations can help with functions pertaining to the accommodation, such as the ability to move, dressing, personal hygiene, food management and cleaning of the accommodation, as well as services needed for the promotion of the resident's health, rehabilitation and comfort.

From the service user's perspective the most central is adequate service, smooth service overall and service based on the client's needs. Service housing can be arranged either in person with severe disabilities own owner-occupied home, rental property, or other similar residence or in special service housing, service housing group or in another accommodation unit. In service housing it is a matter of organising such a residence where the person, with the help of special arrangements which have been carried out in the residence as independently as possible, can handle functions that are part of the normal way of life despite the limitations the disability gives rise to. To make service housing possible one can perform modifications in the accommodations or acquire different types of apparatus such as a care phone.

Included in a service housing are also adequate services which ensure that the person with severe disabilities can manage. The services can be arranged through, among other things, personal assistance, home help services, support for families, home healthcare, or a combination of these forms of support and, where necessary, by individual service solutions.

The Act on Special Care (519/1977)²¹ contains provisions on the special care for those who, due to congenital or developmental age obtained illness or injury, have been hampered or disturbed in their development or their mental functions and are not supported by any other act, can receive the service they need. The Disability Services Act is primary in relation to the Act on Special Care.

Åland's Care Association provides special care for all 16 municipalities of Åland. The Care Association provides, among other things, group housing service, housing support and short-term accommodation. In 2016, the housing waiting list matched with the needs of housing

²¹ is applied in Åland through the Åland Act (1978:48) on the Application of the Act on Special Care for Persons With Intellectual Disabilities.

service in Åland and was phased out with the introduction of several new accommodation units. In total, all 79 group housing sites were estimated to be filled in 2018. The purpose and objective of the housing service is to create a safe home environment for clients, where they can live their lives with the same opportunities and rights as everyone else, an environment where clients are given the opportunity to develop their skills and their independence. The Care Association's housing support has the objectives and purpose to support clients to manage their daily lives in their own homes, which in 2018 is estimated to include 18 persons. Support can be obtained on days, evenings and weekends, but not during the night (21–7). The ambulatory staff visits as planned in advance with the client. The client may also make contact if they need assistance beyond what is planned. The short-term home constitutes a separate business form within the housing services. In addition to these, mediated services are provided for 12 people where the primary municipality signs agreements with other providers of special care, as the Care Association is not able to provide optimal service. Mediated services are obtained from Rénatus Care and Treatment AB (Sweden), Kårkulla and Salmela in the State, as well as Stiftelsen Hemmet in Åland.

At the end of 2016 seven clients under 65 years received service housing according to section 22 of the Social Welfare Act (710/1982)²². Accommodation services are provided according to section 23 person who has special reason needs help or support in arranging accommodation or housing conditions. Seven clients under 65 years lived in institutional care for elderly. According to section 24, institutional care refers to organisation of care, subsistence and rehabilitative activities in such an operational unit within social welfare that gives continuous care.

Institutional care is given to those who are in need of help, care or other care that cannot be arranged or that it is not appropriate to arrange in their own home through the use of any other social service.

With the Government of Åland's supervision of institutional care in Åland in 2013, it was noticed that prior to placement in institutional care, the need for care shall be established and the placement appropriateness considered. It cannot be considered appropriate to place clients under 65 years and with great special needs in terms of care, in facilities and in an operation designed for elderly and without the need for special expertise provided. The Government of Åland was aware that the operations should be arranged properly.

Reform of the social welfare legislation in Åland

In the *government programme for a sustainable Åland – mobilisation for stability and change* (2015–2019) it is shown that the entire social area needs to be reviewed and the legislation unified. Legislation shall, among other things, take into account the UN Convention's provisions. The Government of Åland intends to submit, in 2018, grounds for a new welfare legislation into law drafting. The aim is sustainable welfare by focusing on early, preventive

²² is applied through the Åland Act (1995:101) on the Application in Åland of State Legislation on Social Welfare.

actions, cross-sectoral cooperation and increased client orientation. To achieve these objectives, barriers to cooperation and collaboration in the best interests of the client, which may exist in other legislation, should be removed. The Government of Åland intends to take legislative action because of the legislative reform in the State to replace the current Disability Services Act and the Act on Special Care with a new disability act and adopt legislation on clients' and patients' autonomy, which includes authority of the State as well as of Åland.

Article 20 Personal mobility

According to section 8 of the Disability Services Act, the municipality shall arrange reasonable transportation service for a person with severe disabilities that, because of their disability or sickness, have a necessary need of such service to meet the functions relating to a normal lifestyle. According to the Disability Services Regulation, transportation service along with companion service are part of the transports that a person with severe disabilities needs for work, studies, running errands, participation in social activity or recreation, or for other such reasons and that are related to daily life. When it comes to arranging transportation service and related companion service those that are considered persons with severe disabilities are those who have particular difficulties in movement and who, because of their disability or their illness cannot use the public transportation means without unreasonably great difficulties. In addition to the trips that are necessary for work and studies, at least eighteen such monthly one-way trips can be part of daily life. Transportation service is not arranged for those who receive such service under any other Act.

In 2016, 24 (0–17 years), 206 (18–64 years) and 241 (65 years and older), a total of 471 persons received transportation service on Åland. Within Åland the municipalities arrange transportation services mainly through economic compensation for individual taxi transports. According to section 6 of the Decree on Client fees, the deductible is bound to public transportation fees which constitute a charge between EUR 2-4.50 according to the Government of Åland's decision (2011: 24) on traffic rates for passengers by bus in commercial traffic in Åland.

According to section 9a of the Disability Services Act persons with disabilities can be compensated wholly or partly for the cost of procurement of equipment, machinery and appliances which the person with disabilities needs to cope with day-to-day functions. The costs for such necessary modifications which, due to the disability, must be performed on equipment, machines or appliances of standard model on, for example, a car, are paid for in whole.

The consideration of accessibility in the transport system in Åland is described in relation to article 9.

Compensation which persons with disabilities in Åland can receive through, for example, tax deduction or due to damage from any military service or by insurance legislation are within the legislative authority of the State.

The Government of Åland has granted funds raised through gaming operations for certification, training of assistance dogs to people with epilepsy, diabetes or disability.

In February 2018 the Åland Council for persons with disabilities arranged a public briefing on the European disability card, which will be available in Åland in the late spring of 2018. With the common disability card, persons with disabilities can prove their disability or their need for assistance in EU countries. For example, when travelling, on public transport or in contact with customer service staff, that they may need to have an assistant with them, more time to accomplish and clarify errands and help with moving around etc.

In 2016, Åland's Motor Vehicle Office (ex Motor Vehicle Agency) adopted a customised system for persons in need of special assistance at the driving test for driver's license. The theory test for the driving test, the preliminary theory test and the mentor test may be taken without time pressure if, for example, the examinee cannot read, is deaf or refers to health reasons. If the examinee states health reasons, they are obliged to submit a signed written statement. The issuer of the statement shall be a special education teacher, doctor, specialist physician, child neurologist, neurologist, phoniatician, expert on dyslexia or person with an equitable profession.

Article 21 Freedom of expression and opinion, and access to information

According to the Åland Act (ÅSS 1997:82) on Public Libraries, the purpose of the public libraries is to meet the public's need of knowledge, education and recreation, promote interest for literature and art, as well as to support education and independent studies. Public libraries shall provide assistance in obtaining information, and to ensure that data-based information is accessible to the public. The libraries shall make books and other media generally available, and give instructions concerning the use of the library. Public libraries are maintained by municipalities, while it is the Government of Åland's responsibility to create the conditions for this operation. Hospitals and other healthcare facilities, which are maintained by the Government of Åland, a municipality or a municipal association and has residents who not without difficulty can visit the municipal libraries, will provide their healthcare recipients with library services. In the Library Regulation (1997:83) for Åland, it is provided that the central library's tasks are to, among other things, develop working methods, as well as to procure and develop aids for the library operations in Åland.

The Åland Act (ÅSS 2011:95) on Radio and Television Broadcasting Operations provides the conditions that apply for on-demand TV, radio and television broadcasts and reception of such

in Åland. Chapter 2 section 6 of the Act provides the general requirements for the broadcast contents. The one who has received permission, or is required to give notification, shall make sure that programmes that are provided in radio or TV broadcasts or in on-demand TV are impartial and objective, as well as that no one's rights have been violated. It should be taken into account that an extensive freedom of expression and freedom of information will prevail in radio and television broadcasts and on-demand television. Programme activities as a whole shall be characterised by the democratic social system's fundamental ideas, as well as the principle of all human equality and the individual's human freedom and dignity.

After pressure from the Government of Åland and Åland's Visually Impaired Association Åland's Radio & TV has, in 2017, developed new graphics on the Åland channel based on recommendations of the Swedish Association of the Visually Impaired on typography and layout. The daily news is broadcast on Åland's channel in text form.

The Åland Act (ÅSS 2007:60) on Postal Services provides that the post office with granted permission for postal operations of the Government of Åland in accordance with section 6 shall offer visually impaired the right to send mailings containing Braille and that weigh less than 7 kg free of charge, with the exception of air surcharge. At the request of a post office as referred to in subsection 1, the visually impaired shall show proof of their disability.

There is no separate language legislation in Åland that defines what is meant by *language*. Chapter 16 in the Act on the Autonomy of Åland (1991:71) includes the language provisions in Åland. Section 2 in the Child Welfare Act (2011:86) for Åland provides for language within childcare operations conducted under municipal management. Among other things, the activities shall support children with a mother tongue other than Swedish and give all children a good basis for their cultural and linguistic identity. Section 17 of the Basic Education Act (1995:18) for Åland includes provisions on the teaching language in primary school. Students with a mother tongue other than Swedish shall, if possible, obtain temporary support education in their mother tongue. Sign language can be used in teaching for hearing impaired students. The right for a resident of Åland to obtain interpretation service can be ensured by the Act on Interpretation Services for Persons with Disabilities (133/2010) which applies through the Åland Act (ÅSS 2010:99) on the Application in Åland of the Act on Interpretation Services for Persons with Disabilities. In the act, interpretation refers to mediation of messages in sign language or with another method which clarifies the communication; the mediation of messages can be made between two languages or languages internally, when a method which supplements or clarifies the communication is used.

The Government of Åland has decided to transfer a legislative memorandum for legislative drafting on the changes required based on EU law, implementation of the European Parliament and the Council's directive (EU) 2016/2102 of 26 October 2016 on the accessibility of public authorities' websites and mobile applications, the accessibility directive. The intention is to create a common internal market for accessible IT and increase the accessibility of public

digital services for people with disabilities. In 2017, the Government of Åland submitted an opinion (ÅLR 2017/2284) to the Ministry of Economic Affairs and Employment on the situation in Åland of the implementation of the directive.

In 2017, the Government of Åland adopted *Communication Strategy for the Government of Åland's general administration*. The communication strategy covers the value base for the general administration of the Government of Åland. The goal for all communication is that the Government of Åland both internally and externally must be prepared to actively, correctly, fast and accessibly inform of its work and present decisions and measures in their practical, political and historical contexts. The one communicating the issue must be credible, open and honest. Both language and content should be easily accessible and easy to understand. Communication and information must always emanate from the target group and, therefore, be adapted to it. The Åland Government's external communication shall improve the conditions for a functioning democracy where the rights of the citizens are met and business conditions for companies and organisations are created.

The Government of Åland means to supplement their graphic manual with new typographical guidelines in 2018. When the proposal for the new graphical manual was presented the management team chose not to accept the proposal for typographic guidelines when they considered that readability for people with dyslexia had not been examined and taken into account to a sufficient extent. The printed and digital material of the Government of Åland shall have a typographic appearance that reflects the values of the general administration, that the Government of Åland is a team builder that serves the public openly, equally and professionally, and that it does this through administrating and developing autonomy and social resources for a sustainable future. The guidelines for the typography of the Government of Åland have been developed in cooperation with the Åland Council for persons with disabilities. To especially take into consideration the needs that, for example, dyslectics, persons with visual impairment or cognitive disabilities, can have, is a way to realise the ambition of equality and professional service.

The digital agenda for Åland is the overall controlling document for the conversion of the Åland society into a modern e-society. Part of the work with the digital agenda is to produce common systems that fulfil the expectations the population of Åland has on receiving service and doing their errands digitally. From a customer perspective, access to public e-services and information is especially important. The technical development taking place and the systems being built in connection with the digital agenda shall be accessible and usable. The digital services that are developed within the digital agenda shall be usable and accessible for persons with disabilities. This should ensure that the entire population of Åland can take part of the developed service. The Government of Åland means to, among other things, start a project where central documents that describe the operations of the Government of Åland will be produced in an easy to read format.

The Government of Åland grants Åland's Visually Impaired Association funds raised through gaming operations for *Taltidningen Åland* (Audio Newspaper Åland) which gives persons with visual impairment in Åland the possibility to read one of Åland's newspapers in order to receive community information. The digital audio newspaper technique also provides the possibility to subscribe to other Swedish audio newspapers in Finland. The Åland local newspaper is released in digital form on the publishing date. The audio newspaper has around 20 subscribers. For 2018, there were applications for funds of €10,800.

Article 22 Respect for privacy

According section 10 of the Constitution every individual's personal privacy, honour and the sanctity of the home are protected. The secrecy of correspondence, telephony and other confidential communications is inviolable.

The documents of public authorities are public, unless otherwise provided in the Åland Act (ÅSS 1977:72) on Public Access to Public Documents or another act. Chapter 2 contains provisions on public documents that should be kept confidential. According to section 9e, documents shall be kept confidential when the document refers to the pastoral care, healthcare, health services, education, taxation or public inspection activities and contains such information about an individual's personal circumstances, that the provision of the document can expose the person concerned or his dependents to injury, suffering or discomfort.

The purpose of the Åland Act (ÅSS 2007:88) on Treatment of Personal Information within the Åland Government's and municipal administration is to secure that people are protected against their personal information being used in an offensive manner through an authority's treatment of personal information, as well as to promote a good information management within the authorities. According to section 7 of the Act, the treatment of sensitive personal data is prohibited. Sensitive information is, according to the Act, among other things, information that describes a person's health. Section 8 provides for exceptions from the prohibition against treatment of sensitive information. Despite the prohibition in section 7, it is among other things, permitted to treat sensitive personal information if the treatment is necessary for the purpose of preventive medicine, medical diagnosis, the provision of care or treatment or if the management of health care or information is treated by a professional in healthcare and has professional secrecy. Permitted is also treatment concerning the registered person's need of social welfare or the social welfare services, support measures or other benefits within social welfare that have been granted to the registered or other information that is necessary for care of the registered.

Within healthcare, as well as rehabilitation, a statutory protection applies to the treatment of

information for the protection of individuals with a disability and for all other patients.²³ The purpose of the legislation is to secure that people are protected against their personal information being used in an offensive manner through an authority's treatment of personal information, as well as to promote a good information management within the authorities.

The legislation applies to wholly or partially automated treatment by an authority of personal information. The legislation also applies to other treatment of personal information by the authority, if the information is part of or is intended to be part of a register with personal information or a part of such. The main rule is that a professional person within health care or other person working at an operational unit for healthcare or performing missions for it, may not without the patient's written consent provide such information contained in patient records to outsiders. If the patient lacks the conditions to judge the importance of such consent, the information may be given with written consent by the patient's legal guardian. Meant by outsiders according to the act are those who are not at the operational unit or on behalf of that, participate in the care of the patient or in other tasks related to the healthcare. Professional secrecy remains after the employment relationship or the mission has ended. The medical records shall be drawn up and stored with means and methods that ensure that the integrity and usability of the information that exists in the records can be secured during the time of storage. Those that participate in the care of a patient or in thereby related tasks may handle the medical records only to the extent that their work task and responsibilities require. The rights of those that work at an operational unit for healthcare to use the information in medical records shall be stated in detail.

An electronic patient information system shall include a system for control of user rights. With the help of the control system every user can be given such user rights to the medical records and the different functions in the patient information system that correspond to the user's work tasks. Those that use electronic patient information systems shall be specified and identified so that the user is verified in a clear manner. The right to the described protection applies to all patients.

Everyone's equal right to healthcare is guaranteed by law. Healthcare shall be performed with consideration of the patient's needs of medical care, science and proven experience, as well as good care practice and good procedures. The care shall be performed in an effective manner and through an effective cooperation. The care shall be performed in the form of outpatient care when this is appropriate, as well as possible taking into account the patient's safety. A care and rehabilitation plan shall be made up for the implementation of the care and the rehabilitation. The plan shall be developed in agreement with the patient or their relatives or other related person or legal representative. Regarding the content of the plan and those

²³ Åland Act (2007:88) on the Treatment of Personal Information within Åland and municipality administration, Act on the Status and Rights of Patients 785/1992 is applied through Åland Act (1993:61) on the Application in the Åland, of the Act on the Status and Rights of Patients, the Ministry of Social Affairs and Health's Regulation on Medical Records 298/2009.

involved in the case also applies what is provided especially for them.

Chapter 3 of the Act on the Status and Rights of Clients (812/2000)²⁴ includes provisions on secrecy, confidentiality, and disclosure of classified information within social welfare.

The Government of Åland has work in progress to develop a basis for legislation on the client documents within social welfare, taking into account the conditions in Åland. The act's main starting points will be to standardise the content and unify the client documents' contents and facilitate internal and cross-sector cooperation within social welfare, as well as within social welfare and healthcare. With regards to, among other things, integrity, secrecy and confidentiality, it refers firstly to the above-named legislation (the public information act, the personal information act and the client act), but, for example, the forms of cooperation will be clarified.

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), GDPR will be applied in EU as of 25 May 2018. The purpose of the Data Protection Regulation is to give individuals greater control over their personal information. GDPR is applied directly on Åland, also within the authority of Åland. The Government of Åland intends to, in 2018, adopt supplementary data protection legislation to the GDPR.

Article 23 Respect for home and the family

According to section 27 of the Act on the Autonomy of Åland, marriage and family relations, the juridical status of children and adoption fall within the legislative authority of the State.

According to the Åland Act (ÅSS 2011:114) on Healthcare, Åland healthcare shall arrange counselling for pregnant women and families expecting children, as well as for children under compulsory school age and their families. The counselling's task is to, among other things, support parenting and the family's general welfare, to promote a healthy upbringing and developmental environment for the child, as well as healthy lifestyles in the family and at an early stage identify the child's and family's needs of special support. When arranging counselling, cooperation shall when necessary take place with agencies responsible for childcare, child welfare, other social welfare and specialised healthcare, as well as other relevant agencies.

The Child Welfare Act (417/2007) is applied in Åland through the Åland Act (ÅSS 2008:97) on the Application in Åland of the Child Welfare Act. According to the Child Welfare Act, the child's parents and other guardians have the main responsibility for the child's welfare. Authorities

²⁴ is applied through the Åland Act (1995:101) on the Application in Åland of State Legislation on Social Welfare.

that work with children and families shall support parents and guardians in their tasks as fosterers, and strive to offering the family the necessary help early enough, and when necessary refer the child and the family to child protection. Child protection shall support the parents, guardians and other persons that are responsible for the child's care and fostering in fostering of and care for the child by arranging necessary services and support measures. When the child or family is not a client within child welfare preventive child protection promote children's and young persons' welfare. Through the preventive child protection children's growth, development and welfare, as well as support in parenting are promoted and safeguarded. The preventive child protection includes support and special support that is given, for example, within education, youth work and day care, at counselling offices for prenatal care and childcare, and other social welfare and healthcare.

A parent's or a child's disability is not, in itself, grounds for child protection. If support and special support to basic services or services for persons with disabilities are not enough to protect the child's development and welfare, the child and the family will be covered by child protection. Children and families must, in the first place, be supported by out-patient support measures. The need for out-patient support efforts is evaluated in cooperation with social workers and clients, so that the support corresponds to the client's needs. The municipality shall ensure that preventive child protection, as well as children and family oriented child protection, are in spirit and scope arranged as required by the needs of the municipality.

According to the Child Welfare Act, the agency responsible for social welfare is obliged to take a child into custody and arrange for the child's care outside the home, if deficiencies in the care of the child or other upbringing threatens to seriously endanger the child's health or development, or the child's health or development is seriously jeopardised through the use of intoxicants, through a criminal act which cannot be regarded as insignificant or through other equivalent behaviour. Custody and care outside the home may be resorted to only if the support measures in out-patient care are not appropriate or possible for a care in accordance with the best interests of the child or if they have proved inadequate, and care outside the home is deemed to correspond to the best interests of the child in accordance with section 4 of the act. A child that is cared for outside of the home shall be ensured continuous and secure human relationships that are important for the development of the child. The child has the right to meet with their parents, siblings and other related persons by receiving guests or making visits outside the place of care outside the home and to keep contact with them otherwise by telephone or by sending and receiving messages or comparable other confidential messages or other items.

Abortion and sterilisation are within the legislative authority of the State.

Article 24 Education

The number of pupils and students with special needs are increasing in schools. The target group for the different support efforts is multifaceted. There are children, adolescents and adults who need special assistance because of various physical and mental disabilities, illness, neuropsychiatric symptoms, etc. but there are also high-performing children and young people whose education is facilitated by various separate solutions. Increased inclusion and individualisation of students with different support needs in primary school's general education and in secondary education sets new expectations for competence and treatment with the intention, among other things, to take continuing education efforts to raise teachers' readiness and ability to handle different types of special needs in primary schools, secondary and higher education, as well as to raise the workplace supervisor's competence and readiness to mentor students with special needs in the workplace.

For the majority of pupils and students, the current elementary school and education at secondary level meet the needs of structures for learning . A group of pupils and students have the need for other and differentiated teaching methods or forms of education. It is necessary to achieve a greater flexibility in the implementation of the education, for example, by alternative teaching methods, alternative ways to organise the teaching or through alternative study paths. It requires a permissive legislation and clear instructions to achieve more flexible forms of teaching and organisations. The Government of Åland has initiated a review of the Basic Education Act (1995:18) for Åland, basic education's curricula, as well as the Åland Act (ÅSS 2011:13) on Education on a High School Level. The Government of Åland's new curriculum instructions for special education in elementary school "Support for learning" shall also be introduced in the curriculum for education at the secondary level to achieve coherence and continuity of support measures.

In view of the fact that the legislation is lagging behind in Åland within the field of pupil and student care, the Government of Åland intends to draw up specific legislation applicable to all levels of education. The Åland Act on Education on a High School Level and the Åland Act (ÅSS 2002:81) on University in Åland also lack a basis for the assessment of the appropriate measures when a person has health-related problems with studies, whereby legislative measures shall be taken.

Educational offers for students with disabilities are few at high school level. This means that the student has few customised educational options to choose between. In order to broaden the educational offers, an organisation that enables and integrates the creation of individual study paths should be developed within Åland's vocational high school. An alternative education for persons with severely reduced intellectual capacity to function (intellectual disability). Further training options for adults are also lacking. The Government of Åland intends to produce an action plan for the development of special education in Åland's

vocational high school. A wider range of training options at high school level and targeted actions around various special needs shall be created.

During the study period, the labour market is limited for students with disabilities. During the study period access is required to appropriate jobs with work duties and coaching adapted to the student's need of support. There is a lack of coordination between Åland's high school and Åland's Care Association as work places for on the job training (OJT) and supervised training are provided. An increased access to OJT-places, customised work tasks and protected work places are preconditions for training at high school level that leads to a successful profession for students with disabilities. The intention is that coordinating, coordination of OJT-places and internships for persons with disabilities and individual study paths shall be made possible.

The Basic Education Act (1995:18) for Åland provides for the general basic education. The activities shall promote democratic values, international understanding, gender equality and will for peace. The basic education shall be designed in accordance with the principles of human equality. The teaching in elementary school is conducted in the form of general education, special education, support teaching, student guidance and activities outside the school and may include special classes that can be combined into a special school.

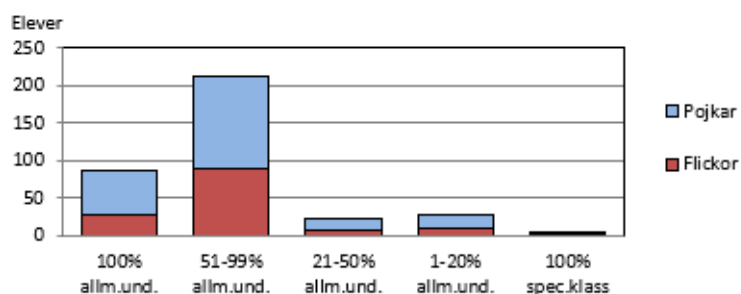
The language of the elementary school is Swedish. Pupils with a mother tongue other than Swedish shall, if possible, receive temporary support education in their mother tongue and for the hearing impaired students sign language can be used in teaching. On compulsory education it is provided that the education of children, who on the basis of disability cannot receive education in the nine year elementary school, will become compulsory the year they turn six. The school board can, for special reasons, give a child the right to start their schooling one year later than the year in which it becomes compulsory. The compulsory education ceases at the latest after ten years and for a child with disabilities after eleven years. Each child of compulsory school age shall be offered the opportunity to fulfil their educational obligations in elementary school or in a corresponding school for blind and deaf children. All children have the right to pre-schooling the year before the compulsory schooling starts.

Åland's curriculum for elementary school provides that when it is educationally possible and appropriate, pupils with physical or mental disabilities shall be integrated in mainstream education. The school shall create a variety of learning environments where students can set up their own goals and be given the opportunity to find a way of working that suits their personal learning style. The learning environment shall support the student's growth and learning. It shall physically, mentally and socially be safe, peaceful and encouraging and support the students' health. In the planning of working methods and the learning environment, account shall be taken to the students' cognitive, emotional, social and physical maturity and conditions. In elementary school, each student has the right to appropriate guidance and support. The student shall receive sufficient support immediately when the need

arises and it is therefore at an early stage important to identify both temporary and long-lasting difficulties and other factors which can prevent and hamper schooling and learning. The school shall, in view of the continuation of studies and working life, devote particular attention to their students in need of special support.

In the Åland Government's established curriculum bases for general high school education and basic vocational education shows that the school shall offer vocational special education. Separate training for professional training education can also be designed. The vocational training with customised curriculum is intended for students with disabilities or a comparable cause and which therefore are in need of special support. The number of study places for the trainings shall comply with the applicable design decisions. The objective of the vocational special education is for the student to reach such a professional competence that employment in the labour market is successful. The objective of the vocational training is that the student develops such basic knowledge that he/she, on the basis of their individual conditions, need to be able to live an adulthood containing meaningful accommodation and meaningful leisure, as well as appropriate work.

The support for learning and education in elementary school are divided into general educational, special educational and multi-professional support. In addition, there is education for students with extended compulsory education (training instruction). Over a fifth of the students were given some of these forms of support during the autumn of 2017. General educational and special education support are the most common with approximately 270–280 students each, over 80 children receive multi-professional support and the training instruction includes 27 students. Of the students with special educational or multi-professional support, a quarter receive all their education within the general education and slightly more than half participate between 51–99 percent in general education. Only a small number of students with special educational or multi-professional support receive all their education in special class. The table below shows where education was organised in the autumn of 2017 for the students (boys and girls) with special educational or multi-professional support.



In 2017, three students graduated from the vocational special education and two students from the vocational training. Before the autumn term of 2018, the vocational special education in Åland's vocational high school has four novice places within the competence area of home

work and cleaning service, six in the property service and four in the hotel, restaurant and catering sector.

Article 25 Health

Persons with disabilities are not differentiated in the legislation in terms of protection against discrimination. Likewise in terms of ensuring access to high-quality healthcare, including sexual and reproductive health. See also reporting concerning article 22.

Everyone's equal right to healthcare is guaranteed by law. Healthcare shall be performed with consideration of the patient's needs of medical care, science and proven experience, as well as good care practice and good procedures. The care shall be performed in an effective manner and through an effective cooperation. The need for medical rehabilitation, as well as rehabilitation objectives and content shall be determined in an individual, written rehabilitation plan.

The Government of Åland shall monitor the population's health and welfare and the factors that affect health and welfare within the various population groups, as well as effects of the measures set to respond to the welfare needs of the population. A report on the population's health and welfare and the measures taken, Public Health Report, shall be submitted to the Åland Parliament once per parliamentary term. The Government of Åland shall, in connection with the preparation of decisions, assess and take into account the consequences of the decisions on the population's health and welfare.

The Åland Public Healthcare Services, ÅHS, shall arrange health advice that helps to promote health and welfare and prevent diseases of the population in Åland. The Åland Public Healthcare Services shall ensure that medical examinations necessary for complying with and promoting the health and welfare of the population are performed. The Åland Public Healthcare Services shall arrange contraceptive advice and other advice that promotes sexual and reproductive health. The health advice and health examinations shall contribute to the promotion of working and functional capacity and mental health, as well as the prevention of disease. Persons with disabilities are not differentiated with regards to the public obligations.

The Åland Public Healthcare Services shall arrange counselling for pregnant women and families expecting children, as well as for children under compulsory school age and their families.

The counselling tasks are:

- 1) to regularly, and on the basis of the individual need, monitor and promote foetal healthy growth, development and welfare, as well as promote the health of pregnant women and women who have had children,

- 2) to promote the child's healthy growth, development and welfare, as well as to monitor them on average once a month during the child's first year and thereafter on an annual basis and based on individual need,
- 3) to monitor the child's oral health at least every two years,
- 4) to support parenthood and the family's general welfare,
- 5) to promote a healthy childhood and developmental environment for the child, as well as healthy lifestyles in the family and
- 6) to in an early stage identify the child's and the family's needs of special support and examinations, as well as to support the child and family and if necessary refer them to examinations and care.

When the Åland Public Healthcare Services arrange counselling it shall cooperate, when necessary, with agencies responsible for childcare, child welfare, other social welfare and specialised healthcare, as well as other relevant agencies.

The Åland Public Healthcare Services shall arrange screening in accordance with the national screening programme. In addition to this, the Åland Public Healthcare Services, when it is medically justified, arrange screening and health examinations to establish a certain disease or its precursor or for the detection of pathogens.

Existing legislation and other measures to ensure that persons with disabilities are offered healthcare on the basis of their free and informed consent, see the information provided in relation to article 22.

The social security system and the healthcare system is belongs to the authority of the State. Patient injury insurance covers injuries for all patients in a similar manner.

The Government of Åland's accessibility work also covers health and medical services designed to eliminate structural barriers for persons with various disabilities. For accessibility work, there is an accessibility plan and follow-up, otherwise see the report's article 9.

Article 26 Habilitation and rehabilitation

When a person needs special tools or tools/devices to prevent, correct or compensate a grave disability due to illness or injury, society takes responsibility for the costs. Medical rehabilitation is regulated in law²⁵. Assistive device services are a part of the medical rehabilitation. The Government of Åland's 2017 established instruction for medical rehabilitation applies to all devices prescribed on promissory note via ÅHS. Prerequisites for obtaining devices for medical rehabilitation are a grave disability due to illness or injury

²⁵ The Åland Act on Healthcare (ÅSS 114/2011) section 42.

confirmed by a doctor and a need for a device arising from the disease/injury. A personal device is a device that is designed for an individual patient to compensate in daily life for a disability in relation to the environment. The granting of device is made on medical grounds and based on an individual assessment. The diagnosis in itself does not give the right to receive devices. An expert within the respective device area assesses the need for the device as a part of the total care of the patient. The choice of device is based on cooperation between the patient and the experts in the device area. In cooperation with the patient and those closely related to them, the functional ability, how the patient manages the daily tasks, the life situation, individual needs and objectives with the device are identified.

According to law there shall, within healthcare when necessary be a plan developed for examination, care and medical rehabilitation or another equivalent plan. The plan shall identify how the care of the patient will be arranged and the envisaged timetable. The plan shall be developed in mutual understanding with the patient or their relatives or other related person or legal representative. Specific provisions exist on the content of the plan and those involved in the matter.

A patient has the right to receive information on their state of health, the care and treatment's significance, different care and treatment alternatives and their effects, as well as other circumstances that relate to the care and the treatment and which have significance when decisions are made on how the patient shall be cared for. Information shall, however, not be given against the patient's will or if it is apparent that they would endanger the patient's life or health.

There are various professional groups within the healthcare with expertise in habilitation and rehabilitation, both within somatic as within psychiatric care. Most of the professional groups who work with these issues are qualified professionals. This means that there is legislation governing the exercise of the profession, basic training content and a requirement on training. The following describes some of the specific professional categories.

Occupational therapists provide occupational therapy addressed to all age groups which covers most of the disabilities from minor inconveniences to severe disabilities. The work takes place within somatic care (there is also occupational therapy within psychiatry) at both primary care and specialist care levels. The operations handle everything from preventive work to rehabilitation of severe disease conditions. Occupational therapy is a part of the medical rehabilitation. Occupational therapists work both with hospitalised patients in care units and with outpatients in clinics. Occupational therapy includes expertise and the work mainly consists of: hand-training, brace manufacturing, testing of device, house calls and housing adaptations, adaptation training, rehabilitation of neurological disorders, cognitive assessments and training, assessments of children with special needs and assessments of working capacity.

Physiotherapists work with physiotherapy. Physiotherapy addresses all age groups and covers

most of the disabilities from minor inconveniences to severe disabilities. The work takes place both within somatic and psychiatric care and at both primary care and special care levels. The operations handle everything from preventive work to rehabilitation of severe disease conditions. Physiotherapy primarily treats patients with problems in support and movement organs or patients with neurological diseases. Physiotherapists are included in several different multi-professional teams and closely cooperate with other units within healthcare.

Speech therapists work with speech therapy. Speech therapy addresses all age groups and covers most of the disabilities from minor inconveniences to severe disabilities. The work takes place both within somatic and psychiatric care and at both primary care and special care levels. The operations handle everything from preventive work to rehabilitation of severe disease conditions. Speech therapy examines and assesses children, young people and adults with different types of speech, language and communication reductions during the years of development; speech and language and communication reductions as a result of neurological damage/disease, stuttering, voice problems, oral motor difficulties, and eating and swallowing difficulties. Speech therapists work mainly at clinics, as well as at Åland Public Healthcare Services care units. The work is often done in teams.

The person responsible for the rehabilitation shall draw up a rehabilitation plan together with the patient and, if necessary, with the patient's relatives. The necessary rehabilitation measures are established in the rehabilitation plan. It should take into account that he aid services are in harmony with the services the social sector, the Social Insurance Institution, the labour market and study service unit, schools and insurance companies are responsible for. Since the device services are part of a larger rehabilitation context, planning and follow-up of the device needed shall always be included in the rehabilitation plan. All device acquisitions according to medical rehabilitation shall be made in consultation between the attending physician, clinic manager, patient and the experts that assess the need for the device and do the testing. All device acquisitions shall be planned.

In 2017 there was a merger of the children's and youth clinic and the children's and youth psychiatric clinic in the Åland Public Healthcare Services. From the perspective of the child, it was important that the operations working with families and children, both with physical and psychological problems, can coordinate their efforts for the best interests of the child, and create conditions for developing the services as a whole. In the Åland Public Healthcare Services there is also a multi-professional team, the so-called BUF team (Children's Development and Disabilities), which examines and treats children and young people with deviations in development, as well as neurological diseases and offers the family relevant support and assistance. The BUF team consists of child and youth psychiatrists, psychologists, paediatricians, speech therapists, occupational therapists, physiotherapists and a habilitation coordinator. The BUF team is a collaboration between the somatic and psychiatric care at the children's and youth clinic and paramedical clinic at the medical clinic.

Article 27 Work and employment

The main tasks of the labour market activity of the Government of Åland is to, among other things, combat discrimination in the labour market, make it easier for people with a weak position in the labour market to find work and prevent exclusion from the labour market. The labour market service shall be designed so that it strengthens the individual's ability to obtain or maintain a permanent job on the open labour market which is as close as possible to their needs and wishes. The part of the labour market policies that the Åland Labour Market and Student Service Authority, AMS, is responsible for consists of employment, employment-training, guidance, information, special services for people with reduced working capacity, support targeted actions and other measures to promote employment.

AMS offers its services under the Åland Act (ÅSS 2006:8) on Labour Market Policy Activities as both self-service and personal service. AMS shall, together with those looking for employment services, examine the need for service so that the service provided according to the act in the best way promotes the placement of those who are seeking employment in the open labour market.

When employment services are provided, the applicant shall firstly be offered the possibility to use the service with the help of self-service or information. If the use of service in this manner is not appropriate considering the applicant's service needs or does not lead to him or her finding work or training, AMS shall support the applicant with more qualified service efforts. When employment promoting measures are offered, together with employment support, the measures shall firstly focus on employing unemployed who have the greatest need, among other things, persons with reduced working capacity.

Unemployed persons with a disability that causes reduced working capacity have the right to take part in all service available at AMS on the same conditions as other applicants. The purpose of the service for persons with reduced work capacity is to promote the person's career management, as well as the possibility of finding and keeping a job in order to promote integration and reintegration into society. For persons with reduced working capacity, AMS can provide special service in the form of surveys that examine the state of health and suitability for work and training, advice and guidance that relate to training and placement in work.

A person is considered to have reduced working capacity according to the Act on Labour Market Policy Activities if his or her working capacity, due to injury, disease or disability decreases the person's possibilities of getting an appropriate job, holding onto a job or to advance in a job. Injury, disease or disability must be confirmed in a competent manner.

Persons with reduced working capacity can, through job training, be offered an opportunity to

try out a new work area. An employer can be granted support for special arrangements in the workplace, if the placement of a person with reduced working capacity or his ability to keep his job requires changes or arrangements in the external conditions of the workplace in terms of machinery, equipment, or methods that are necessary to eliminate or alleviate the inconvenience that an injury or illness results in. In 2017, 11 people (34 people in 2016) with reduced working capacity received an opportunity to try out a new work area through job training in a workplace. One employer has, in 2017, received support for special arrangements at the workplace to be able to employ a person with disabilities.

An unemployed applicant can be supported with help of employment support if he or she has not been able to find work through the employment agency or been provided a training that promotes the persons possibility to find work. The employment support shall primarily be directed towards employing those unemployed applicants whose need for work is the greatest. The support shall especially be directed towards employment of, among other things, persons with reduced working capacity. In 2017, 54 employment grants for internships were granted, 38 for employment, three for apprenticeship training and seven for start-up companies. Of these 102 persons, 35 were persons with reduced working capacity.

In addition to the statutory labour market service, AMS also provides occupational psychological services. The occupational psychologist has, in 2017, had 53 customers who received help with vocational rehabilitation planning and career planning. The planning has concerned finding a new orientation in working life after an assessment of the functional ability. The studies are done in cooperation with the healthcare network, the social administration, the Social Insurance Institution (FPA) and employment pension companies. The planning usually results in working solutions, studies, continued rehabilitation or pension. AMS offers, from 2017, studies of functional abilities for persons with other mother tongues than Swedish. The studies are most often on reduced functional abilities and positions on sickness pension. The study and the planning are performed with the help of an interpretation service in the customer's mother tongue. The vocational rehabilitation planning is completed in co-planning together with the healthcare, the social administration and FPA.

AMS can offer coaches that, among other things, can function as support persons for a person with a disability who needs extra support and training before or in the beginning of an employment or an internship. Some persons receive this service yearly.

In April 2018, more than 20 percent of AMS' customers, 240 out of 1,160, have health limitations. The largest groups are persons with psychological diseases and behavioural disorders (130 customers), as well as persons with diseases in muscles and skeleton such as rheumatism and scoliosis (110). The same customer can, however, have several diseases.

AMS can, with the individual customer's consent, investigate any health limitations with regard to opportunities to work. AMS has a cooperation forum with FPA for common customers when it needs to be identified what FPA can offer and which role AMS shall play. Where AMS'

measures are not sufficient in terms of persons with health limitations, the customer is referred to the customer's home municipality's social welfare that may have responsibilities to provide service. Section 27d of the Social Welfare Act (710/1982) includes provisions on employment activities for persons with disabilities and section 27e on work activities for persons with disabilities. Employment activities for persons with disabilities means arranging special rehabilitation measures and other support measures to promote a person's possibility to get employed. Activities are arranged for persons who, because of disability, illness or other similar cause for a long time have special difficulties to cope with normal life functions and that in addition to AMS' services and measures, need other support measures for entering the open labour market. Work activities for persons with disabilities means activities for preserving and promoting a person's functional capacity. Work activities are arranged for persons without working capacity that, because of disability, do not have the prerequisites for participating in work arranged within the framework for the activities for employment purposes for persons with disabilities and that receive their main income from benefits based on disease or incapacity to work.

In connection with the Åland Government's ongoing reform work for new social welfare legislation, the Government of Åland has, among other things, identified shortcomings in authority cooperation concerning persons that have a hard time finding employment in the labour market. Failing cooperation can lead to unnecessary suffering for the individual, overlapping services or that no one takes responsibility for the service needed. The Government of Åland intends to review the need to adopt legislative measures concerning, among other things, the service system within social welfare that supports work-life involvement.

The statement under article 5 shows the Åland discrimination act's provisions concerning protection against discrimination in the professional life. The report's articles 19 and 20 includes information on transportation services, personal assistance and day activities for persons with severe disabilities under the Disability Services Act and on occupational therapy and job training under the Act on Special Care.

Article 28 Adequate standard of living and social protection

Social welfare and the service system connected to social welfare are of central importance for people's welfare and basic freedom and rights. The Constitution of Finland (731/1999) and especially its section 19 form the basis for the arrangement of social welfare. It provides that those who cannot obtain the means necessary for a life of dignity have the right to receive indispensable subsistence and care. It is further established that everyone shall be guaranteed the right to basic subsistence in the event of unemployment, illness, incapacity and during old age, as well as at the birth of a child or the loss of a provider. The public authorities shall guarantee for everyone, as provided in more detail by an Act, adequate social, health and

medical services and promote the health of the population. Moreover, the public authorities shall support families and others responsible for providing for children so that they have the ability to ensure the wellbeing and personal development of the children. The public authorities shall also promote the right of everyone to housing and the opportunity to arrange their own housing.

Social security benefits

Income transfers can be divided into three different types:

1. *Social insurances* that have the purpose of meeting the needs that arise when a person loses their income or support. These are statutory and the four major types are the pension insurance, healthcare insurance, unemployment insurance and accident insurance.
2. *Social support* which is meant for specific risk situations. These do not compensate a loss of income, but are designed to facilitate daily life and prevent social problems, for example, child allowance and parental allowance.
3. *Income support* is a needs-based benefit that shall act as an ultimately granted and temporary income security when neither work nor other social security benefits meet the need for support.

Welfare service is not to be seen as income transfer, but is publicly financed services, that the users sometimes pay a fee for, as for example childcare and healthcare services. The legislation that concerns social security benefits constitute in principle no difference between people because of disability, the same rights and obligations apply to all persons covered by the law. As regards allowances and benefits under the social security system, personal characteristics and personal factors of a person with disabilities are taken into account in the same way as for others.

According to section 18, subsections 2a, 5, 12, 13 and 23 of the Act on the Autonomy of Åland (1991:71) Åland has legislative authority concerning, among other things, employment pension protection of the employees of the Åland administration, the additional tax on income for Åland and provisional extra income tax, the bases of dues levied for Åland and the municipal tax, healthcare and medical treatment with the exceptions as provided in sections 27, subparagraph 24, 29 and 30, social welfare, promotion of employment.

According to section 27, subsection 11, the State has legislative authority concerning insurance contracts. Taxes and fees, with the exception mentioned in section 18, subsection 5 of the Act on the Autonomy of Åland, also fall within the authority of the State. According to the Act on the Autonomy of Åland section 29 the State has legislative authority regarding the employment pensions of the employees of the municipalities and the elected officials of the

municipalities and the employment pensions of other persons, with the exceptions as provided by section 18, subsection 2a in the Act on the Autonomy of Åland.

The social insurance system and the associated benefits come under the legislative power of the State according to section 29, subsection 1. 3 in the Act on the Autonomy of Åland, such as housing for pensioners, health insurance and parental allowance. Social welfare according to section 18, subsection 13 of the Act on the Autonomy of Åland and social protection benefits that have not been assessed as being a part of the social insurance system are assigned to the legislative authority of Åland.

The Act on General Housing Allowance (938/2014) has, in Åland, been made applicable through the Åland Act (ÅSS 1975:63) on the Application of the Act on General Housing Allowance. The purpose of the Act is to lower the housing costs for households. If the household includes a person with a disability whose need of space is especially large due to necessary aids, assistance or care, the maximum housing costs are calculated based on one person more than what the household actually covers.

The Social Assistance Act (1412/1997) is applied on Åland through the Åland Act (1998:66) on the Application in Åland of the Social Assistance Act. Social assistance is last-resort financial assistance under social welfare, the purpose of which is to ensure a person's or family's living and help them to cope independently. Social assistance is used to ensure the person or family at least the minimum income needed for a life of human dignity. All those in need of support and unable to make a living through paid work, self-employment or other benefits securing a living, or from other income or assets, by being cared for by persons liable to provide them with maintenance, or in some other way, are entitled to social assistance. The basic social assistance consists of a basic amount, other basic expenses and supplementary social assistance. The municipality can also grant preventive social assistance according to grounds that it determines. Costs covered by the basic amount and other basic expenses are, among other things, food, clothing and minor healthcare costs, expenses on personal hygiene and cleanliness of the home, use of local transport, subscribing to a newspaper, use of telephone and computers, hobbies and recreational pursuits, and comparable everyday living expenses of the person and family. When supplementary social assistance is granted it is to be taken into account to the extent appropriate the special expenses, among other things, expenses arising from special needs or circumstances of a person or family that are considered necessary for ensuring their living or for promoting their independent living. As special needs or circumstances of a person or family can be considered for instance long-term receipt of social assistance, long-term or serious illness, and special needs related to children's leisure activities and hobbies. The purpose of the preventive social assistance is to promote individual and family social security and their own activities, as well as to prevent social exclusion and long-term dependence on social assistance.

The Act on Client Fees in Social Welfare and Healthcare (2003/79)²⁶ is applied in the Åland to the extent that it relates to social welfare. Section 11 of the act provides on waiving and reducing fees where it is shown that a fee that is established for social welfare service that was decided according to a person's ability to pay, shall be waived or reduced to the extent the conditions for the person's or the family's support or realisation of the person's legal support obligation is jeopardised by the fee being levied. The municipality or the joint municipality that produces the service can decide that even other fees can be waived or reduced with the based on the law. In the Regulation on Client Fees (912/1192)²⁷ it is provided on what shall be considered reasonable fees.

The fees and maximum fee amounts of Åland Public Healthcare Services, ÅHS, are regulated in the Åland Act on the Grounds for Fees to Åland Public Healthcare Services ÅSS 23/2007, as well as ÅSS 78/2007.

ÅHS' fee system covers different high-cost protections. High-cost protection for persons with taxable income below EUR 14,000 in the latest confirmed state tax amounts to EUR 125, and for individuals with taxable income of EUR 14,000 but below EUR 16,000 in the latest confirmed state tax amounts to EUR 250. The high-cost protection for persons with sickness allowance, disability pension, or full time rehabilitation subsidy full time are considered from the first full calendar month as disability pensioner/rehabilitation subsidy recipient and during the period of disability pension/rehabilitation subsidy recipient. When a person with disability pension receives old age pension, the person has the right to keep the lower high-cost protection of EUR 250 for the remainder of the calendar year. For incomes under EUR 16,000 per year, income based high-cost protection can be applied for as stated above. The high-cost protection for children and adolescents up until the calendar year they turn 20 amounts to EUR 100. The high-cost protection for persons that turn 75 or more during the calendar year amounts to EUR 125.

In connection with the Åland Government's reform efforts with new social welfare legislation, the Government of Åland intends to carry out an overall assessment of the separate maximum fee amounts for AHS's fees and social welfare fees.

Under the report's article 9 report of support is shown that the Government of Åland can grant to old age or sickness pensioners for reparations in their own housing and if conditions for elevator support to make it possible to live in the housing.

The Government of Åland does continuous monitoring and analysis of economic vulnerability and social security in Åland. In 2014 ÅSUB published the report *Economic vulnerability in families with children 2014:7* and in 2015 *Economic vulnerability and social security 2015:2*. The study's main purpose is the identification and evaluation of the social security system's

²⁶ Is applied through the Åland Act (1995:101) on the Application in Åland of State Legislation on Social Welfare.

²⁷ is applied through the Åland Act (1995:103) on the Application in Åland of Risk Provisions on Social Welfare.

functioning and economic effects on households and on an individual level. The presented a factual basis shall then be able to be used as base for eventual future improvements of the current social protection system. In 2017 the government held a seminar on economic vulnerability to create a current picture and discuss possible actions in the short and long term. One of the keys to a socially sustainable Åland is to fight poverty, for everyone to have equal opportunities to participate in society. The work against economic vulnerability is included in the development and sustainability agenda that involves different society actors in Åland.

The Government of Åland has, in the latest government programme, announced that a follow-up of earlier studies on economic vulnerability and social security shall be implemented during the mandate period. A follow-up constitutes an important tool for planning measures to decrease the economic vulnerability. Statistics and Research Åland has submitted a plan to the Government of Åland for the implementation of the follow-up in 2018. The Government of Åland decided on 17 January 2018 to replace Statistics and Research Åland for the project Economic vulnerability and the social security system in Åland and currently a follow up will be done in accordance with prearranged contracts.

Article 29 Participation in political and public life

Before the next Parliament and municipality election in October 2019, a line of reforms will be implemented. The reforms mean that there is a need for an entire new electoral act. The current applicable act is from 1970 and outdated when it comes to language and disposition. Of course, many provisions have been renewed since the law was created, but the numerous changes and additions over the years have made the law difficult to navigate.

The plan is to prepare the new electoral act during 2017 for presentation to the Parliament by the beginning of 2018. It should be finally approved at least one year before the elections in October 2019.

The Government of Åland appointed a working group in 2014 for the review of the electoral legislation before the election 2019. In December 2015 the working group published its final report. Based on the report's outcome work is ongoing to draft new electoral legislation. The purpose is to modernise the electoral legislation so that it matches the current standard and international obligations. The requirement for accessible polling stations is clarified. A proposal is to introduce on-line voting in the Åland's elections. It shall be done in two steps, in the 2019 elections only in the Parliamentary elections and only for Ålanders residing outside of Åland, and then in the 2023 elections both in the Parliamentary elections and the municipal elections and for everyone eligible to vote. Through pilot projects with on-line voting increased autonomy is made possible and strengthening the right to a secret ballot for persons with disabilities. There is also a proposal referring to promoting equality in the Åland Parliament. A gender equality bonus will be introduced in the distribution of the grants which the Parliamentary groups receive for their activities.

On behalf of the Government of Åland, an accessibility inventory was performed in 2014 by the Åland Parliament concerning accessibility and usability for persons with reduced movement and orientation capability and proposal for measures was prepared.

Article 30 Participation in cultural life, recreation, leisure and sport

Åland is a culturally blooming society with more than 60 active culture associations and many creative culture workers. The Government of Åland's role is to support the development of the cultural life by, among other things, distributing every year through Åland's Cultural Delegation grants and support to those that work with culture. The field of culture also includes the libraries and the free education work, see article 21. The Government of Åland believes that the practice of culture as well as sports shall have a clear equality perspective. The possibility to engage in culture and sports shall be obvious for both boys and girls as women and men, as well as for people with disabilities. Åland's Cultural Delegation is a politically appointed authority controlled by the Åland Act (ÅSS 1996:53) on the Åland Cultural Delegation and the Åland Act (ÅSS 1985:29) on Support for Literary Activity and it serves as a link between the Government of Åland and the cultural field.

The Åland Act (ÅSS 1983:39) on Cultural Activities is intended to promote and support cultural activities in Åland partly by the Government of Åland and its subordinate agency Åland Cultural Delegation, and partly by the municipalities. The Åland Government's Cultural Agency is mandated to through various forms of activities showcase the cultural heritage of Åland. The agency serves around 100,000 visitors yearly. A challenge in the assignment is that the cultural heritage in Åland consists of buildings and environments created in a time when the accessibility to persons with disabilities was not thought of. A study on accessibility in and around Åland's various attractions has been made, and the investigation can now serve as basis for further work to improve the population's and temporary visitors' access to the common cultural heritage.

The Government of Åland has in their youth policy pointed out three priority areas: active citizenship, health and welfare, as well as culture and recreation. Youth policy is, just as disability policy, cross-sectoral and ranges over several policy areas. When it comes to youth work it is a shared authority, where the Government of Åland and the municipalities together help to create the conditions for the activities. The Åland Act (ÅSS 1986:87) on Youth Work contains provisions on youth work and youth activities. The Government of Åland wants to raise knowledge about different disabilities for leaders in operations aimed towards young people. The objective is to give leaders increased knowledge and methods to create a good recreation activity for all young people. The ambition is to reach a broad group of leaders in everything from art, music, theatre and other cultural forms to sports and fire brigade leaders.

It is important to create conditions for young people's dedication, creativity and participation. Direct youth work is carried out in the municipalities and in organisational activities of youth organisations, as well as through organisations with youth activities. The Government of Åland's task is to, together with municipalities, create public conditions for youth activities.

The Government of Åland allocates funds raised through gaming operations yearly to activities, investments, projects and events that are of benefit to the Åland society. Associations or organisations that are active within art and culture, a social area or run, for example, environmental, youth or sport activities have the possibility to apply for grants to their activities.

In 2013 Åland adopted a *cultural policy programme for Åland*. The programme shows that diversity, accessibility, participation and renewal are the keywords of the Åland Government's cultural policy. The programme is general and points in the direction for the Åland's long-term cultural policy. The programme can be advisory for the municipalities. It is emphasised in the programme that everyone has the right to culture and that it is therefore urgent that accessibility to different culture events is taken into consideration in the cultural policy. One of the central objectives of Åland's cultural policy is that every Ålander shall be given the possibility of taking part in the diversified cultural offering and to have the possibility of developing their own creativity. An important task for the cultural policy is to promote access to culture and personal creativity for persons with disabilities. The possibility to seek support for cultural activities for persons with disabilities exists but the information on it shall be improved. Accessibility for persons with disabilities refers to physical accessibility, treatment, as well as information and communication. The Government of Åland stresses the importance of, among other things, designing cultural institutions to be able to be used by people with disabilities.

The Government of Åland and the municipalities have a common responsibility for creating the conditions for sport activities in Åland. The Government of Åland budgets each year a certain amount for sport activities. The funds are allocated through the Åland Sports Association to the more than 70 member associations and organisations.

The Government of Åland has an adopted *Programme for sports, physical activity, health and active leisure in 2018–2022* which includes objectives that; the facilities in Åland take into account accessibility for persons with disabilities, the Government of Åland gives priority to facility investments in addition to social, economic and environmental sustainability that take into account growth and community development, which applies to both renovations of existing facilities and new construction projects. Those that do not have access to a well-equipped sport facility in their municipality shall be taken into consideration through, for example, systems where school children can use public transportation to and from the sport facilities.

The programme also includes proposals for measures to reach the objectives, such as that the Government of Åland can support enhanced digital booking systems so that they are accessible to all, the possibility for an application that is common to sports is being investigated. Contact information, training schedules and other important information can be found here. Information targeted at immigrants and persons with special needs are being designed. New guidelines for support to municipal facilities are being worked on. Included in these guidelines shall be criteria for opening hours, accessibility, environmentally and economically sustainable solutions and for the support recipient's long-term responsibility for the facility.

In 2017 the Government of Åland established the *Council for sports, exercise and health*. The disability movement has a member on the council.

III. The situation for boys, girls and women with disabilities

Article 6 Women with disabilities

In the government programme for a sustainable Åland – *mobilisation for stability and change* (2015–2019) shows that the Government of Åland has a conscious gender perspective for realising equality within all policy and activity areas.

The overall objective of the equality policy of Åland is that women and men shall have the same freedom and power to shape society and their own lives. In Åland, women and men, girls and boys, shall have the same rights, possibilities and obligations. Equality is about gender, power, justice, freedom and democracy. In Åland equality is developed knowing that it is good for the entire society and all citizens.

Equality issues are regulated in Åland in the Åland Act (ÅSS 1989:27) on the Application in Åland of the Equality Act. The Act is blanket act through which the State's Act on Equality between Women and Men (609/1986) with some deviations applies on Åland. The Act on Amendment of the Act on Equality between Women and Men (1329/2014) came into force on 2 February 2015 and means, among other things, that the prohibition against discrimination based on gender also applies to discrimination based on gender identity or expression. In the revised Act, the provisions applying to the promotion of equality have also been specified and expanded.

ÅSUB publishes, together with the equality unit of the Government of Åland, the publication *Speaking of equality* approximately every four years, the latest in 2017. The publication contains general statistics focused on men and women.

In Åland discrimination is prohibited through the Non-discrimination Act, with the addition concerning gender discrimination in ÅSS 79/2007. The Act prohibits discrimination by public officials and professionals, within health care, social welfare, education and the goods and services sector. In addition, measures are provided that shall simplify for officials with disabilities. The Åland Act has taken its starting point from the European Council's guiding directives: Directive 2000/43/EC and Directive 2000/78/EC.

Since 2007, the Åland Non-Discrimination Ombudsman of the Office of the Åland Ombudsman is the supervisory authority in Åland and carries with regards to the authority of Åland out the tasks that in the State are managed by the Non-Discrimination Ombudsman and Ombudsman for Equality, as well as the Non-Discrimination and Equality Tribunal.

With any occurrence of discrimination in private employment relationships on Åland one must notify the national authorities:

- Discrimination in the workplace on the basis of gender, gender identity and gender expression belongs to the authority of the Ombudsman for Equality
- Discrimination in the workplace on other grounds (named in the Finnish Non-discrimination Act) belong to the regional administration work's responsibility areas for worker protection.

The Government of Åland has highlighted the extent of that good healthcare is a right and that right shall be ensured for women and men, girls and boys. Equal care is a factor of quality. This, as diagnoses and treatments are based on individual needs and not from conceptions or myths about women and men. It also means that the care should take into account gender differences and gender-specific needs. This also means that the care takes into consideration that women and men have partly the same and partly different needs.

Through knowledge about gender and equality even the healthcare can strengthen their competence in discovering and giving correct treatment to persons that have been subject to violence in close relationships and men's violence against women. In 2016 a conference was held in Åland on gender structure in health and care.

According to the Åland Act (ÅSS 2010:114) on Healthcare a report on the populations health and welfare, and the measures taken, shall be submitted to the Åland Parliament once per parliamentary term. The purpose of the publication is that the basis of the available data describes the health status among Ålanders, and if possible also describes development trends as regards health and ill-health. The public health report is based on statistical data from different agencies and databases such as ÅSUB (Statistics and Research Åland). Åland's public health report 2015 gives an overview of the Ålanders' health and morbidity and how the common diseases have developed based on women and men.

The Government of Åland performed in the spring of 2017 a survey concerning the presence

of violence in close relationships, *Violence in close relationships in Åland 2017 - Study of the incidence of violence in close relationships*. Increased insight into people's vulnerability for different types of violence is a prerequisite to achieve change.

To not be exposed to violence is a human right for everyone, no matter gender, age, sexual preference, functional ability, gender identity, religion or origin. But we know from several studies, not in the least through this survey, that it is a right that is being violated daily. That is why the Åland society must take measures to protect and support those exposed and also in preventive work inspect the values, norms and attitudes that maintain the practice of violence. The challenge is to transform the knowledge that exists – and that is continuously developed – in targeted efforts so that those that need support and help actually receive it. To push development and raise knowledge in all of Åland is an obligation towards all those exposed to violence in close relationships. Social sustainability in Åland means a society where basic human rights are respected.

Violence in close relationships, violence against women and honour related violence and oppression is a global social problem, a problem of democracy, and the biggest obstacle to equality, and it is an individual problem that causes great physical and psychological suffering of the vulnerable. Violence in close relationships must be made visible, prevented and measures shall be taken within all areas of society and in all concerned operations in order to reach the Government of Åland's objective of zero tolerance against violence.

In connection with the Government of Åland's reform work of the social welfare legislation, the Government of Åland has found that from a sustainability/equality perspective, there is special reasons to look over the services given from at least legislation on family care, social welfare and family welfare. Among other things, it can be found that home service with support services as they are currently structured only replace such that women traditionally do in the home (cooking, cleaning, clothing care). Support services are absent of what can be seen as more manly traditional tasks in the home. Regarding family care, this is done mainly by women while they, when they reach an age where family care could be an alternative, no longer have a partner that could contribute to this. The mere fact that women to a high degree perform these services contributes to double work, risk for worsened health and quality of life. When women act as family carers full time, it is a financial trap that leads to small prospects of a career and therefore small pensions and financial vulnerability.

Article 7 Children with disabilities

Section 6, subsection 2 of the Constitution provides that children shall be treated equally and as individuals and they shall be allowed to influence matters pertaining to themselves to a degree corresponding to their level of development.

In the Child Welfare Act (417/2007), which is applied in Åland through the Åland Act (ÅSS

2008:97) on the Application in Åland of the Child Welfare Act, extensive provisions concerning children and young people are found; chapter 4 on children's participation provides, among other things, in sections 20–22 on ascertaining the child's views and hearing the child, on exercising a child's right to be heard and on designating a guardian to deputise for a custodian.

Emphasised through section 4f of the above-named Åland Act on support for schooling, is the municipalities' responsibility to arrange school psychologist and school counsellor services that give adequate support and guidance for preventing social and psychological difficulties that concern schooling and the student's development, for students within preschool as well as elementary school. Section 4g provides for consideration of children in service that is aimed at adults; the child's right is strengthened to enough care and enough support if the child's parents, guardian or other that is responsible for the child's care is arrested, serving a prison sentence or judged to have weakened ability to answer for the child's care and upbringing. Corresponding provisions can be found in the Åland Act (ÅSS 2011:114) on Healthcare which also contains several other provisions concerning children and young people. In section 20 subsection 3 concerning the healthcare guarantee, are mentioned children and young people up until 22 years of age, which shall receive care within three months with consideration of how urgent the care is. Chapter 4 provides, among other things, on advice for pregnant woman and children during compulsory education ages, school healthcare and student healthcare. In addition, there is a special Åland Regulation (2015:28) on advice for pregnant women and children, school and student healthcare, as well as preventive oral and teeth care for children and youths.

The Act on the Status and Rights of Clients (812/2000)²⁸ it especially provides on minor client's status according to section 10. A corresponding provision can be found in the Act on the Status and Rights of Patients²⁹.

In 2017, Åland Parliament adopted a change through the Åland Act (ÅSS 2017:56) on Amendment of the Child Welfare Act for Åland. In the Act's section 4 *children in need of special support* are defined as children that have difficulties due to a congenital or later arising physical, psychological, cognitive, sensory, emotional or intellectual disability or that without individual support measures run the risk of being affected by such. In addition to the above mentioned definition, the Child Welfare Act covers, for Åland (2011:86) provisions on special childcare in day care operations, where it is provided that special childcare shall offer needed special education measures to children in need of special support. Even the provisions on leisure centre activities, qualification requirements for staff in childcare, right to day care activities, right to leisure centre activities, home activities, the right to pre-education and special childcare describes the special rights for children in need of special support. Section 22 on fees for municipal childcare provides that childcare fees will not be levied when a child has

²⁸ is applied in Åland through the Åland Act (1995:101) on the Application in Åland of Risk Provisions on Social Welfare.

²⁹ is applied in the Åland through the Åland Act (1993:61) on the Status and Rights of Patients.

been granted a deferment to begin their schooling or when child care programmes are provided for the purpose of rehabilitation. Also with regard to the curriculum for childcare, it is provided in particular on general educational support, where a personalised treatment is given in the context of everyday public educational work, the special education support given by the day care by a special education teacher and the multi-professional support when the child needs support from a multi-professional team. In certain cases assistance is needed for children in need of special support and it can be given in the form of individual support or support in the whole group of children.

Children's Ombudsman

The Åland Act (ÅSS 2014:33) on the Office of the Åland Ombudsman prescribes that an Office of the Åland Ombudsman shall work to secure and promote the child's status and rights within the authority of Åland. The Office of the Ombudsman includes a part-time service as Children's Ombudsman. Within the authority of Åland, the ombudsman shall work for securing and promoting the child's status and rights. This is done, among other things, by assessing that the child's interests and rights are put into practice, as well as by monitoring children and young people's living conditions, monitoring legislation and societal decision-making, and assessing the effects on the child's welfare and through initiatives, advice and counsel to affect social decision-making in matters concerning children and by advocating for safeguarding the children's interests in the community. The Children's Ombudsman shall also, in different ways, promote the fulfilment of the Convention the Rights of the Child. A children's rights manual has, in 2016, been designed to be a tool for anyone who needs guidance and contact information on issues affecting children. Since 2014 there is an agreement between the Office of the Åland Obmudsman and "children's help-line", in cooperation with the Swedish Children's rights in society (BRIS). This means that also children and youth on Åland can benefit from this service.

Convention on the Rights of the Child

The United Nation's Convention on the Rights of the Child consists of 54 articles. In 1991 Åland Parliament gave its consent to those parts of the the Convention that fall within the authority of Åland. The Government of Åland reports regularly on how measures based on the Convention of the Rights of the Child is implemented and Åland's reporting is part of the Ministry for Foreign Affairs' reporting to the UN's Committee on the Rights of the Child.

The Convention's articles build a whole covering four guiding principles:

- all children have the same rights and equal value,
- that the best interests of the child are considered in all decision-making
- that all children have the right to life and development
- that all children have the right to say what they mean and be respected

Article 23 highlights especially the rights for all children with physical or psychological disabilities: All children with physical or psychological disabilities have the right to a full and decent life that makes it possible for them to participate actively in society.

The Government of Åland supports Save the Children on Åland financially by funds raised through gaming operations that since 2014 are continuously engaged in specific activities on the United Nations Convention on the Rights of the Child. The activities also include information activities and efforts to promote government use of child impact assessment tool in decision making.

Child impact assessment tool

The child impact assessment tool in decisions and activities is a tool for charting the best interests of the child. By using this, you can look at factors that affect children and families from a holistic perspective. The Government of Åland has, in its Government programme 25 November 2015, announced that in order to clarify the rights of children and young people the child impact assessment tool is used in decision-making and coordinating and creating formal structures to ensure cross-sectoral cooperation in the field of children and youth, with particular emphasis on children and young people's psychological and physical health.

In the Government of Åland's instructions for drawing up the budget, the children's rights perspective is included and shall be considered: with decision making on issues that affect children directly or indirectly, the child rights perspective shall be applied and child impact assessments carried out. With regard to this, the child rights perspective should be taken into account, where appropriate, when preparing the budget.

Save the Children in Åland has received support from the Government of Åland to educate Åland's municipalities in the child impact assessment tool, which is a method in the form of questions that provides the tools to make an analysis securing the rights of the child. This analysis can be said to be a review before a decision is made of the consequences that the decision may have on the child or group of children who are affected. Key questions in the analysis:

- Does the question/case affect the child directly or indirectly
- Has the affected child's own perspective been taken into account
- Have proven experience and research been taken into account
- What may be considered the best interests of the affected children based on the analysis
- To describe any conflicts of interest, priorities and considerations that have been done
- If the best interests of the child are not a decisive factor in the decision, how can the child be compensated

Children and young people's health and the Public health report;

A progress report on *Children and young people's health in Åland* was published in 2010. The *Public health report 2015* identifies, among other things, child and adolescent psychological

illnesses, the health of children and young people but also rehabilitation and habilitation.

The *School Health* survey is a national survey conducted by the National Institute for Health and Welfare (THL) every second year. Åland has participated in 2013, 2015 and 2017. The survey provides information on school children's living habits, school healthcare, perceived health etc. The questionnaire is answered by eighth and ninth grade students, as well as by students in the first and second grades of high school and vocational high school. In 2017 students in fourth and fifth grade participated for the first time and answered the questions together with their guardians. One area covers questions on health and functional capacity. The results provide for measures and actions both regionally and in each school.

The cooperation model Barnahus (children's advocacy centre)

The Government of Åland has, in 2007, initiated a *Barnahus model*, which is a model for cooperation between different authorities when it is suspected that a child has been exposed to crime. The model promotes cooperation among authorities, to protect the child, investigate if crimes have been committed, and to support the child with a focus on the best interests of the child. The Barnahus model actualises the rights of the child for authorities and the public simultaneously.

Parents in Åland

The Government of Åland has contributed to the financing of the material *Parents in Åland (2015)* in collaboration with the Red Cross and the city of Mariehamn. The material is prepared for professionals that work with migrant children, young people, parents and families with the purpose of facilitating integration in the Åland community; among other things, concerning schooling for children with disabilities.

Mapping of authority cooperation

The report *Mapping of authority cooperation for young people who neither work or study or at risk for this (ÅLR 2013/180)*, is published by the Government of Åland. The report points out, among other things, the need to create an education for everyone, which means more special needs teachers who can provide support to students and long-term planning of how this competence is ensured in the education system. A need for further development of the vocational special education is further pointed out. What is also needed, is increased knowledge and support to young people with neuro-psychiatric disabilities, is to ensure support employment of young people (and adults) in need of support for work on the basis of psychological or physical disabilities.

Pupils' and students' health and learning, as well as the following projects

The report of *pupils and students for health and learning*, published by the Government of Åland 2015, maps collaboration, cooperation and coordination. The background to the report was a need for more cooperation between the various actors involved in pupils and students for physical and psychological health and learning. As a knowledge base for continued development work ten identified development areas were identified by a dialogue with the

various actors.

By allocating specific financial resources 2015-2017, the Government of Åland has made the decision to, based on applications, *support research and development projects aimed at improving knowledge of child protection issues or implementation of new evidenced work methods in child protection*. Financial resources have been granted, among other things, for a cooperation model for social welfare, schools and healthcare for work with child protection issues. The developed cooperation model will also benefit children with disabilities (even if they are not currently in child protection) as the majority of actors from different authorities, including parents, usually form a network around the individual child and the need for effective cooperation is great.

Parental support on Åland – Through all ages of the child (2014)

The Government of Åland has initiated an analysis of *Parental support in Åland. Through all ages of the child (2014)* and published a summary containing information about the available support services in Åland for all parents. The Government of Åland has, in 2018, initiated a cooperation with Åland's Association for Persons with Disabilities to produce an overview of social services and benefits for children and young people in need of special support.

Among the member associations of Åland's Association for Persons with Disabilities, the association *Parent's Association for Children with Special Needs*, as well as *the Welfare of those with Intellectual Disabilities on Åland* provide parental support for parents of children with various disabilities. The activities in these associations are addressed to the whole family but they also include direct efforts for children and young people with disabilities. The activities are supported by the Government of Åland through funds raised through gaming operations.

Build respect, counteract sexual violence in words and actions.

The Government of Åland has, in 2018, reserved funds for five years ahead for: *Preventive work to change the stereotyped gender norms and sexual violence in words and actions among children and young people in Åland.*

IV. Specific Obligations

Article 31 Statistics and data collection

Legislative authority in the field of statistics is shared with the State so that the State has authority over the production of statistics for national needs and Åland has authority over the statistics about the conditions in Åland. In the Act on the Autonomy of Åland, it is also established that statistical information relating to the conditions in Åland that a national authority has access shall on request be provided to the competent authorities in Åland, and in the same manner ÅSUB shall, if necessary, provide information collected in Åland to the

national statistical authorities in order to avoid duplicating work. Special agreements for the production of statistics are made with the national statistical authorities for each statistical area.

For the social welfare and healthcare statistics, the information distribution is until further notice mainly such that the National Institute for Health and Welfare, THL, collects information on individuals including the health and disability of persons also in Åland, while Statistics and Research Åland, ÅSUB, collects information about the provision of the service, as well as the aggregated statistics from the municipalities, municipal associations and ÅHS.

It is important that a diversity of informants are given the opportunity to participate in surveys where the respective target group is covered by the surveys and thus included in the sample of respondents. When it comes to respondents with disabilities, it is for example possible for a family member to interpret or clarify the answers to the interviewer at the interview collections. ÅSUB also offers, if necessary, assistance with information submission of persons who work under statistical confidentiality.

ÅSUB's main channel for providing statistics, as well as research results, is the website. ÅSUB continually strives to develop and update the information on the website after WCAG 2.0 Level AA standard, according to the above-mentioned availability directive.

Article 32 International cooperation

The inclusion of persons with disabilities in society is an important objective within the international cooperation. The Nordic cooperation is based on the Nordic countries', as well as Åland's, the Faroe Islands' and Greenland's common values of democracy, rule of law and equality. The Nordic Cooperation Ministers' vision declaration from February 2014 the *Nordic countries – Together we are stronger* expressed, among other things, visions on optimum conditions for the citizens to move freely between the Nordic countries and that the Nordic region shall be an innovative region with a focus on welfare, education, creativity, entrepreneurship, sustainability and research. The ministers also want to ensure that the Nordic cooperation, in international issues, complements the cooperation taking place in other organisations. The Nordic cooperation shall create Nordic benefit, provide added value to all and lead to concrete results.

The Nordic Council of Ministers has, since 2013, established a consultative body, *The Council of Nordic Cooperation on Disability*, for the area to support the various policy areas and the entire Nordic cooperation to contribute to this inclusion. The Council includes a representative of the Government of Åland and a representative for the disability movement, Åland's Association for Persons with Disabilities. In addition to the disability Council being consulted if necessary, it may on its own initiative raise questions and issues it considers important in the Nordic cooperation in the area of disability. The Disability Council has, among other things,

had the task of monitoring the Nordic Council of Ministers' *Action plan for Nordic Cooperation on Disability 2015–2017: Human rights – Diversity – Freedom of movement*.

The Council's operations, activities and results in 2013–2017 have been evaluated and The Council of Ministers for Health and Social Affairs has approved a new Council mandate. On 10 April 2018, the Nordic Council voted on a new action plan for Nordic cooperation on disability in 2018–2022 with three focus areas: Human Rights, Sustainable development and Freedom of movement. Each focus area has a number of activities. The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the objectives of Agenda 2030 constitute the basis for the new action plan.

The Government of Åland participates with a representative in the *Nordic network of experts for the United Nations Convention on the Rights of Persons with Disabilities* in order to ensure a Nordic disability cooperation. The network of experts has consisted of representatives from the Nordic countries and the governments of the autonomous regions. The network of experts has focused on issues related to the implementation of the Convention in the Nordic countries and the autonomous regions. The network has been a platform for Nordic benefit and exchange of experience with the objective of an effective implementation of the Convention. The network of experts has contributed to the synergies with other international collaborations. The disability organisations have participated in the network of experts through the Network's dialogue with the Council of Nordic Cooperation on Disability.

The Åland Parliament has decided to give its consent, as provided in section 59, subsection 1 of the Act on the Autonomy of Åland of 16 August 1991, to the entry into force in Åland of the Act on the Implementation of the Provisions that belong to the field of legislation of the Nordic Convention on Social Security (266/2013). The Convention supplements the provisions of the EU Regulations and replaces the Convention in force since 1 August 2004. The purpose of the Nordic Convention on social security is to make it easier to move between the Nordic countries.

Article 33 National implementation and monitoring

The Ministry of Social Affairs and Health represents for Åland the focal point that the Convention according to article 33.1 requires states to designate for matters relating to the implementation of the Convention. Åland is part of the national coordination mechanism, *the Advisory Board for the Rights of Persons with Disabilities* with a permanent expert member.

The Government of Åland has adopted a statute and set up a coordination mechanism for the Åland, *The Åland Council for persons with disabilities*. The Council consists of three representatives of organisations for persons with disabilities, a representative of Åland's municipalities, a representative of Mariehamn city, a representative of Åland Public

Healthcare Services (ÅHS), a representative of Åland Labour Market and Student Service Authority (AMS), as well as one representative from each of the departments within the Åland Government's general administration (Department of Trade and Industry, Government Office, Department of Infrastructure, Department of Finance, Department of Education and Culture, as well as the Social Affairs and Environment Department), seven women and six men. The Council has according to established regulations the task;

- to promote, follow and influence the operations on the different areas within the administration.
- to be a cross-sectoral advisory body within the administration in issues which are of importance to persons with disabilities and their welfare, health, participation, life environment, accommodation, movement, education, work and other environmental planning in Åland.
- to act as a cross-sectoral coordination mechanism concerning the general administration and the underlying authorities' implementation, follow-up and reporting of the UN Convention on the Rights of Persons with Disabilities.
- to follow up the implementation of the Åland Government's disability policy's action programme in the the Government of Åland's annual report.
- to take initiatives and make preparations, as well as provide opinions on issues which are of importance to persons with disabilities' living conditions and possibilities of taking care of themselves.

The tasks of the independent mechanism pursuant to article 33.2 are managed by the Parliamentary Ombudsman of Finland, the Human Rights Centre and its Human Rights Delegation, which together comprise Finland's National Human Rights Institution. Through the Åland Parliament decision LTB 35/2015, the independent mechanism promotes, protects and monitors the implementation of the Convention for Åland.

The implementation of the Convention is monitored internationally so that the contracting parties submit periodical reports to the Committee on the Rights of Persons with Disabilities. The initial report shall be prepared within two years after the entry into force of the Convention. Then reporting will be done every four years. Civil society in Åland can also provide a parallel report to the UN Committee. The Committee considers the report and issues conclusions and recommendations on it.

This monitoring is supplemented by the Optional Protocol through which individuals or groups of individuals may complain to the Committee if they believe that their rights under the Convention have been violated. The Optional Protocol also provides for an inquiry procedure on the initiative of the Committee concerning grave or systematic violations. On 27 May 2015 Åland Parliament gave its consent as provided in section 59, subsection 1 of the Act on the

Autonomy of Åland of 16 August 1991, to the Optional Protocol to the extent that it falls within the authority of Åland.