



**International Convention on
the Elimination
of all Forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

**REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9
OF THE CONVENTION**

Sixteenth periodic reports of States parties due in 2001

Addendum

Finland*

[6 November 2001]

* This document contains the sixteenth periodic report of Finland due on 13 August 2001. For the fifteenth periodic report of Finland and the summary records of the meetings at which the Committee considered that report, see documents CERD/C/363/Add.2 and CERD/C/SR.1403-1404 and 1414.

The annexes to the report submitted by the Government of Finland may be consulted in the Secretariat's files.

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Introduction

1. This is the sixteenth periodic report of the Government of Finland on the International Convention on the Elimination of All Forms of Racial Discrimination. As recommended by the Committee on the Elimination of Racial Discrimination, the present report is an updating report, addressing in particular the matters raised in the concluding observations of the Committee submitted after the consideration of the fifteenth periodic report of the Government of Finland in the Committee at its fifty-seventh session in August 2000 (CERD/C/304/Add.107). In addition, the report includes some information presented orally on that occasion and further information on recent legislation and measures taken in the field of elimination of racial discrimination.
2. The report has been drafted in the Ministry for Foreign Affairs in close cooperation with various ministries and other authorities. Non-governmental organizations as well as some other bodies were asked to send written statements for the preparation of the report. In addition, a hearing was organized in October 2001 for public authorities, non-governmental organizations, labour market organizations and advisory boards, giving them an opportunity to present their views and comments on the draft report.
3. The report was submitted to the Secretary-General of the United Nations in October 2001.

I. GENERAL

A. Legislation

4. The new Finnish Constitution, referred to in the fifteenth periodic report and containing the provisions on fundamental rights as amended in 1995, entered into force on 1 March 2000. Those provisions which have most relevance for the prevention of racial discrimination were covered in the previous periodic reports of the Government of Finland.
5. The entry into force of the new Constitution required amendments to other legislation. Legislative reforms relating to fundamental rights include the overall reform of the provisions of the Aliens Act, reform of the legislation concerning freedom of expression, amendment of the Language Act, preparation of a new Administration Act and amendment of the Nationality Act.

Amendments to the Aliens Act

6. The provisions of the Aliens Act - what is known as the accelerated procedure for the application for asylum - were amended by Act No. 648/2000 which entered into force on 7 July 2000. Under the new provisions the accelerated procedure applies to the following cases: (i) the application is manifestly unfounded; (ii) the asylum-seeker may be returned to a member State of the European Union or a Nordic country under the Dublin Convention; (iii) the asylum-seeker may be returned to a safe country of asylum or origin in the light of the particular circumstances of the case; or (iv) the asylum-seeker has made a new application for asylum but the new application does not provide any new justifying reasons why the decision should be changed in favour of the asylum-seeker.

7. The methods of investigation pertaining to the accelerated procedure are not different from those used under the normal procedure, but the existence of the preconditions for asylum is assessed case by case in respect of each applicant. In certain situations referred to in the Aliens Act, repatriation is possible even when an appeal against the decision to return is still pending.

8. Another amendment to the Aliens Act entered into force in March 2000 (Act No. 114/2000). It concerned the establishment of family ties by means of DNA analysis financed by public funds.

9. The national implementation of the Schengen Agreement, aiming at a gradual abolition of border controls, required changes to the Aliens Act. The Act amending the Aliens Act (179/2001), which entered into force on 25 March 2001, contains provisions, inter alia, on freedom of movement, residence and transit between the territories of the Schengen States.

Overall reform of the Aliens Act

10. In March 2000 the Ministry of the Interior set up a working group to prepare an overall reform of the Aliens Act. The aim of the reform is to make the Act as clear, consistent and unambiguous as possible, thus ensuring the legal protection of foreigners and providing, inter alia, more expeditious processing of applications, safeguards against misuse of the asylum system, effective means of implementing decisions and a stronger role for Parliament in the monitoring of immigration policy and its objectives. The new legislative provisions should enter into force in 2003.

Legislation concerning freedom of expression

11. The Ministry of Justice has prepared a Government Bill that brings together the various legislative provisions on freedom of expression in a single act of Parliament. The Government Bill covers all forms of mass media existing in Finland. The new provisions would replace the Act on Freedom of the Press (1/1919) and the Act on Responsibility for Broadcasting (219/1971). Under the new provisions, every printed periodical publication and web publication, as well as any web programme, should have an editor with responsibility for the contents of the publication. The responsibility for prosecution in legal cases concerning freedom of expression in respect of printed publications would be transferred from the Ministry of Justice to the Prosecutor General. The relevant authorities have been requested to comment on the draft of the Bill and efforts are being made to present the Bill to Parliament by the end of 2001.

Contracts of Employment Act

12. A new Contracts of Employment Act (55/2001), making the provisions on equal treatment and on the prohibition of discrimination more precise, entered into force on 1 June 2001. New prohibited grounds for discrimination were added to the Act, and the level of protection of temporary and part-time workers was improved. According to Chapter 2, section 2, of the Contracts of Employment Act, an employer may not without acceptable grounds place

workers in a different position on account of their age, health, national or ethnic origin, sexual orientation, language, religion, opinions, family ties, trade union or political activity, or other comparable reason. This provision also concerns recruitment of employees. The conditions of work of temporary and part-time workers may not be more unfavourable than normal on the mere ground of an employee's shorter duration of employment or shorter hours of work, unless there are reasonable grounds justifying such less favourable treatment. Employers are under an obligation in other respects too to treat their employees equally, unless different treatment is justified because of the duties and status of some employees.

Reform of the Language Act

13. A committee was set up by the Government in 1999 to prepare a proposal for a new Language Act concerning the national languages of Finland, namely Finnish and Swedish, which would replace the existing Language Act (148/1922). The committee submitted its report in June 2001. One of the most important objectives of the revision of the Language Act is to ensure the implementation of linguistic equality, to clarify the legislation concerning the national languages and to remove obstacles to the implementation of the Act. On the basis of the committee report and opinions given thereupon, a Government Bill for the new Language Act is scheduled to be submitted to Parliament in 2002, and the new Act should enter into force at the beginning of 2004.

Reform of the Sami Language Act

14. Apart from the revision of the Language Act, the provisions of the Act on the Use of the Sami Language before Authorities (516/1991; hereinafter "the Sami Language Act") have been reviewed. A working group set up by the Sami Parliament in 1997 has addressed the difficulties of interpretation relating to the provisions of the Sami Language Act.

15. After the working group completed its work at the end of 1999, the Sami Parliament assigned the Sami Language Council to continue with the reform in October 2000. The Sami Language Council should complete its work in the autumn of 2001 and comments will thereafter be requested on the proposals made. Further preparation of the revision of the Act will take place at the Ministry of Justice on the basis of the comments made and in consultation with the Sami Parliament.

Reform of the legislative provisions concerning defamation

16. The new penal provisions concerning defamation and invasion of privacy entered into force on 1 October 2000 (Act No. 531-532/2000). Under the new provisions, a difference is made between offences of defamation and aggravated offences of defamation. Charges in respect of defamation and its aggravated form would be brought on the victim's request. However, in cases where the offence has been committed by using the mass media, and prosecution is warranted by important public interests, the Prosecutor General could order charges to be brought even when the victim does not report the offence for the purpose of prosecution.

Reform of the Nationality Act

17. An overall reform of the Nationality Act (401/1968) is being prepared at the Ministry of the Interior. The Government Bill for the amendment of the Act will be submitted to Parliament in the spring of 2002.

18. The Government Bill suggests that application of the provisions on the recognition of double nationality be extended from the scope of application of the existing Act. At the same time, the preconditions for Finnish nationality will be reviewed, taking into account changes in society, especially with regard to the increased mobility of individuals. The new provisions further aim to increase equality between men and women and the equality of children before the law, irrespective of their birth, and to regulate the allocation of competence among the relevant authorities.

B. International conventions

19. The Committee on the Elimination of Racial Discrimination (hereinafter “the Committee”) has on several occasions expressed concern over the fact that Finland has still not ratified ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. In this context the Government refers to information given in the chapter concerning the Sami in the present report, relating to article 2, including detailed information on the current situation with regard to the possible ratification of the ILO Convention.

20. As mentioned in the previous periodic report, the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages entered into force for Finland in 1998. In this context, the Government refers to the information concerning article 2 under the subtitle “International conventions”.

21. The Convention for the Protection of Human Rights and Fundamental Freedoms (the European Convention on Human Rights/ETS No. 5) was strengthened by Protocol No. 12 which was adopted in June 2000. Protocol No. 12 extends the prohibition of discrimination contained in article 14 of the Convention to cover discrimination relating to the enjoyment of rights other than those protected by the Convention and its additional Protocols. Protocol No. 12 prohibits discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. The Protocol was opened for signature in Rome on 4 November 2000, and was signed by Finland on the same day. Finland has planned to ratify the Protocol in 2002.

22. The Council of Europe Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144) entered into force for Finland on 1 May 2001. The purpose of the Convention is to improve the integration of foreign residents into the local community, especially by enhancing the possibilities for them to participate in local public affairs. The Convention is applied to persons who are not nationals of States parties and who are lawfully resident on their territories, and concerns, inter alia, freedoms of expression, assembly and association, and the right to vote and to stand for election in local authority elections.

23. The European Social Charter, which was accepted by Finland in 1991, contains a general prohibition of discrimination (article E). This provision has also been included in the revised European Social Charter that will gradually replace the existing Charter. The revised European Social Charter entered into force on 1 July 1999 for those States who have ratified it. The Government of Finland will submit the Government Bill for the ratification of the revised Charter to Parliament in November 2001.

C. European Community legislation

24. Finland is also bound by the European Union (EU) regulations prohibiting discrimination, which were strengthened by the entry into force of the Treaty of Amsterdam. According to article 13 of the existing Treaty establishing the European Community, "The Council ... may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation".

25. In 2000 the Council of the European Union introduced measures for the purpose of combating discrimination, including two directives prohibiting discrimination and a Community Action Programme for the years 2001-2006 to combat discrimination.

26. The Council Directive (2000/43/EC) implementing the principle of equal treatment of persons irrespective of racial or ethnic origin was adopted on 29 June 2000. The Directive prohibits direct and indirect discrimination based on race or ethnic origin. It is applied both in the private and the public sectors, encompassing fields of working life, social welfare, social benefits, education, and supply of goods and services which are generally available, including housing. The member States shall also decide on the establishment of an independent body or bodies entrusted with the duty of enhancing the equal treatment of persons irrespective of race or ethnic origin. These provisions of the Directive were taken into account in Finland for example when the establishment of the office of the Minority Ombudsman was being prepared. In this context the Government refers to the information given under the subtitle "Bodies monitoring the implementation of the prohibition of discrimination".

27. The Council Directive (2000/78/EC) establishing a general framework for equal treatment in employment and occupation was adopted on 27 November 2000. The Directive prohibits discrimination on account of religion or belief, disability, age or sexual orientation.

28. The Directives further contain provisions on legal remedies, such as the provisions on a so-called shared burden of proof and prohibition of countermeasures.

29. The national implementation of the Directives prohibiting discrimination requires amendments to the existing legislation in Finland. The preparatory work for the implementation has been initiated in collaboration with social partners.

30. The Community Action Programme to combat discrimination was adopted by the Council on 27 November 2000. The purpose of the Action Programme is to support the member States in their efforts to combat discrimination by improving the understanding of issues related to discrimination developing the capacity to prevent and address discrimination effectively, and promoting and disseminating the values and practices underlying the fight against discrimination.

D. Bodies monitoring the implementation of the prohibition of discrimination

Parliamentary Ombudsman and Chancellor of Justice

31. As mentioned in the previous periodic reports, the Parliamentary Ombudsman and the Chancellor of Justice were assigned, in connection with the fundamental rights reform of 1995, a special duty of supervising the implementation of fundamental rights and human rights. In addition to the investigation of complaints made by citizens, the Parliamentary Ombudsman and the Chancellor of Justice have the right to intervene on their own initiative in deficiencies found.

32. The functions of the aforementioned authorities cover in particular the elimination of racial discrimination and the monitoring of the implementation of minority rights. However, the supervision of legality and rule of law is restricted to the supervision of public authorities and civil servants and other persons performing public functions.

33. The Committee is concerned about the situation of immigrants, refugees and minorities, in particular Roma (concluding observations, para. 14). The share of complaints relating to these minority groups of all the complaints received by the Parliamentary Ombudsman has not been significant in the past few years. According to a rough estimate, their share is no more than a few per cent. As of 1 January 2001, the Office of the Parliamentary Ombudsman has been keeping separate statistics on complaints relating to language and minority rights.

Minority Ombudsman

34. The Committee recommends that Finland take all necessary measures to establish the Office of the Discrimination Ombudsman and to provide the necessary human and financial resources to enable the Office to carry out its tasks in an effective way (*ibid.*, para. 17).

35. On 19 April 2001 the Government adopted a proposal concerning the establishment of the Office of the Ombudsman against Ethnic Discrimination, and submitted a Government Bill (HE 39/2001) for the relevant legislation to Parliament later in the same month. On the basis of the report of the Administrative Affairs Committee of Parliament, however, the name of the Ombudsman was changed to "Minority Ombudsman", as it was considered that the latter more accurately illustrates the duties of the Ombudsman.

36. The Minority Ombudsman has a wider range of duties than the earlier Ombudsman for Aliens and his or her duties are to enhance good inter-ethnic relations and the status and rights of ethnic minorities and immigrants in society, to monitor the implementation of equality among

different ethnic groups and compliance with the prohibition of discrimination on account of ethnic origin, as well as to inform of and report on developments in these matters. The Minority Ombudsman will be assisted in his or her work by an advisory board. The office of the Minority Ombudsman was established on 1 September 2001, replacing the earlier office of the Ombudsman for Aliens.

E. Advisory boards and commissions

Advisory Board for Ethnic Relations

37. The Advisory Board for Ethnic Relations (ETNO), set up under the auspices of the Ministry of Labour for a new term of office in August 2001, is a forum for the promotion of interaction among the Finnish authorities, social partners, non-governmental organizations and ethnic minorities. The members of the Advisory Board include representatives of immigrants and traditional ethnic minorities as well as of central government, the Association of Finnish Local and Regional Authorities and relevant trade unions.

38. The Advisory Board for Ethnic Relations is a body with competence to issue proposals for measures and submit opinions on questions pertaining to immigration policy and inter-ethnic relations. The Advisory Board coordinates views and its proposals and opinions aim to contribute to the promotion of good administrative practices, taking advantage of the expertise of immigrants and representatives of ethnic minorities.

39. One of the most important working procedures of the Advisory Board is the preparatory work and planning that takes place in its subordinate committees. Apart from the main committee functioning as a preparatory body, there were seven other committees in 2000: (i) committee for the rights of immigrant women; (ii) committee for work; (iii) committee for cultural diversity; (iv) committee for the rights and duties of immigrants; (v) committee for expatriate Finns; (vi) committee for research and statistics; and (vii) committee for education.

40. The Advisory Board has also collaborated with social partners with the aim of developing the cultural diversity of working life, preventing discrimination at work on account of ethnic origin and increasing the commitment of social partners to practices promoting good inter-ethnic relations. In the autumn of 1999, the Advisory Board rewarded six employers for having recruited personnel with immigrant backgrounds and for having considered their backgrounds to be an advantage in their jobs.

Advisory Board for International Human Rights Affairs

41. The term of office of the Advisory Board for International Human Rights Affairs, operating under the auspices of the Ministry for Foreign Affairs, was renewed for a three-year period on 27 April 2000. The Advisory Board has intensively followed the human rights policy of the Finnish Government and actively participated in the preparation of guidelines for this policy by presenting views on the most pertinent questions relating to it. The Advisory Board has also organized seminars on various aspects of human rights that have been subject to public debate.

Commission against Racism, Xenophobia, Anti-Semitism and Intolerance

42. The Commission against Racism, Xenophobia, Anti-Semitism and Intolerance was originally set up by the Government in 1994, and was reappointed in February 1997 and again in May 2000. The Commission works to enhance tolerance by drawing attention to racist incidents and supporting positive working methods. When the Commission was reappointed, its members were supplemented by representatives of the traditional Finnish minorities and immigrants. Kaarina Suonio, Director of Tampere Hall, continues as the Commission's Chairperson.

43. The Commission actively participated in the efforts to achieve the Charter of European Political Parties for a Non-Racist Society which has been signed by all the political parties represented in the Finnish Parliament.

44. The Commission cooperates with the European Commission against Racism and Intolerance (ECRI), subordinate to the Council of Europe, and with the EU Centre for the Monitoring of Racism and Xenophobia (EUMC). In December 2000 the Commission arranged round-table discussions with EUMC concerning prevention of racism and ethnic discrimination. Apart from the Finnish Minister of Labour and the Minister of Health and Social Services, the discussions were attended by the Director of the Centre and nearly a hundred representatives of research, minority and non-governmental organizations as well as competent authorities. Different aspects of the combat against racism and xenophobia were brought up during the discussions, and recommendations were given with regard to the prevention of racism and xenophobia.

Ministerial group and working group for immigration policy and inter-ethnic relations

45. A Government resolution on an immigration and refugee programme, adopted in February 1997, provides for the setting up of a ministerial group for immigration policy and inter-ethnic relations. Although the ministerial group was not officially set up by the Government, it has worked with informal status and consists of the Minister for Foreign Affairs and the Ministers of the Interior, Labour, Social Affairs and Health, Education and Justice, provided that each political party sitting in the Government is represented.

46. The ministerial group discusses issues pertaining to the general objectives of Finnish immigration and refugee policy, coordination of immigration and refugee issues, provision of temporary protection, principles concerning the reception of quota refugees (including the criteria applied and the regions from which refugees are received), and promotion of action against racism and of good relations.

47. The ministerial group is assisted by a working group consisting of public officials responsible for the administration of immigration and refugee matters in the different ministries. The working group coordinates the work of the ministries.

Other advisory boards

48. In respect of other advisory boards, the Government refers to the thirteenth and fourteenth periodic report, in which the duties of the Advisory Board for Sami Affairs, subordinate to the Provincial State Office of Lapland, and of the Advisory Board for Roma Affairs, subordinate to the Ministry of Social Affairs and Health, are described.

F. Government Action Plan to Combat Ethnic Discrimination and Racism

49. The Political Programme of Prime Minister Paavo Lipponen's second Government underlines the importance of good inter-ethnic relations for the population and the importance of paying increased attention to action against ethnic discrimination both in legislation and in government activities.

50. On 22 March 2001, the Government adopted a plan of action entitled "Towards Ethnic Equality and Diversity - the Government's Plan of Action to Combat Ethnic Discrimination and Racism" (annex 1). The Action Plan covers the years 2001-2003, and aims to support and develop measures that enhance good inter-ethnic relations and prevent ethnic discrimination and racism in Finnish society.

51. The said measures concern both new and old immigrant groups, the second generation of immigrants as well as ethnic minorities, including the Sami as an indigenous people, and traditional ethnic minorities, i.e. Roma, Jews, Tatars and the group known as Old Russians. The measures also encompass Finnish expatriates returning to Finland and their family members.

52. The Action Plan aims above all to increase awareness of discrimination and enhance good practices. The measures proposed are meant to be implemented mainly at local level, but also at national and regional levels. Moreover, the Action Plan emphasizes the roles of social partners, non-governmental organizations, religious communities and the media.

53. According to the Action Plan, the most relevant governmental measures are the following:

(a) A report on measures enhancing equality and preventing ethnic discrimination and racism, which will be submitted to Parliament simultaneously with a government report on the implementation of the Act on the Integration of Immigrants and Reception of Asylum-Seekers in 2002;

(b) Establishment of the office of the Minority Ombudsman on 1 September 2001;

(c) Encouraging the recruitment by central government and subordinate authorities within each sector of administration of persons representing ethnic minorities, considering knowledge of the cultures of various ethnic groups to be a special asset in the recruitment of personnel, providing training relating to such cultures for employees, and underlining the importance of tolerance;

(d) Measures to be taken in all sectors of administration in order to improve the services and advice provided for ethnic minorities in accordance with the principles of good governance;

(e) Development of collaboration with social partners for the purpose of preventing ethnic discrimination and increasing the employment of immigrants and persons belonging to ethnic minorities;

(f) Analysis of orders, instructions and recommendations issued by central government and subordinate authorities and by the National Pension Institution, in order to ascertain whether they include elements that weaken the legal protection of immigrants and persons belonging to ethnic minorities, discriminate against them or otherwise put them in a weaker position than the population at large;

(g) Provision of adequate resources for research and development in order to meet national and international requirements;

(h) Amendment of the Act on the Integration of Immigrants and Reception of Asylum-Seekers in order to ensure that the need for increasing equality among various ethnic groups and enhancing good inter-ethnic relations is taken into account in local integration plans.

54. The Action Plan also contains various measures to be taken at regional level, such as measures enhancing the employment of immigrants and persons belonging to ethnic minorities.

55. The Government finds that local authorities have an important role in the promotion of good inter-ethnic relations and the prevention of ethnic discrimination and racism, as it is at local level that people face each other and everyday problems. However, there are considerable differences among Finnish municipalities due to their different cultural traditions, economic structures, sizes and population mix. Therefore the needs of municipalities are also different.

56. The Action Plan has been drafted with regard to the present situation but does also take the future into account. The currently small ethnic minorities will grow in size and the ability to provide, for example, for the care of elderly people is weakening due to the fact that the proportion of elderly people within the entire population is growing.

57. In the monitoring of the implementation of the Government Action Plan, a process of utmost importance, particular attention will be paid to the needs defined in the Government report on the implementation of the Act on the Integration of Immigrants and Reception of Asylum-Seekers in 2002.

G. National system for the monitoring of racism and discrimination based on ethnic origin

58. In the previous periodic report, the Government informed the Committee of its intention to establish a national system for the monitoring of racism and discrimination based on ethnic origin. The most important elements of the system are: (i) cooperation among different authorities, including development of and participation in training concerning inter-ethnic

relations; (ii) introduction of national surveys on attitudes, discrimination and victims; (iii) development of cooperation among authorities, immigrants and non-governmental organizations; (iv) more efficiency in the measures taken by authorities in the prevention of discrimination; and (v) gathering and analysis of information as well as provision of legal and other advice to the victims of racism and discrimination.

59. One function of the national monitoring system is to have studies made on inter-ethnic relations and attitudes towards ethnic minorities. Extensive studies were in fact launched in 1998. The results of the survey on the attitudes of authorities were given account of in the previous periodic report. The other surveys concern: (i) attitudes of Finnish citizens towards immigrants; (ii) discrimination at work on account of ethnic origin; and (iii) racism and ethnic discrimination in the mass media.

60. The Committee has expressed its concern over “the reports showing that a significant percentage of Finns declare themselves to be racist or partially racist and opposed to the practice of Islam by immigrants” (ibid., para. 16).

61. The attitudes of Finnish citizens towards immigrants were examined in 1987, 1993 and 1998/99. According to a study done in 1987, attitudes towards immigrants and their rights were relatively tolerant. At that time the majority of Finns considered that Finland should accept more refugees and immigrants or at least maintain the quota at its level at that time. In 1987, there was little immigration into Finland, the total number of immigrants in the country being less than 18,000, of whom fewer than 1,000 had entered Finnish territory as refugees.

62. During the economic recession of the first half of the 1990s, the attitudes of Finnish citizens towards immigration changed. Since the 1987 study, the number of immigrants nearly tripled. Affected by a number of factors, nearly all population groups became intolerant in their attitudes to varying degrees.

63. According to the most recent study, carried out within the framework of the national monitoring system, the results of which were published in September 1999 (by Magdaleena Jaakkola), attitudes have again improved, especially with regard to the reception of immigrant workers and foreign students, although they are not as tolerant as they were at the end of the 1980s.

Eurobarometer 53

64. The most recent indicator of attitudes towards immigrants and minorities is, however, Eurobarometer 53 published by the Commission of the European Communities in April 2000. In this survey, citizens of the member States of the European Union were asked, among other things, how they felt about the presence of people of another nationality, race or religion in their respective countries. The persons interviewed were given three answers to choose from: “disturbing”, “not disturbing” and “don’t know”. The presence of people of another nationality, race or religion was found not disturbing by 80-81 per cent of EU citizens, whereas 14-15 per cent were of the opposite view. According to the study, the attitudes of Finns were clearly more tolerant (disturbing 11 per cent - not disturbing 87 per cent) than those of EU citizens on the average (disturbing 14 per cent - not disturbing 81 per cent).

Study on discrimination at work on account of ethnic origin

65. The first study on discrimination at work on account of ethnic origin, "Immigrants and ethnic minorities in the recruitment of workers and in working life" (by Timo Jaakkola), launched within the framework of the national monitoring system previously referred to, was completed in May 2000.

66. The purpose of the study was to examine the access of immigrants and Roma to work and their experience of working life, with a view to identifying factors preventing or improving access to work.

67. The study indicated that a division had emerged among the immigrants residing in Finland, between well-educated immigrants from the West who are often invited to Finland by their employers, and less-educated immigrants who have little work experience and who often come from developing countries and often have a refugee background.

68. High unemployment and tough competition were found to be the greatest obstacles to access to work by 83.7 per cent of immigrants. More than three fourths of immigrants felt that their experience of work abroad was not appreciated by Finnish employers or that their knowledge of the Finnish language was deficient. Half of Roma and fewer than 20 per cent of immigrants said that they had sometimes experienced unfair treatment by other workers because of their background. According to the study, employers were usually found to treat persons from ethnic minorities and other workers equally.

69. As a measure to further improve the situation it is recommended that, apart from general language instruction, occupation-specific language instruction, in order to facilitate access to employment, be provided. It is also proposed that immigrants be encouraged to seek work in the sectors of health care and education, which are expected to expand significantly in the near future.

Study on the mass media

70. The Committee notes that media often present immigrants and minorities, in particular Roma, in a negative light (*ibid.*, para. 16).

71. The purpose of the study on the media, published in 2000 (*Racism and Ethnicity in the Finnish Newspapers in the Autumn of 1999*, by Raittila and Katilainen) was to examine how issues relating to racism and ethnic discrimination are addressed in the Finnish mass media. The study was carried out within the framework of the national monitoring system by analysing newspaper articles concerning immigrants and traditional minorities in Finland, i.e. Roma, Sami, Old Russians, Jews and Tatars, in September and October 1999. The study will later be extended to nationwide TV programmes.

72. In the light of the study, it was concluded that the tone of Finnish newspaper articles concerning ethnic questions was usually tolerant, and no open racism was identified with the exception of in some readers' letters. Nor were degrading names used for foreigners. The

articles were mainly news articles and commentaries, but there were also some articles which were knowingly intended to serve the purpose of increasing tolerance. Matters concerning persons belonging to ethnic minorities were often discussed by others, especially by public authorities. As regards the minority groups themselves, Samis, Romas and Russians were the most often interviewed.

73. The articles often discussed issues relating to legislation and relations between the public authorities and immigrant groups. The ethnic background of persons suspected or convicted of legal offences was most often left out of the articles. The contribution of the mass media itself to the public awareness of racism and ethnicity was only seldom addressed.

Attitudes of public authorities

74. The Committee notes that “according to a 1999 study on attitudes of public authorities towards immigrants, police and frontier guards have the most negative attitude”. And the Committee recommends “the continuation and strengthening of training programmes for police and all law enforcement officials and the improvement of communication between officials and immigrants in order to enhance mutual confidence” (para. 13).

75. As a continuation of the aforementioned study on attitudes of public authorities, the views of the police concerning their work with immigrants have been studied. This further study indicated that the attitudes of the police were not as much affected by the ethnic background of a person as by the reason why a foreigner or immigrant was in a situation requiring police involvement. According to the study, the additional fact that the police usually find foreigners or immigrants in problem situations was considered to affect the attitudes of the police.

76. The study on attitudes of authorities was also followed by a separate study on the relationship of teachers to cultural diversity (In Finnish: Miettinen and Pitkänen 1999: *Opettaja kulttuurien leikkauspisteessä*). This study addressed the views of comprehensive school and upper secondary school teachers on the education of immigrant children and immigrants in general. According to the study, teachers mainly support the idea of cultural diversity and diversity of values. The study provided valuable information that can be used in the development of teacher training.

Other studies and reports

77. In the past few years, an increasing number of studies and reports have been written, concerning inter-ethnic relations, racism, discrimination and the status of immigrants. For example, the attitudes of youth towards immigration and xenophobia have been among the questions asked of young persons in the Youth Barometer which, under the guidance of the Ministry of Education and the Advisory Board for Youth Affairs, regularly monitors the attitudes and values of young people.

78. In a doctoral dissertation, Osmo Virrankoski analysed the attitudes of Finnish pupils regarding patriotism, prejudices and racism between 1990 and 1998. The Government notes with concern the results of Virrankoski’s research, published in April 2001, according to

which the attitudes have become more intolerant. According to the dissertation, the number of young people at the age of 15-16 who had racial prejudices increased between 1990 and 1998 from 15 to 24 per cent, while the number of children with tolerant attitudes decreased from 28 to 24 per cent. Boys were more often intolerant than girls. Also, covert racism was common, as 66 per cent of pupils who chose to go to upper secondary school had covertly racist attitudes.

79. Another study, carried out by Magdaleena Jaakkola, focused on the attitudes of youth towards skinheads and their activities. The results were consistent with those of Virrankoski's research. According to Jaakkola, one fifth of boys between the ages of 15 and 17 approved of the activities of skinheads wholly or in part.

Ongoing studies

80. In 2000, the Academy of Finland launched a three-year research programme, "Social exclusion, inequality and ethnic relations in Finland" (SYREENI). The programme is intended to identify the reasons for the emergence of inequality and social exclusion as well as the changes taking place in inter-ethnic relations.

81. The programme aims to develop and improve the quality of research pertaining to social exclusion, inequality and inter-ethnic relations, and especially to develop researcher training in the field of inter-ethnic relations. The programme addresses in particular racism and discrimination and various questions relating to immigrants, such as their position in the labour market, education and culture.

82. As part of SYREENI, an extensive study on victims of racism, the first of its kind, was initiated in 2001. The study on victims of racism makes it possible to obtain information on undetected crime. The results of this study should be available in 2002.

Finnish League for Human Rights as a body monitoring racism

83. At the end of 2000, the Finnish League for Human Rights was assigned by the European Monitoring Centre on Racism and Xenophobia (EUMC) to serve as the National Focal Point for the purpose of monitoring racism in Finland, and its mandate has been extended until 31 June 2003.

84. On 1 January 2000, the Ministry of Labour and the Finnish League for Human Rights agreed for the first time on a project called "Monitoring of racism and ethnic discrimination". The agreement was renewed at the beginning of 2001. Within the framework of this project, the Finnish League for Human Rights: (a) monitors racist incidents and compiles and analyses data produced by the relevant international and national bodies; (b) provides information and advice as well as (c) training in matters pertaining to racism and ethnic discrimination; and (d) produces each year a report on racism in Finland. The report concerning the year 2000 ("Racism in Finland 2000") is available on the League's web site at <http://www.ihmisoikeusliitto.fi>.

H. Report on Human Rights and Finland's Foreign Policy

85. On 29 November 2000, Foreign Minister Erkki Tuomioja submitted a report on Human Rights and Finland's Foreign Policy to the Foreign Affairs Committee of the Finnish Parliament. The report gives account of the Government's human rights policy as an integral part of foreign and security policy. It is a follow-up report pertaining to the initial report submitted to Parliament in 1998, assessing the progress achieved since then and setting objectives for the future. The report reaffirms the priority areas of Finnish human rights policy, i.e. women's rights, rights of the child, as well as rights of minorities and indigenous peoples. According to the report, Finland devotes particular attention to the promotion of tolerance and the fight against racism at national, regional and international levels. The Government's human rights policy is discussed in more detail in a separate report attached to the present periodic report (annex 2).

I. Population statistics

Collection of demographic data

86. The government agency responsible for the collection of demographic data is the Population Register Centre. According to the data collected, the population of Finland was 5,181,115 persons at the end of 2000.

87. Statistics Finland compiles statistics, for example, on the basis of nationality, language and country of birth. These statistics are based on information given by the Population Register Centre.

National minorities

88. The status of the Swedish-speaking Finns, who are a linguistic minority, is exceptional compared to that of other national minorities, due to the fact that Swedish is, in addition to Finnish, a national language of Finland. The Swedish-speaking Finns are the largest minority in Finland (291,657 persons on 31 December 2000, i.e. 5.71 per cent of the entire population). Most of the Swedish-speaking Finns live on the southern, south-eastern and western coasts and on the Åland islands.

89. Due to the fact that there are no precise statistical data available on the different ethnic minorities, it is only possible to give an estimate as to their numbers and geographical distribution.

90. The Sami are an indigenous people. Most of the Sami, some 4,000 persons, live in the Sami Homeland in northern Lapland and about 3,500 of them live in other parts of the country. There were 1,734 persons speaking the Sami language as their mother tongue in 2000.

91. There are about 10,000 Romas in Finland. The Roma reside in various parts of the country, although most of them live in the largest cities in southern Finland.

92. There are approximately 1,300 Jews in Finland. Most of them live in the surroundings of Helsinki and Turku where the two Jewish congregations of Finland are located.

93. The Tatars are a Turkish-related Islamic minority. The ancestors of this minority immigrated to Finland between 1870 and 1925. There are some 900 Tatars living in Finland, most of them in the capital district.

94. The so-called Old Russians are descendants of Russian immigrants who moved to Finland in the late nineteenth century. It is difficult to estimate the number of Old Russians as in the past few decades the number of Russian-speaking persons in Finland has considerably increased due to increasing immigration. At present there are approximately 28,000 Russian-speaking persons in Finland, of whom some 5,000 are Old Russians.

Other minorities

95. At the end of 2000 the number of foreigners residing in Finland was 91,074, which is some 1.76 per cent of the entire population. This figure does not contain those foreigners who have filed an application for asylum or residence permit which is still pending. Their relative number is still not large when compared to other countries but it has grown rapidly. The four largest groups of immigrants were the Russians (20,552), the Estonians (10,839), the Swedes (7,887) and the Somalis (4,190).

96. One specific minority group is the Ingrian Finns who are returnees from the former Soviet Union. They are descendants of people who moved to Ingria which was ceded to Sweden as a result of the Stolbova peace in 1617. Roughly 20,000 Ingrian Finns have moved to Finland in the past 10 years.

II. ARTICLE 2

A. International conventions

97. As mentioned in the previous periodic report, the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages entered into force for Finland in 1998. The initial reports on the implementation of these instruments were submitted to the Council of Europe at the beginning of 1999.

98. The advisory committee assisting the Committee of Ministers of the Council of Europe in the monitoring of the implementation of the Framework Convention adopted preliminary conclusions and recommendations concerning Finland on 22 September 2000. The Government of Finland commented on them in July 2001. Finland also published both the preliminary conclusions and recommendations and the Government's comments in July 2001. The final recommendations concerning Finland in respect of both instruments will be issued by the Committee of Ministers by the end of 2001.

99. As regards the Charter for Regional or Minority Languages, the committee of experts assisting the Council of Europe adopted preliminary conclusions and recommendations concerning Finland in February 2001 and the Government of Finland commented on them in July 2001. The Committee of Ministers issued its final recommendations concerning Finland in September 2001.

B. The Sami

100. The Committee reiterates its concern over the fact that the question of land ownership of the Sami has not yet been resolved and that Finland has not ratified the ILO Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries. The Committee further expresses its concern about activities authorized by State bodies in Sami reindeer-breeding areas which may threaten Sami culture and their traditional way of life (para. 11).

101. The Rapporteur appointed by the Ministry of Justice, mentioned in the previous periodic report, submitted his report in October 1999 concerning the rights of the Sami to the land, water, natural resources and traditional means of livelihood in the Sami Homeland. It is suggested in the report that a council of land rights should be established within the framework of the Sami Parliament, consisting of representatives of the Sami Parliament and the municipalities located in the Sami Homeland. The council would be responsible for the protection of the rights, such as land and water rights, of the Sami and other population groups in the Sami Homeland. The State would continue to own the land and the National Board of Forestry would be responsible for its administration.

102. On the basis of the aforementioned report, the Ministry of Justice set up a committee on 22 November 2000 to make a proposal for the arrangement of the rights to the land, water, natural resources and traditional means of livelihood on State-owned land within the Sami Homeland. Half of the committee members are Sami. The most important duty of the committee is to examine the question of land rights with a view to resolving how the rights of the Sami to maintain and develop their culture and traditional means of livelihood could be ensured so that the local conditions and the need for their development are taken into account. The committee should find a solution that fulfils the minimum criteria that are required for the ratification of ILO Convention No. 169. The committee should especially assess the extent to which proposals made by the Rapporteur mentioned in the previous report as to the establishment of a right to use the land may be implemented. However, the mandate of the committee does not include decision-making on the question of land ownership. The committee should complete its work by 30 November 2001.

103. The Ministry of Justice has also requested an expert's opinion on the legal significance of the reports done so far on the issue of land ownership within the Sami Homeland. This expert's opinion was submitted to the Ministry of Justice in August 2001. According to the opinion, it may be considered that Sami families still had a right comparable to an owner's right of possession to certain land areas reserved for specific purposes, such as for courtyards of

residential buildings and for fishing and hunting sites, in the eighteenth century. However, as of the sixteenth century the State's right of possession in respect of natural land areas in the north became stronger. By the first half of the twentieth century, questions relating to old Sami villages or land owned by individual Samis were no longer subject to public debate. The Skolt Sami preserved their right of possession in respect of land longer than other Samis.

104. The opinion, together with the committee proposal, constitutes a basis for the assessment of the need for legislative measures in respect of the arrangement of land ownership.

105. Furthermore, the Sami Parliament will continue with the investigations concerning the ownership in respect of State-owned land, initiated by the former Sami delegation in 1993.

Further observations on the status of the Sami

106. The decisions of the Supreme Administrative Court on appeals made concerning Sami Parliament elections have helped to determine who may be considered Sami within the meaning of the Act on the Sami Parliament (974/1995). The Supreme Administrative Court decided on 657 appeals made against the decisions of the Sami Parliament. Most appeals were dismissed.

107. The appeals involved the question of whether the appellants could be considered as Samis with a right to vote in the Sami Parliament elections on the ground that they were descendants of a person who had been entered in a land, taxation or population register as a mountain, forest or fishing Lapp between 1695 and 1875. Most appellants did indeed invoke this fact.

108. The Supreme Administrative Court reasoned its decision by observing that the registration-based definition of Sami in the Act on the Sami Parliament is not clear, and the problem may not be solved on the basis of the wording of the Act only. In its interpretation, the Supreme Administrative Court also paid attention to the constitutional rights of the Sami as an indigenous people and to the purpose of the Act on Sami Parliament, which is to ensure the cultural autonomy of the Sami insofar as their language and culture are concerned.

109. The present definition of Sami is based either on the language spoken by the person in question or on the previous taxes levied on his or her ancestor. Under the law, the language-based definition may only extend over three prior generations, whereas the wording of the law does not indicate such a temporal limitation in respect of the registration-based definition. The Supreme Administrative Court nevertheless found in its decisions that the registration-based definition of Sami may not be extended further than that based on the language. Thus, most appeals were dismissed on the grounds that the ancestors entered in the land or taxation registers were found too distant to the appellants.

110. The provision in the Finnish Constitution, under which the Sami as an indigenous people have a right to maintain and develop their own language and culture, was taken into account in the Act on the Financing of Reindeer-herding and Natural Means of Livelihood which provides

for investment subsidies to be granted to reindeer-owners' associations and persons earning their living from such means of livelihood. According to the Act, special attention shall be paid to the possibilities of the Sami to maintain and develop, within the Sami Homeland, such means of livelihood as are part of their cultural traditions. According to the Government Decree issued by virtue of the said Act, an opinion of the Sami Parliament shall be requested before granting the subsidies if the decision on the granting of subsidies is considered to have an important effect on the possibilities of the Sami to maintain their traditional means of livelihood.

C. The Roma

111. The Committee recommended that Finland take additional measures at national and municipal levels to improve the situation of the Roma minority, with a view to preventing social exclusion and discrimination against them (para. 10).

112. The Government wishes to observe that the protection of traditional minorities in general, including the Roma, is of a high level in Finland. However, the Government is concerned with the continuing discrimination faced by the Roma in everyday situations, which is subject to serious debate in Finnish society.

Strategies of the policy on Roma

113. The Ministry of Social Affairs and Health published in 1999 a report (1999:9) entitled *Romanipolitiikan strategiat/Strategies of the policy on Roma in 2000* (annex 3).

114. The report gives an extensive overview of the situation of the Roma population and of the special needs related to the Roma culture. It reviews the relevant legislation especially in the fields of social affairs, employment, housing and education. Attention is paid particularly to measures to prevent the social exclusion of Roma.

115. The socio-economic position of the Roma is still weak because of their low educational level and the prejudices and discrimination faced by them. Social exclusion of Roma and exclusion from decision-making concerning the Roma themselves were found to be the greatest problems. According to the report, the attainment of de facto equality and prevention of social exclusion will require resources to improve the educational level of Roma children, reduce the prejudices of the majority population and provide training for the authorities in minority issues.

116. The Ministry of Social Affairs and Health appointed an inter-ministerial working group for Roma affairs for the years 2000 and 2001, for the purpose of assessing the measures proposed in the aforementioned report. The working group has as its duty to make further proposals on how the administration of Roma affairs can be organized at national, regional and local levels so as to allow a more efficient participation of the Roma in all levels of society.

Further observations concerning the status of the Roma

117. Efforts have been made to improve the services offered by the authorities so that the special features of the Roma culture could be better taken into account. A handbook, *The Roma and health care services*, has been produced for the social welfare and health authorities in cooperation with the National Board of Education, and another handbook, *The special features of the Roma housing culture*, has been produced for the housing and social welfare authorities with the support of the Ministry of the Environment. Furthermore, the National Church Board has published a handbook, *The Roma and the Church*, for the staff and elected officials of congregations.

118. In the spring of 2000, the Advisory Board for Roma Affairs, under the Ministry of Social Affairs and Health, published a brochure, "Finland's Romani People". The brochure provides general information on the Roma language and culture and on the history and development of the status of the Roma in Finland from the sixteenth century until today, including the development of legislation, housing conditions, education and employment.

Initiative for a Consultative Roma Assembly

119. At the meeting of the Parliamentary Assembly of the Council of Europe on 24 January 2001 the President of the Republic of Finland, Ms. Tarja Halonen, proposed an initiative according to which the possibility of establishing a Pan-European Consultative Roma Assembly should be seriously considered. The initiative elicited general interest and the Finnish Government again took up the matter at the meeting of the Council of Ministers in May 2001.

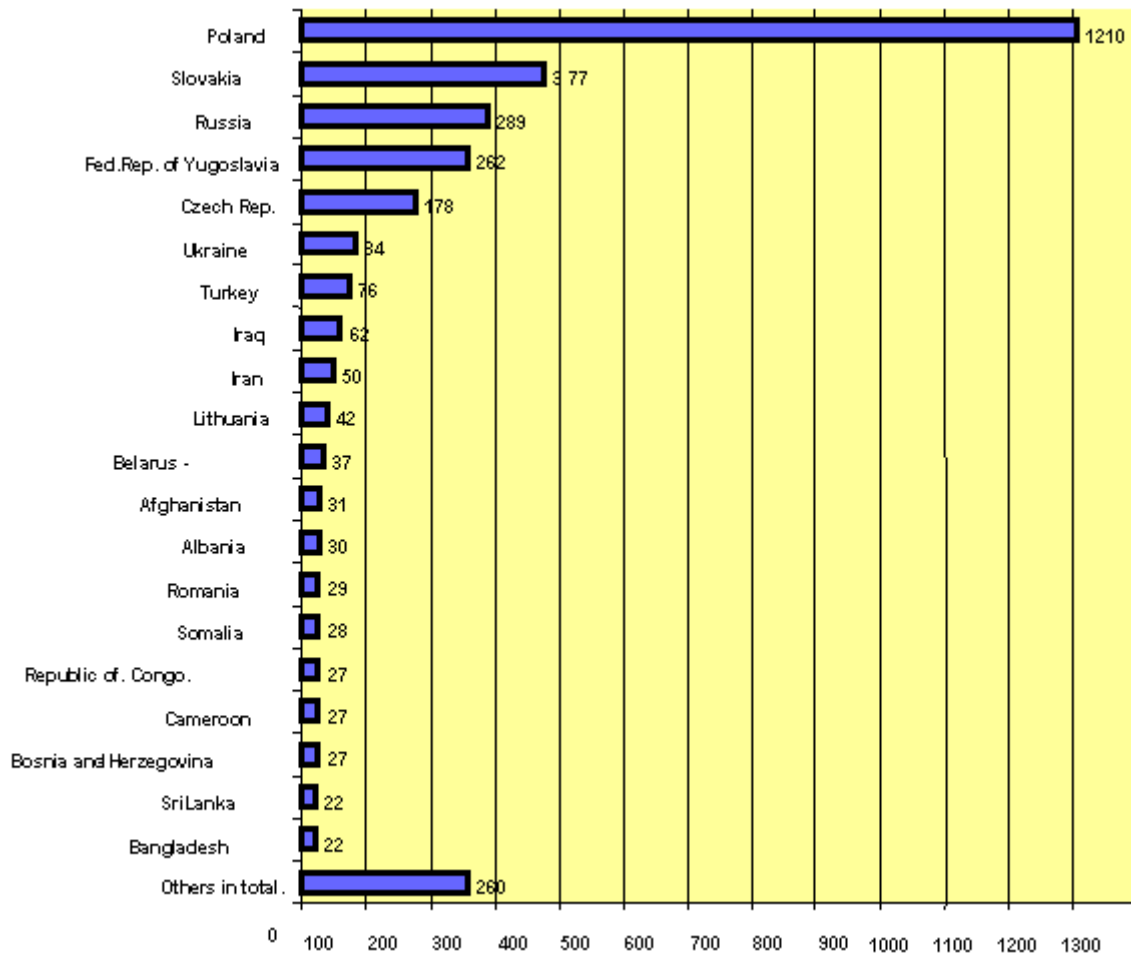
D. Immigration and refugee policy

Refugees and asylum-seekers

120. As mentioned in the thirteenth and fourteenth periodic report, the Government adopted in 1997 a resolution on the Government's immigration and refugee policy. The present Government is also committed to the continuation of the programme. The programme's objective is to increase gradually the quota of refugees to 1,000 persons per year, and indeed the quota has been regularly increased. In 2000 the quota was 700 refugees and in 2001 it was 750. Apart from the quota refugees, 184 family members of refugees were received within the framework of family reunification in 2000.

121. In 2000, 3,170 persons from 71 different States applied for asylum in Finland. Most applicants came from Poland, Slovakia, Russia, the Federal Republic of Yugoslavia and the Czech Republic. Asylum was given to 9 persons and a residence permit was issued to 248 persons on the basis of their need for protection, to 199 persons on the basis of family ties and to 11 persons for other reasons. Most residence permits were issued to nationals of the Federal Republic of Yugoslavia (150), Somalia (93) and Afghanistan (44).

Figure 1: Asylum-seekers in 2000



Source: Directorate of Immigration.

122. After the temporary suspension of the visa-free entry for Slovak citizens which was in force until November 2000, given account of in the previous periodic report, the number of Slovak Romas applying for asylum in Finland increased again. Therefore, Finland decided on a new suspension of the application of the agreement on visa-free entry for a period of six months.

123. The significant increase in the number of asylum-seekers coming from Eastern Europe, especially from Slovakia and Poland, partly contributed to the amendments made to the Aliens Act which entered into force in June 2000. By this amendment the application of the accelerated procedure for the processing of applications for asylum was extended to cover applicants coming, for example, from safe countries of asylum or origin. This is discussed in more detail in the following section.

E. Amendments to the Aliens Act

Accelerated processing of applications for asylum

124. The Committee expressed its concern that in some cases the new accelerated procedure in the revised Aliens Act could result in the repatriation of an asylum-seeker while his or her appeal was still pending. The Committee recommended that Finland should take all available measures to guarantee the legal safeguards for asylum-seekers (para. 12).

125. The provisions of the Aliens Act concerning a so-called accelerated procedure for the application for asylum were amended by Act No. 648/2000 (annex 4) which entered into force on 7 July 2000. The objective of the amendment is not only to accelerate the processing of applications, but also to make the activities of the competent authorities more efficient in general.

126. Under the new provisions, the accelerated procedure applies when: (a) the application is manifestly unfounded; (b) the asylum-seeker may be returned to a member State of the European Union or a Nordic country under the Dublin Convention; (c) the asylum-seeker may be returned to a safe country of asylum or origin in the light of the particular circumstances of the case; and (d) the asylum-seeker has made a new application for asylum and the new application does not contain any new grounds under which the decision should be changed in favour of the asylum-seeker.

127. The methods of investigation pertaining to the accelerated procedure are no different from those used under the normal procedure, but the existence of grounds for granting asylum is assessed case by case.

128. The Directorate of Immigration shall make the decision on the application of a person coming from a safe country of asylum or origin within seven days from the termination of investigation (by the police or the Directorate of Immigration) and receipt of the report of investigation by the Directorate of Immigration. When refusing an application, the Directorate of Immigration shall also decide on refusal of entry. The decision on refusal of entry may be enforced within eight days from the serving of the decision unless enforcement is prohibited by the Helsinki Administrative Court. Where a decision to refuse entry concerns an applicant who had applied for asylum earlier or an applicant who would be returned to another State under the Dublin Convention, the decision is enforceable immediately after it has been issued.

Safe countries of origin

129. The concept of “a safe country of origin” was added to the Aliens Act by the latest amendment. A State in which the asylum-seeker would not be in danger of persecution or gross violations of human rights is considered a safe country of origin. In determining whether a given country of origin is safe, attention is paid, for example, to the adherence by the country in question to the most relevant human rights conventions, to the stability of society and whether it is democratic, and to respect for fair trial rights in the administration of justice. According to the Government Bill (HE 15/2000) for the amendment of the Aliens Act, the Directorate of

Immigration shall take into account the assessment of the Finnish Ministry for Foreign Affairs and possibly that of the Office of the United Nations High Commissioner for Human Rights concerning the human rights record of the given country of origin.

Appeal

130. The provisions concerning appeal were amended at the same time as the other provisions of the Aliens Act. According to section 57, subsection 2, of the Aliens Act, a decision made by the Directorate of Immigration on asylum or residence permit on the basis of a need for protection may be appealed to the Helsinki Administrative Court. The right of appeal may be exercised both in cases decided under the normal procedure and those decided under the accelerated procedure. However, a decision made under the accelerated procedure may be enforced irrespective of appeal, unless enforcement is prohibited by the Helsinki Administrative Court.

131. The decisions of the Helsinki Administrative Court may be further appealed to the Supreme Administrative Court, if it grants leave to appeal.

Debate on the amendments and their consequences

132. The amendments made to the Aliens Act have fulfilled their objectives. After the entry into force of the amendment, the number of asylum-seekers coming from East European countries has significantly decreased. However, the short time allowed for the consideration of a request for the prohibition of enforcement of a decision of the Directorate of Immigration (eight days) and the possibility that the decision can be enforced irrespective of appeal have been the subjects of particular criticism. These issues have also been discussed in the context of the overall reform of the Aliens Act.

Investigation of the need for asylum

133. The provisions of the Aliens Act concerning the investigation to be carried out on applications made by persons applying for asylum or residence permit on the basis of a need for protection were amended (Act No. 648/2000) so that not only the police but also the Directorate of Immigration may carry out investigations (sect. 32a). The purpose is to gradually transfer the competence in respect of the hearing of applicants from the police to the Directorate of Immigration. This transfer of competence is intended to shorten the period of time during which the decision on asylum shall be made. However, the competence to investigate the identity, travel route and entry into the country of the applicant shall remain with the police and the Frontier Guard. The Directorate of Immigration began with the hearing of applicants in March 2001. Training has been provided for the staff of the Directorate of Immigration, e.g. in respect of human rights issues, interview methods, use of interpreters and dealing with persons with traumatic experiences.

134. The Parliamentary Ombudsman has drawn attention to the safety risks that may emerge in case the Finnish authorities extend the investigation of the background of the asylum-seeker to his or her country of origin, e.g. for the purpose of interviewing his or her family members. The Parliamentary Ombudsman finds the present instructions concerning the processing of

applications deficient in this respect, considering also the requirement of confidentiality of the applications. The Parliamentary Ombudsman further suggested that the competent authorities consider whether legislative provisions on the investigation of the background of asylum-seekers in their countries of origin should be enacted.

Family reunification

135. By an amendment (114/2000), which entered into force in March 2000, provisions on the establishment of family ties by means of a DNA analysis were added to the Aliens Act. This amendment was necessary because of the difficulties that aliens, especially those coming from Somalia, had had in presenting reliable evidence of their family ties. According to the new provisions (sect. 18e of the Act), “the Directorate of Immigration may give an applicant and a family member legally residing in Finland an opportunity to produce evidence of his biological relationship by means of a DNA analysis”. Such an analysis is possible “if the family tie based on biological relationship cannot be adequately established in any other way, and if it is possible to provide substantial evidence of the family tie by means of a DNA analysis”. The establishment of family ties by means of a DNA analysis is voluntary and a written consent of the alien in question is necessary. However, a refusal to take a DNA test may lead to a refusal of the application for asylum because of inadequate evidence.

F. Overall reform of the Aliens Act

136. On 14 March 2000 the Ministry of the Interior set up a working group to prepare an overall reform of the Aliens Act. The working group established five subordinate groups concentrating on the following aspects of the reform: (a) visas; (b) entry into the country, residence and deportation; (c) work permits; (d) international protection and deportation of asylum-seekers; and (e) legal remedies. The aim of the reform is to make the Act as clear, consistent and unambiguous as possible, thus ensuring the legal protection of foreigners and providing, inter alia, more expeditious processing of applications, safeguards against misuse of the asylum system, effective means of implementing decisions and a stronger role for Parliament in the monitoring of immigration policy and its objectives. The Government Bill will probably be presented to Parliament in 2002, and the new Act should enter into force in 2003.

G. Refusal of entry and deportation

137. The Finnish Ministry of the Interior and the International Organization of Migration (IOM) have entered into cooperation with regard to situations where an alien upon whose application a decision on refusal of entry or deportation has been made shall be ordered to leave the country. The first project to facilitate the return of such aliens was introduced in 1999. The services relating to the return project were used by 306 aliens. In 2000, there were two return projects which were used by a total of 1,500 aliens. A comparable project was launched for the year 2001, and by 25 July 101 aliens had left the country within the framework of the project.

H. Further observations concerning the status of asylum-seekers

Legal protection of asylum-seekers

138. Improvements were made to legal aid services for asylum-seekers in 2001. The State subsidies given to the Refugee Advice Centre, an NGO responsible for the provision of first-hand legal aid to asylum-seekers, were doubled, amounting to Fmk 3 million. This means that asylum-seekers may more often than before be assisted by a legal counsel when they are heard by the authorities.

Children arriving without a custodian

139. "Children First" is a project designed to improve the practice applied to the reception of children arriving in the country alone and to the processing of their applications for asylum, with the support of financing provided by the European Union. The Directorate of Immigration is the national authority responsible for the implementation of the year-long project (September 2000-September 2001). The purpose of the project is to provide public authorities with training which prepares them to deal with children in the best possible way during the processing of their applications for asylum. The project should also contribute to the development of the reception procedure through the improvement of the system of trusted persons and through the elaboration of a specific fill-in form for interviewing children.

140. One of the two Deputy Parliamentary Ombudsman has on her own initiative investigated the implementation of the rights of refugee children arriving in Finland without a guardian. She paid attention, among other things, to the length of time required for the processing of their applications for asylum or residence permit. At the same time the Deputy Parliamentary Ombudsman addressed problems pertaining to the reunification of refugee children with their families.

I. Integration of immigrants

141. The new Act on the Integration of Immigrants and Reception of Asylum-Seekers (493/1999) was explained in detail in the previous periodic report (Act No. 493/1999, annex 5). The Act aims to enhance the integration of immigrants into Finnish society. A rapid and flexible integration was set as a basic objective for the Government's immigration and refugee policy, to which the present Government is also committed.

142. Integration plans required by the Act have been made in 240 municipalities, and such plans are under preparation in 70 municipalities. In 2000 a total of 11,600 integration plans were made by the local employment authorities, of which 5,000 for women and 6,600 for men. The integration plans have contributed to the provision of a wider range of labour policy measures addressed at immigrants.

143. The impact of the Act on the Integration of Immigrants and Reception of Asylum-Seekers is being monitored and assessed and the Government will submit a report on the implementation of the Act to Parliament in 2002. The Government report will also give account of the enhancement of equality among different ethnic groups and of the prevention of

discrimination and racism. The Government has proposed that the Act (HE 25/2001) be amended by adding provisions under which the municipalities would be under an obligation to include in the integration plans measures for the prevention of racism and the promotion of good inter-ethnic relations.

144. The Finnish Aliens Act does not provide for the concept of temporary need for protection but the Government Bill for the amendment of the Aliens Act (HE 23/2001), suggests that such provision be added to the Act. The Government Bill for the amendment of the Act on the Integration of Immigrants and Reception of Asylum-Seekers (HE 25/2001) further suggests that provisions concerning the reception of persons in need of temporary protection, in situations where a large number of persons have left their country of origin because of an armed conflict or other disturbance or natural catastrophe, be added to the last-mentioned Act.

III. ARTICLE 3

145. No changes since the previous periodic report.

IV. ARTICLE 4

A. Concluding observations of the Committee on the Elimination of Racial Discrimination concerning legislation

146. The Committee reiterated its concern at the absence of a law prohibiting organizations which promote and incite racial discrimination and of a provision in the Penal Code declaring any dissemination of ideas based on racial superiority or hatred punishable by law (para. 9).

147. A Government Bill (HE 183/1999) suggesting that participation in the activities of a criminal organization be punishable by law has been submitted to Parliament. Furthermore, a court order may already be issued, by virtue of section 43 of the Associations Act (503/1989), to abolish an organization which significantly violates the law or codes of conduct. Continuance of the activities of such an organization is subject to punishment by virtue of section 62 of the same Act. As regards dissemination of racist ideas or incitement to racial hatred, charges of ethnic agitation or public incitement to an offence may be brought under the Finnish Penal Code (chap. 11, sect. 8 and chap. 17, sect. 1).

148. The Committee also recommended that Finland consider adopting provisions to increase the severity of sentences for racially motivated crimes, in particular racial violence (para. 9). The Government informs the Committee that chapter 6, section 1, of the Finnish Penal Code does enable courts to consider the racist motive of an offence to be a ground for increasing the severity of the sentence. This has also been done to an increasing extent. Furthermore, the Government intends to submit a proposal to Parliament at the end of 2001 for the amendment of the general provisions of the Penal Code. On that occasion, the provisions concerning sentencing will also be reviewed.

149. The Committee noted the lack of a uniform terminology on discrimination in different Finnish laws and, in order to better combat acts of racism, the Committee recommended the adoption of explicit anti-discriminatory legislation (para. 8).

150. The Government presumes that the Committee has compared the terms used in the Constitution with those used in the Penal Code. When the Constitution was being prepared, efforts were made to achieve clear and understandable wording throughout the text of the Constitution, which is more generic and less detailed in nature than the wording of ordinary acts of Parliament. Attention was also paid to the need to avoid too-detailed provisions, without prejudice to the international obligations of Finland. Thus, the list of prohibited grounds for different treatment set out in section 6 of the Constitution is not exhaustive but only contains, as observed in the statement of reasons for the Government Bill, those grounds which may be considered as the core of the prohibition of discrimination in Finland.

151. As regards "race" as a prohibited ground for different treatment, in particular, the absence of which in Finnish law has been observed by the Committee, the Government points out that its absence is a conscious choice due to the fact that it has been considered an outdated concept and the concept of "origin", which is used in Finland instead, is considered to encompass "race".

152. The possible need for a specific act of Parliament prohibiting discrimination is currently being considered in working groups under the direction of the Ministry of Labour, with a view to assessing the need for the amending of national legislation due to the implementation of the European Union directives referred to under the heading "EC legislation".

B. Racism and the Internet

153. In Finland increasing attention has been paid to the need to combat the dissemination of racist ideas through the Internet. A usual problem is that the service-producers are located abroad, in which case the national legislation may not be applied. However, efforts are made in international forums to address such problems.

154. In Finland the mass media themselves assume responsibility for the contents of the texts and programmes produced. Self-control in this context means that the various sectors of industry voluntarily cooperate in order to suppress harmful and criminal practices. This form of control is based on mutual agreements between the different actors in industrial life, and industrial organizations themselves are responsible for the exercise of control. The government authorities only intervene in cases of criminal offences.

155. The most significant Finnish producers and suppliers of Internet services have together drafted a code of conduct providing for basic rules to be followed in the use of the Internet. When the rules were drafted, special attention was paid to young users of the Internet, and their rights and moral duties. The Ministry of Transport and Communications is currently carrying out a project the purpose of which is to find ways to intensify the self-regulation of Internet service-producers.

156. The Ministry of Transport and Communications and the Ministry of Justice are participating in a multi-year project of the European Parliament and the Council of Ministers aiming to improve the user safety of the Internet and preventing the use of the Internet for the dissemination of racist and xenophobic ideas. Furthermore, efforts are being made to include in the school curricula courses which aim to increase awareness of safe ways to use the Internet.

157. Also, non-governmental organizations have become more and more aware of the need to increase awareness and provide media education. Their primary target groups are children and young people and their parents.

158. The Ministry of Justice has prepared a Government Bill compiling the various legislative provisions on freedom of expression in a single act of Parliament. The new provisions would replace the Act on Freedom of the Press (1/1919) and the Act on Responsibility for Broadcasting (219/1971). The new act would encompass all forms of mass media existing in Finland, irrespective of the recording, publication or distribution techniques.

V. ARTICLE 5

A. Right to equal treatment before the tribunals and all other organs administering justice

159. In this regard the Government refers to the thirteenth and fourteenth periodic report.

B. Right to security of person and protection by the State against violence or bodily harm

The police

Investigation of offences committed by the police

160. The Committee recommended that cases where police officers are personally involved in racially motivated acts be investigated by an independent body (para. 13).

161. The Government is not aware of any cases where the police would have committed racially motivated offences. As already observed in the previous periodic report, under section 14 (2) of the Pre-trial Investigation Act (44/1987), the investigation of offences allegedly committed by the police shall always be carried out by the public prosecutor, with the exception of acts for which only a summary penal fine may be imposed. Should the police be suspected of a racially motivated offence, the investigation would always be carried out by the public prosecutor.

Measures against racism and xenophobia

162. The Committee expressed concern about the fact that with respect to racially motivated crimes, the police do not always intervene or their action is not always appropriate and that prosecutors are reluctant to initiate criminal proceedings (para. 13).

163. In the Government's view, the Finnish police take the investigation of racially motivated offences seriously. As of 10 July 1997, the police have been bound in their actions by instructions issued by the Ministry of the Interior, "Promotion of tolerance and prevention of

racism among the police". According to the instructions, the police shall, among other things, monitor the activities of organized and racist groups and take appropriate measures to intervene immediately in any offences. The Ministry of the Interior is currently revising the said instructions, paying special attention to the ways in which ethnic questions should be dealt with among the police.

164. The Ministry of the Interior, in cooperation with the Finnish League for Human Rights, has prepared information materials to be handed out to victims of racism and ethnic discrimination. These materials aim, among other things, to encourage victims to report the offences to the police.

165. Within the police administration, one or two seminars on ethics are organized every year, designed in particular for police officers doing fieldwork. The seminars address, for example, various situations in which the police need to deal with persons with different ethnic backgrounds. Appropriate and equal treatment and preparedness to conciliate have been paid attention to when such situations have been discussed.

166. A special textbook on different cultures, Ethics and the Police, was published in 2000 for the purposes of police training. The book discusses, among other issues, situations in which the police need to deal with immigrants and other ethnic groups. The textbook aims to contribute to an increased understanding of different cultures.

167. At the beginning of 2001, a new solemn undertaking to act in an ethical way, which will be made by all persons graduating from the Police College, was introduced. The purpose of such ethical undertaking is to enhance respect for the dignity of the human being and human rights, as well as peaceful coexistence and justice.

168. Cooperation between the police and immigrant organizations in arranging training and the use of immigrants as experts have increased positive interaction between the police and immigrants in the past few years. Such interaction will also be encouraged in the future.

The Prosecutor General

169. The Office of the Prosecutor General is the central government authority for public prosecutors. As the supreme prosecuting authority, the Prosecutor General exercises independent and impartial prosecutorial powers and is responsible for the management, development and monitoring of prosecuting activities. The Prosecutor General may also initiate court proceedings on the basis of complaints made by individual citizens.

170. As mentioned in the previous periodic report, the Prosecutor General issued on 24 February 1998 instructions placing district prosecutors under an obligation to report to the Office of the Prosecutor General offences that have significant effects on society. Such offences include, for example, offences with political or racial motives. Offences that may be presumed to otherwise attract wide public attention, or have general significance as precedents, shall also be reported.

171. According to the information provided by the Office of the Prosecutor General, the prosecutors have increasingly reported offences to the Office. In 2000, a total of 20 offences were reported, and by the end of April 2001 six racially motivated offences had been reported to the Office. However, according to the Office, those figures do not give an accurate picture of the real number of racially motivated offences, and the Office has decided to take more efficient measures in order to monitor compliance with the reporting obligation. Cases reported to the Office of the Prosecutor General are given account of in the section concerning article 6.

C. Political rights

172. The Council of Europe Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144) entered into force for Finland on 1 May 2001. The purpose of the Convention is to improve the integration of foreign residents into the local community, especially by enhancing the possibilities for them to participate in local public affairs. The Convention is applied to persons who are not nationals of the States parties and who are lawfully resident on their territories and concerns, inter alia, the freedoms of expression, assembly and association, and the right to vote and to stand for election in local authority elections. According to the Convention, the State party shall ensure that there are no legal or other obstacles to consultative bodies or other appropriate arrangements.

173. In the local authority elections held in October 2000, there were immigrants standing for election in several municipalities. A total of 12,276 members of town councils were elected, of whom 13 were immigrants. These immigrant members are nationals of Somalia, Guinea-Bissau, South Africa, Bangladesh and the Gambia.

D. Other civil rights

The right to nationality

Reform of the Nationality Act

174. An overall reform of the Nationality Act (401/1968) is being prepared at the Ministry of the Interior. The Government Bill for the amendment of the Act will be submitted to Parliament in the spring of 2002.

175. The Government Bill suggests that the application of the provisions on the recognition of double nationality be extended from the scope of application of the existing Act. At the same time the conditions for the granting of Finnish nationality will be reviewed, taking into account changes in society, especially with regard to the increased mobility of citizens. The new provisions further aim to increase equality between men and women and children's equality before the law irrespective of their birth or origin, and at regulating the distribution of competence among the relevant authorities.

176. In other respects the Government refers to the thirteen and fourteenth periodic report.

E. Economic, social and cultural rights

177. The Committee noted with concern that immigrants, refugees and minorities, in particular Roma, have higher rates of unemployment (para. 14).

The right to work

Discrimination at work

178. A new Contracts of Employment Act (55/2001), making the provisions on equal treatment and prohibition of discrimination more precise, entered into force on 1 June 2001. New prohibited grounds for discrimination were added to the Act, and the level of protection of temporary and part-time workers was improved. According to chapter 2, section 2, of the Contracts of Employment Act, an employer may not without acceptable grounds place workers in a different position on account of age, health, national or ethnic origin, sexual orientation, language, religion, opinion, family ties, trade union or political activity, or other comparable reason. This provision also concerns recruitment of employees. The conditions of work of temporary and part-time workers may not be more unfavourable on the mere ground of a shorter duration of the employment contract or shorter hours of work, unless there are reasonable grounds justifying such less favourable treatment. Employers are also in other respects under an obligation to treat their employees equally, unless a different treatment is justified with regard to the duties and status of the employees.

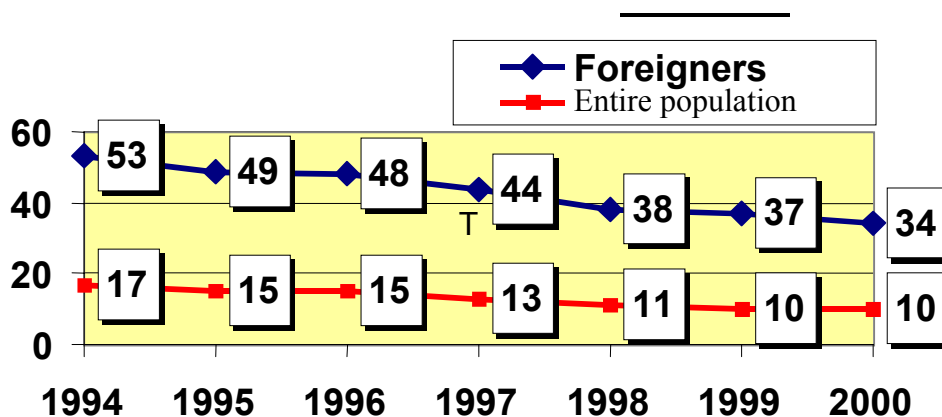
179. The responsibility for monitoring compliance with the provisions of the Contracts of Employment Act still remains with the labour protection authorities. This responsibility is vested in local offices of labour protection districts. A violation of the prohibition of discrimination referred to in chapter 2, section 2, of the Contracts of Employment Act is subject to punishment pursuant to chapter 47, section 3, of the Penal Code. An employer may also be ordered to pay damages by virtue of chapter 12, section 1, of the Contracts of Employment Act.

180. A brochure was published in 2000 ("Prohibition of discrimination and working life") with the aim of increasing awareness of the legislative provisions prohibiting discrimination.

Employment situation of immigrants

181. The unemployment rate of immigrants has decreased in Finland. According to an estimation given by the Ministry of Labour, approximately 31.7 per cent of immigrants were unemployed at the end of 2000. In 1999, the unemployment rate was 37.5 per cent and in 1998 it was 38.3 per cent. The employment situation has improved for all immigrant groups. The Act on the Integration of Immigrants and Reception of Asylum-Seekers and a long continuous period of economic growth have partly contributed to the improved situation. However, unemployment is still usual in several groups of refugees and persons who have entered the country for humanitarian reasons, varying from 50 to 75 per cent. The following figure illustrates the employment situation of foreign residents and the entire population in 1994-2000.

Figure 2: Unemployment in 1994 - 30 April 2000



Source: Statistics Finland, Ministry of Labour.

182. For the purpose of reducing the unemployment of immigrants, collaboration between the government authorities and social partners is being developed. Measures for the reduction of unemployment include prevention of ethnic discrimination. This form of collaboration is constantly improved and it may be expected to have, in the long term, a positive impact on the employment of immigrants. At the same time the increasing demand for labour in certain sectors improves the possibilities of immigrants to find work.

183. Furthermore, several projects financed by the European Social Fund and the European Union have been launched for the purpose of improving the employment situation of immigrants. In the Plan of Action to combat ethnic discrimination and racism, the Government also undertakes to enhance the recruitment of persons belonging to ethnic minorities in the public sector.

184. One way to enhance the integration of immigrants is to support their private business initiatives, which have clearly increased in Finland. The Ministry of Labour and the Ministry of Trade and Industry have taken joint measures in order to enhance such initiatives. Information materials have been produced for immigrants and some companies providing consulting services have recruited persons with immigrant background. The private business initiatives of immigrants have also been supported with various EU projects.

185. The Vocational Rehabilitation Act (189/2001), which entered into force in September 2001, also has relevance for the employment of immigrants. The main purpose of the Act is to prevent long-term unemployment.

The employment situation of the Roma

186. According to a study concerning the education and employment situation of the Roma in 1998 by the Ministry of Education, 52-56 per cent of the Roma population were unemployed.

187. In the study on ethnic discrimination in working life referred to in paragraphs 65 ff. above, the situation of the Roma was also examined. The study gave reason to assume, on the one hand, that the Roma who actively participated in working life did not face as much discrimination as, for example, Somalis and certain other ethnic groups. On the other hand, the Roma, and in particular Roma women, still suffer from discrimination vis-à-vis the majority of the population when looking for work.

188. With regard to the needs of the Roma population, special training programmes have been created, with the aim of promoting their employment in their traditional fields, as well as providing basic professional skills.

189. The Finnish Romako, which is a project supported by the European Social Fund, has been extended until December 2001. The main objective of the project is to raise the educational level of the Roma and to prevent their social exclusion. As a result of the project, increasing interest in training among the adult Roma population has been observed in different parts of the country. In 1996-2000, a total of 478 Romas, of whom 272 were women, participated in the training provided within the framework of the Romako project. Such training was available in 16 municipalities, provided by 14 educational institutions.

Right to housing

190. The Committee noted with concern that immigrants, refugees and minorities, in particular Roma, have difficulties in gaining access to housing (para. 14).

191. The problems relating to homelessness among individual population groups are addressed within the framework of the general policy aiming to reduce homelessness. On 19 September 2000 the Ministry of the Environment set up a working group that elaborated a programme of action for the reduction of homelessness for the years 2001-2003. The programme of action includes financial questions and problems relating to access to public housing, to the needs of carrying out surveys on homelessness and to the social welfare and health-care services which are relevant to the efforts to reduce homelessness.

192. The working group also finds it important to devote resources to preventive measures. Therefore the development of housing conditions and reduction of homelessness have been made part of the national plan of action against poverty and social exclusion. This plan of action also covers the years 2001-2003.

193. As a further measure the Ministry of the Environment set up a new working group in May 2001 to plan the monitoring and implementation of the plan of action for the reduction of homelessness, and to suggest new measures. Specific groups of homeless people are also taken into account by the working group.

The housing conditions of the Roma

194. Some Roma are faced with homelessness and deficient housing conditions in the same way as some Finns in general. The housing problems of minorities, including those of the Roma, are examined, for example, in the context of the implementation of Council

Directive 2000/43/EC implementing the principle of equal treatment of persons irrespective of racial or ethnic origin. Solutions are continuously sought to the problem of homelessness in respect of all homeless people. The housing problems of the Roma are also dealt with by the Advisory Board for Roma Affairs.

195. In 2000 the Ministry of the Environment prepared, in cooperation with the Advisory Board for Roma Affairs, a guide for the housing authorities and real estate agents on the special housing needs of Roma. The purpose of the guide is to provide information on the Roma for the authorities and thus make it easier for the Roma to find housing.

Housing conditions of immigrants and refugees

196. In respect of the right to housing, foreigners residing lawfully in Finland are not subject to any special treatment different from that of Finnish nationals. However, refugees and other persons who have been issued a residence permit on the basis of a need for protection are provided with their first housing. Also, persons returning from the territory of the former Soviet Union are provided with accommodation even before their arrival in Finland, as far as possible, so as to facilitate their return. There are no special housing arrangements in respect of other immigrants.

The right to public health, medical care, social security and social services

197. The Committee noted with concern that immigrants, refugees and minorities, in particular Roma, have difficulties in gaining access to social services (para. 14).

198. The right to social security on the basis of old age, incapacity for work or the death of a guardian, and the right to child allowance, health insurance, public health-care services, and maternity and parental allowances are based on residence in Finland. Furthermore, all persons working in Finland have the right to wage-based pension, accident insurance and unemployment benefit. The unemployed either have the right to a basic unemployment allowance or, if they are members of an unemployment fund, to a wage-based allowance. These rights to social security belong to all irrespective of race, nationality or ethnic origin.

199. The municipalities are responsible for the provision of social welfare and health-care services to their residents. Foreigners intending to reside permanently in a given municipality and having a residence permit for at least one year have a right, when needed, to these services in the same way as Finnish residents have. The municipal authorities are also responsible for the provision of emergency services to all persons staying in the municipalities in question.

200. Furthermore, Council Directive 2000/43/EC implementing the principle of equal treatment of persons irrespective of racial or ethnic origin, referred to under the subtitle "EC legislation", applies to social welfare, including social security and health care, social benefits, and supply of goods and services which are generally available. The preparatory work for the implementation of the Directive has been initiated.

201. The Act on the Status and Rights of Patients (785/1992) and the Act on the Status and Rights of Social Welfare Clients (812/2000) also contribute to equality. The purpose of these Acts is to enhance the right of a social welfare client or patient to good social welfare and health-care services and good treatment without discrimination.

202. In October 1999 the Government adopted the strategies and goals for social welfare and health-care services for the years 2000-2003. Local authorities shall, for example, aim to provide services for Finnish- and Swedish-speaking residents, residents speaking the Sami language or using sign language and, as far as possible, immigrants, in their own languages. The Ministry of Social Affairs and Health has also prepared a National Action Plan against Poverty and Social Exclusion for the years 2001-2003.

Right to education and vocational training

203. The Committee noted with concern that immigrants and refugees have higher rates of school drop-out (para. 14).

Educational situation of immigrants

204. Education plays an important role in the integration of immigrants into Finnish society and working life. In the previous periodic report, account was given of the reform of school legislation with effect as of the beginning of 1999, including the new Comprehensive Schools Act (628/1998), the Upper Secondary Schools Act (629/1998) and the Act on Vocational Training (630/1998).

205. Under the Act (1288/1999) amending the Comprehensive Schools Act, which entered into force on 1 August 2000, the municipalities are under an obligation to provide pre-school education free of charge for all children residing in the municipality in question, during the year before they start school. This obligation, and thus the children's right to pre-school education, became effective on 1 August 2001. The pre-school education of immigrant children may be arranged within the framework of normal pre-school education, as separate education preparing the immigrant children for school or as a combination of these two forms of education.

206. The aforementioned Act amending the Comprehensive Schools Act further provides for preparatory and supplementary education to be arranged for immigrants, preparing them for comprehensive school. The objective of such preparatory education is to provide six-year-old immigrant children and immigrant children of school age with the necessary skills to enable them to start school. The amount of preparatory education corresponds to six months' school education, and the municipalities may themselves decide on how to arrange it.

207. Immigrant children and pupils in comprehensive and upper secondary school may also be given supplementary education, including remedial education. The supplementary education may also include language instruction which aims to ensure that immigrant children and pupils are able to maintain their own native languages.

208. Preparatory education may further be provided for immigrant students wishing to enter into vocational education. The purpose of such preparatory education is to provide students with the necessary linguistic and other skills which enable them to start at an educational institution.

209. The Government's Plan of Action to Combat Ethnic Discrimination and Racism provides that special efforts should be made to encourage immigrants and persons belonging to ethnic minorities to go to school and continue with their studies, in order to avoid social exclusion. It must also be ensured that information on different ethnic groups, cultures, religions and beliefs is included in school curricula and teaching materials at all levels of education, including pre-school education. In accordance with the Plan of Action, the Ministry of Education and the Ministry of Labour will initiate a joint project for the purpose of encouraging young immigrants to prepare themselves for and seek education in professional fields in which the demand for labour is expected to increase.

210. Statistical data on the numbers of immigrant children and students at the different levels of education are attached to the present report (annexes 5 and 6).

Educational situation of the Roma

211. The Committee was concerned that Roma continue to experience discrimination in the field of education, and notes with concern that they have higher rates of school drop-out (paras. 10 and 14).

212. There are roughly 1,500 to 1,700 Roma children at school age in Finland. Their participation in school education has improved, but some Roma children still drop out of school every year. In the autumn of 2000 a national project to support the school attendance of Roma children of comprehensive school age was launched. The purpose of the project is to study the school attendance and dropping out of school of Roma children and, in the light of the findings, to find solutions to possible problems. Information on the findings within the framework of this project will be available at the beginning of 2002.

213. As mentioned in the previous periodic report, it is possible to arrange education also in the Roma language, even if it is at the discretion of schools. Furthermore, pupils and students whose mother tongue is Roma may be taught in their own language for at least two hours a week. In 1997-2000, there were 220 to 240 children receiving teaching of the Roma language.

214. An international project, coordinated in Finland by the Roma Training Unit of the National Board of Education, concerning the compiling and publishing of biographies of Roma was completed in 2000. A book concerning the Roma culture for lower comprehensive school was published as an outcome of the project. The Training Unit also regularly gives out a publication providing information concerning the Roma.

215. An assessment of the needs for the training of teachers of Roma language was made in 2000. Continuing education for Roma language teachers has been arranged each year. The preparation of the basic principles for the awarding of the diploma of instructor and special instructor of the Roma culture, referred to in the previous periodic report, was completed in the autumn of 2001.

216. A Roma-Finnish dictionary was published in the spring of 2001, in cooperation with the Finnish Literature Society and Research Institute for the Languages of Finland.

217. In addition, training is provided for contact persons coordinating interaction between the Roma and the majority population, which has raised notable interest in the past few years.

218. In 2001, a joint project of the Roma Training Unit and the Prison Administration Department of the Ministry of Justice was launched for the purpose of enhancing the education of Roma prisoners, with a view to improving their integration into society after release from prison. Another objective of the project is to increase knowledge of the Roma culture among prison staff.

219. In 2000, the Ministry of Education undertook to prepare a guide for the police and judicial authorities. The guide provides information on the status of the Roma and special features of the Roma culture, in order to enhance equality and prevent discrimination.

Educational situation of the Sami

220. As mentioned in the previous periodic report, according to the new Comprehensive School Act (628/1998), the language of instruction at schools may be Sami. It is further provided in the Act that in the Sami Homeland, the education of children speaking Sami should mainly be given in the Sami language.

221. The legislation concerning the financing of education was amended as of 1 January 1999 so that the State will cover the costs of the aforementioned education by means of a separate State subsidy, up to 100 per cent, in comprehensive schools, upper secondary schools and vocational schools. The subsidies reserved for the teaching in and of Sami concern all three Sami languages spoken in Finland (North Sami, Inari Sami and Skolt Sami).

222. A specific appropriation has for a long time been included in the State budget for the purpose of producing teaching materials in Sami. In 2001 this appropriation amounts to Fmk 1.4 million. The appropriation shall be transferred to the Sami Parliament, to be further allocated to the various institutions producing teaching materials. The Sami Parliament may itself decide on the distribution of the funds.

223. Since 1994 a matriculation exam in North Sami as mother tongue has been arranged, and since 1998 it has also been possible to take such an exam in Inari Sami. It has for a long time been possible to take a matriculation exam in North Sami as an extra language, and in the past few years also in Inari Sami.

224. In 1999 the University of Oulu started a programme for the training of special-subject teachers. A new institute (Giellagas Institute) has also been established at the University, with a responsibility to provide for the training in the Sami language and culture.

225. The National Board of Education has established an examination board which is responsible for the implementation of Sami training programmes in the field of handicrafts and reindeer herding. The majority of the members of the examination board are Samis.

226. In 2000-2001 the National Board of Education arranged continuing education for the teachers of the Sami Training Centre. The Training Centre has arranged and been involved in several projects aiming to enhance the traditional means of livelihood of Sami, and has participated in some activities of the University of the Arctic.

227. In this connection it is worth underlining the importance of the work done by open colleges to increase the number of people with command of the Sami language. Several open colleges organize Sami courses on a regular basis, mainly in the Province of Lapland. University-level education is offered by the Universities of Helsinki, Oulu and Lapland.

228. As regards the reform of the Sami Language Act, the Government refers to the information given concerning legislation (subtitle "*General*").

F. The right of access to any place or service intended for use by the general public

229. The Committee expressed concern about reports that Roma are sometimes denied access to and service in public places such as restaurants (para. 10).

230. The Government admits that there still have been incidents where a Roma, foreign citizen or person belonging to an ethnic minority has been denied access to a public place. Most of these cases have concerned access to a restaurant.

231. The following cases are given as examples:

(a) On 23 May 2000, the Riihimäki District Court sentenced the duty manager and a few employees of a camping site to fines for discrimination, as they had denied three Romas access to the camping site. The duty manager's sentence, on the basis of responsibility for giving orders, including the discriminating order, was more severe than those of the others who had (merely) complied with the given orders;

(b) On 20 April 2000 the Helsinki District Court sentenced a restaurant doorman to fines for discrimination, as he had denied a Roma access to the restaurant. He was also ordered to pay non-pecuniary damages amounting to Fmk 3,000. When assessing his liability for damages, the District Court explicitly referred to article 6 of the International Convention on the Elimination of All Forms of Racial Discrimination, under which victims of discrimination have the right to seek just and adequate reparation or satisfaction for any damage suffered as a result of discrimination. The Court of Appeal upheld the judgement of the District Court;

(c) On 20 April 2000, the Helsinki District Court sentenced a hotel manager, a duty manager and doormen to fines for discrimination. The hotel manager and the duty manager had made a decision not to allow dark-skinned foreign men access to the hotel restaurant and, in accordance with this decision, the doormen had denied access to the three plaintiffs. When the sentences were imposed on the doormen, the fact that they had complied with the orders given by their superiors was taken into account as a mitigating circumstance.

232. As regards offences reported to the Office of the Prosecutor General, the Government refers to information given in respect of article 6.

VI. ARTICLE 6

A. Cases of discrimination and assault in courts of first instance

233. The following table is a summary of the sentences imposed for discrimination and ethnic agitation by district courts in 1998-2000:

Ethnic agitation	1998	1999	2000
Convicted	1	9	1
Charges dropped	0	0	0

Discrimination	1998	1999	2000
Convicted	8	8	12
Charges dropped	3	9	9

234. The Committee was concerned at the increasing number of racist acts (para. 16).

235. Since 1997, the police have monitored the development of the number of offences committed against foreigners and immigrants. Special attention has been paid to the development of the number of racially motivated offences in Finland. Since that year the Ministry of the Interior has also published a yearly report on racially motivated offences brought to the attention of the police. The number of such offences has remained nearly the same. There were 194 cases in 1997, 319 in 1998 and 281 in 1999. However, the numbers are not entirely comparable, and no definitive conclusions may be reached as to whether the number of racially motivated offences is increasing or decreasing. The differences between the numbers may also reflect changes in the willingness to report offences to the police.

236. According to the Ministry's report in 1999, approximately 42 per cent of the offences reported to the police were assaults, 11 per cent property offences, 10 per cent offences of defamation, 10 per cent discrimination offences, 7 per cent illegal threats, 4 per cent violations of privacy and 16 per cent other offences.

237. One of four victims (26 per cent) was a Somali (i.e. either a Somali citizen or a Somali who had been granted Finnish nationality). The number of offences committed against Somalis was clearly higher than the number of offences committed against other immigrants, e.g. Turks (8 per cent) and Yugoslavs (5 per cent).

238. It was further observed in the 1999 report that foreigners other than immigrants could also be victims of racially motivated offences. Apart from cases of discrimination against Roma, another significant group of racially motivated offences were those committed against the Finnish spouses or life partners, colleagues, neighbours or friends of foreigners or immigrants. However, it is difficult to find such cases in the police register if the police officer who registers or investigates the reported offence has not classified it as racially motivated. Efforts are still made to improve the accuracy of registration. The Ministry's report concerning the year 2000 will be available on 26 October 2001.

239. It is not possible to estimate the total amount of crime on the basis of offences reported to the police because, especially in respect of racially motivated offences, the proportion of unreported crime is considered to be relatively large.

240. A survey has been initiated by the central government authorities and the City of Helsinki for the purpose of examining crime against immigrants. It was thought that, as the survey is based on interviews, unreported crime would be more easily revealed. The survey, which will be carried out by the University of Helsinki, will be completed in 2002.

241. Racial violence has also been the subject of wide public debate, especially certain incidents of violence that took place between skinheads and young Somalis in the City of Vantaa in 2000 and the immediate police intervention. As a result of the incidents, a joint consultative board was set up, consisting of representatives of the City, the police and the Somalis.

242. The political leaders of Finland, including the President of the Republic, have strongly condemned the racist incidents that received considerable public attention.

Cases of discrimination

243. On 14 December 1999, the Court of Appeal of Eastern Finland upheld the judgement of the Joensuu District Court of June 1999, referred to in the previous periodic report. The District Court had sentenced five skinheads to fines for ethnic agitation, as they had produced and distributed (some 30) T-shirts with racist sayings printed on them.

244. On 4 April 2001 the Turku District Court sentenced a member of the Turku town council to fines for ethnic agitation. He had published a racist caricature and a written piece against Islamic persons on the web pages of his association. The same member of the town council had also been found guilty of a comparable offence in 1999.

245. In June 1999 the Helsinki District Court sentenced the leaders of an association to conditional (suspended) sentences of imprisonment for ethnic agitation. They had disseminated, both in Helsinki and Joensuu, communications that were threatening and insulting to various ethnic groups. On 5 September 2001 the Helsinki Court of Appeal upheld the judgement of the District Court.

246. On 19 March 1999 the Helsinki District Court sentenced three employees of Luottokunta, a credit institution, to fines for having discriminated against a foreigner who applied for a Visa card. The credit institution refused to issue a credit card because, according to the applicable terms and conditions, the holder of a Visa account had to be a Finnish citizen. The District Court found that the employees had placed the applicant in a manifestly different position vis-à-vis other applicants on the ground that the applicant was not a Finnish citizen.

247. Finnish courts have occasionally referred to the International Convention on the Elimination of All Forms of Racial Discrimination in their decisions. On 20 April the Helsinki District Court sentenced a restaurant doorman to fines for discrimination, and ordered him to pay non-pecuniary damages. In respect of his liability for damages, the District Court referred to article 6 of the Convention in addition to chapter 5, section 6, of the Finnish Damages Act.

248. A few cases considered by Courts of Appeal are attached to the present report (annex 8).

249. With regard to the denial of access to restaurants, the Government refers to information given in respect of article 5 above (sect. F).

Cases of discrimination at work

250. During the reporting period, the Supreme Court and the Supreme Administrative Court have issued no decisions concerning discrimination at work.

Alternative measures to penal proceedings in cases of discrimination

251. The Committee recommended that Finland consider ensuring alternative measures to penal proceedings in cases of discrimination (para. 15).

252. According to the Criminal Proceedings Act, damages relating to a criminal law case may be claimed in separate civil proceedings. Furthermore, the public prosecutor may claim damages in the criminal proceedings on behalf of the plaintiff, upon a request by the latter. According to chapter 3, section 9, subsection 1, of the Act, a public prosecutor shall, upon request by the plaintiff, claim damages on behalf of the latter in the criminal proceedings, when this may be done without disrupting the course of the proceedings significantly and the claims are not manifestly unfounded. On 31 December 1998 the Prosecutor General issued general instructions to the public prosecutors to that effect.

B. Freedom of the press

253. The legislative provisions concerning responsibility for prosecution in respect of offences based on the contents of printed material has been subject to review in the past few years. In 2000, an amendment (151/2000) to the Penal Code entered into force, affording the Prosecutor General a right to bring charges in cases of dissemination of information violating the privacy of another person, defamation and aggravated defamation, irrespective of whether the victim has reported the offence for the purpose of prosecution. It is further required that the offence be committed by using the mass media and that there be significant public interest in prosecution. The present competence of the Ministry of Justice to order prosecution only extends over offences based on the contents of printed material which fall within the scope of application of the Act on Freedom of the Press (1/1919).

254. Under section 40 of the Act on Freedom of the Press, the Ministry of Justice shall be responsible for monitoring compliance with the provisions of the Act and order charges to be brought in cases where the contents of printed works are criminal and in cases of other violations of the provisions. If violations of the Act on Freedom of the Press are brought to the attention of a public prosecutor or police commander, he or she shall be under an obligation to inform the Ministry of Justice thereof (section 42 of the Act). Considering that the Act on Freedom of the Press does not impose any restrictions on the victim's right to bring charges, for example in cases of defamation where the public prosecutor may not bring charges without the consent of

the victim, section 42 has been interpreted as only conferring on the Ministry of Justice the right to order charges to be brought in cases where the public prosecutor is under an obligation to bring charges irrespective of whether the victim has reported the offence for that purpose.

255. The penal provisions concerning printed material with criminal contents are included in other legislation, mainly in the Penal Code. It is characteristic of these offences that the elements of the offence are not fulfilled if it is not committed by means of printed works.

256. As mentioned in the previous periodic reports, cases under the Act on Freedom of the Press are seldom brought to the attention of the Ministry of Justice. At present there are two such cases pending at the Ministry, in which the police have been requested to carry out a pre-trial investigation for the purpose of establishing whether the acts in question amount to ethnic agitation.

257. It is suggested in the Government Bill for a new Act concerning the use of freedom of expression by the mass media, prepared by the Ministry of Justice, that the Prosecutor General should decide on prosecution in cases concerning the contents of a printed work if charges may be brought, irrespective of whether the victim has reported the offence. Because such offences involve various aspects of freedom of expression, it has been considered justified to vest the competence in the supreme prosecuting authority, i.e. the Prosecutor General. The Government Bill further aims to make the practice of prosecution in these cases more consistent.

C. Cases considered by the Prosecutor General

258. The supreme prosecuting authority in Finland, the Prosecutor General, has, pursuant to the Decree on the Office of the Prosecutor General (209/1997), placed all the district prosecutors under an obligation to report any suspected politically or racially motivated offences to the Office.

Reported offences and decisions made concerning such offences

259. Most offences reported to the Prosecutor General concerned discrimination, in particular denial of access to restaurants to Roma or foreigners. The most serious offences were cases of attempted manslaughter. The other reported offences included cases of aggravated assault (3), assault (4) and ethnic agitation (6). Often the offences also involved illegal threats (3) or violations of privacy (3), and damage to property owned by the foreign victim (5).

260. Some of the cases are still being investigated or the charges are being considered. In five cases the prosecutor decided on non-prosecution. The usual reason for non-prosecution was lack of adequate evidence.

261. Thus, in most cases the prosecutor decided to prosecute and in those cases the offenders were most often sentenced to imprisonment. In some judgements the fact that the offence was committed against the victim merely on account of his or her foreign background, or a racial motive, was considered to be an aggravating circumstance.

D. Cases considered by the Deputy Prosecutor General

262. In 2000, the Deputy Prosecutor General decided on two complaints concerning discrimination. The Deputy Prosecutor General ordered charges to be brought in respect of the first one in which the district prosecutor had decided on non-prosecution because of lack of adequate evidence. The case concerned a restaurant doorman who had denied access to the restaurant to three Gambians. According to the Deputy Prosecutor General, there were reasonable grounds to believe that the denial of access was based on the race, national or ethnic origin, or colour of skin of the victims. In the second case the Deputy Prosecutor General found that discrimination had taken place but, because the complaint had been made so late that the right of action had almost expired, it was considered reasonable not to prosecute the defendants. The case concerned three members of the management board of a municipal real estate agent, who had decided not to rent an apartment to a Roma.

E. Cases considered by the Parliamentary Ombudsman

263. Insofar as the supervising functions of the Parliamentary Ombudsman are concerned, the question of racial discrimination has emerged, for example, in the context of words used by public officials. The Parliamentary Ombudsman has, for example, interfered in the use of the word "Negro" by a police officer. In this case, which the Parliamentary Ombudsman examined on his own initiative, he considered the use of the word in a police information leaflet inappropriate.

264. The Parliamentary Ombudsman has made a decision in respect of the complaint made by the Advisory Board for Roma Affairs, referred to in the previous periodic report, concerning the writings of a police officer published in a free newspaper in Helsinki. In his decision, the Parliamentary Ombudsman found that the materials was racist and capable of spreading xenophobia, and issued an admonition for unlawful conduct.

265. The Parliamentary Ombudsman has also decided on another case concerning writings of a police officer which gave the impression that all persons belonging to the Roma minority were a threat to old people living alone, and that all the Roma were therefore to be feared.

266. A case examined by one of the two Deputy Parliamentary Ombudsmen concerned the initiation of pre-trial investigation of a public speech given by a town council member on 1 May containing racist elements. According to the Deputy Parliamentary Ombudsman, the police should have interfered in the matter without delay.

267. On the occasion of on-site inspections made by one of the two Deputy Parliamentary Ombudsmen in prisons and police departments, attention has been paid in particular to racism and discrimination. During an inspection made at the Helsinki County Prison on 19 October 2000, the situation of foreign prisoners was subject to special scrutiny.

F. Cases considered by the Chancellor of Justice

268. The Deputy Chancellor of Justice has rendered a decision concerning the granting of discretionary income allowance for the purpose of purchasing a skirt which is part of the

traditional Roma costume. According to the decision, the provision of the Constitution prohibiting discrimination did not prevent such special treatment which was considered necessary for the ensuring of equality among the members of a minority group. The Deputy Chancellor of Justice found that, for the purposes of the legislation concerning income allowance and with regard to the special status of the Roma as a national minority, it was justified to take the exceptionally high cost of purchase of the Roma skirt into account when the amount of income allowance was decided on.

VII. ARTICLE 7

A. Education

269. The Committee invited Finland to strengthen measures to promote tolerance and combat prejudices, in particular in the fields of teaching, education, culture and information (para. 16).

Human rights education and training

270. The school curricula at all levels of education are based on guidelines established by the National Board of Education. These guidelines provide for different topics to be included in the curricula, such as human rights education, knowledge of and respect for different cultures, cultural diversity and enhancement of tolerance.

271. Human rights education has, for example, been provided within the framework of events and projects relating to the prevention of racism and intolerance, for example a school in Tampere has prepared materials on Auschwitz as part of an educational project on world heritage.

272. The Government observes that the reform of Finnish school legislation allowed schools to have more flexible curricula. Thus, the schools have better possibilities to provide information on human rights. Courses on human rights have also been included in teacher training.

273. There are even permanent networks in Finland for the purpose of development of human rights education, such as UNESCO schools. At present there are 60 schools and educational institutions named as "UNESCO schools" (including comprehensive schools and special schools, upper secondary schools, vocational schools, polytechnic colleges and teacher training institutions). The underlying purpose of UNESCO schools is to highlight the importance of peace, human rights, democracy and sustainable development

B. Culture

Support to minority cultures and combat against racism

274. The Ministry of Education decides on the granting of State subsidies to minority cultures and the fight against racism. In the State budget for 1999-2001, the amount reserved for this purpose was Fmk 1.5 million.

275. Subsidies are granted to cultural activities of ethnic and linguistic minorities and publications in their languages. These groups include immigrants, refugees and asylum-seekers. Apart from the arts, subsidies may also be granted to youth activities, maintenance and development of the identity of minority cultures, various associations and dissemination of information on minority cultures to the majority population.

276. The other ethnic groups which are supported financially are the traditional minorities of Finland, such as the Roma and the Jews. The cultural needs of the Swedish-speaking minority are taken into account in the general policy of the Ministry of Education concerning subsidies.

277. The subsidies are meant to contribute to the possibilities of ethnic minorities to maintain their own cultures and languages alongside the dominant ones. The subsidies should also strengthen the tolerant attitudes of the majority population towards ethnic minorities and support the integration of immigrants into Finnish society and their possibilities to participate in cultural, social, economic and political life.

278. As regards associations, the Ministry of Education mainly grants subsidies to projects relating to the fight against racism and xenophobia. Experiments have also been made with granting subsidies to such projects launched by municipalities. These projects are usually efforts to increase tolerance by organizing cooperation between ethnic minorities and the majority population and by disseminating information to the majority population concerning other cultures, religions and traditions. When decisions are made on subsidies, projects aiming to keep young persons away from groups that disseminate racist ideas have been considered especially important.

279. One significant project to which financial support has been given is a project called "Exit" in Joensuu. The project aims to reduce and prevent racist activities and help young persons get out of racist groups, as well as to develop and implement measures that prevent young persons from joining such groups. Within the framework of the project, education and information on racism and different cultures are provided. Joint youth activities for immigrants and Finns have been arranged with a view to reducing prejudices and enhancing mutual understanding.

Support to the Sami culture and activities of Sami organizations

280. The Ministry of Education allocates each year a separate appropriation reserved specifically for support of the Sami culture and the activities of Sami organizations. In accordance with the cultural autonomy of the Sami, the Sami Parliament decides on the use of this appropriation. The appropriation is considered special treatment, the aim of which is to protect the minority language and culture. In addition, the Ministry of Education has, in cooperation with the Sami Parliament, supported Sami arts associations which have cross-border activities with the Sami living in Norway and Sweden.

C. Other work enhancing tolerance

281. The Community Initiatives URBAN and INTEGRA are designed, among other things, to improve the employment situation of immigrants and Roma and contribute to a more tolerant environment. Projects launched under the URBAN Initiative in the cities of Joensuu, Helsinki and Vantaa have supported the integration and employment of immigrants and their own cultures.

282. A project called "Huhtasuo 2000" launched under the INTEGRA Initiative in Jyväskylä focused on immigrants and other persons who had been unemployed for a long time. The purpose of the project was to support their employment and integration into Finnish society.

283. The International Cultural Centre Caisa, which is part of the administration of the City of Helsinki, has contributed to the enhancement of tolerance in Finland since 1995. Caisa aims to support the cultural diversity of Helsinki by enhancing interaction among persons coming from different countries and by providing information on different cultures and Finnish society. The work of Caisa is governed by the Finnish Aliens Act and the Act on the Integration of Immigrants and Reception of Asylum-Seekers, as well as by the Standing Orders of the City of Helsinki. Caisa currently employs nearly 50 persons from 25 different countries.

284. Caisa provides various services relating to different cultures, Finnish language and computer courses as well as other training, exhibitions, fairs, public information, leisure activities, projects and student counselling for immigrants. Caisa also collaborates with employment agencies and the Ministry of Labour as well as with various agencies and offices of the City of Helsinki in providing information on working life and enhancing the employment of immigrants.

285. The increase in the number of visitors to the International Cultural Centre Caisa reflects the importance of work enhancing tolerance: there were 2,800 visitors in 1996, and by 2000 the yearly number of visitors had gone up to 240,000. Approximately half of the visitors have been immigrants and half have been Finns.

Measures taken in the field of sports to promote tolerance

286. The work for the enhancement of tolerance has been continued in the field of sports. Since 1996 the Ministry of Education, together with the Finnish Sports Federation and Finnish sports associations, has been implementing a programme against racism. Within the framework of the programme, local, regional and nationwide projects enhancing tolerance in the field of sports have been financed. There have been more than 100 projects in 1999-2001.

287. In 1999, the Finnish Multicultural Sports Federation was established, to operate as an umbrella organization for sports associations carrying out multicultural activities. The Federation has as its objective to increase cooperation among its member associations, provide information on their activities and provide support to the sports activities of immigrants. In the summer of 2000, the Ministry of Education accepted the application of the Federation for yearly financial support.

D. Information

Media

288. The Finnish Broadcasting Corporation broadcasts each year approximately 850 hours of television programmes in Swedish through a nationwide television network. In addition, the company owns two entirely Swedish radio channels. As soon as digital television broadcasting has started in Finland, the Finnish Broadcasting Corporation will set up a Swedish television channel, which will make prime-time broadcasting in Swedish possible.

289. The Finnish Broadcasting Corporation has one Sami radio channel (the Sámi Radio), which has operated since 1947, and which broadcasts approximately 10 hours of programmes per day in North Sami. There are also some programmes in Skolt Sami and Inari Sami on a regular basis.

290. The Finnish Broadcasting Corporation broadcasts radio news in Russian. In addition, there is one commercial radio channel broadcasting exclusively in Russian.

291. Information on the minority cultures in Finland is disseminated in various ways. The Finnish Broadcasting Corporation, for example, has a programme (Basaari) concerning minorities, which is produced in cooperation with immigrants.

292. The Committee also recommended that Finland find adequate modalities to make journalists and people working in the media sector more aware of racial discrimination (para. 16).

293. Efforts have been made in Finland to increase journalists' knowledge of inter-ethnic relations. For example, the Finnish Refugee Council has arranged an extensive training course concerning refugees. A refugee fund managed by the Ministry of Labour granted financing to the Finnish Broadcasting Corporation for the purpose of arranging journalist training for persons with different ethnic backgrounds. Many local radio stations broadcast programmes targeted at immigrants, and financing for this purpose has been granted from various national and EU resources. A publication of the Ministry of Labour concerning immigration policy and inter-ethnic relations (MoniTori) celebrated its tenth anniversary in 2000. On that occasion a seminar on the responsibility of the media for the dissemination of information on immigrants was arranged.

294. The programme of action against ethnic discrimination adopted by the Government in March 2001 underlines the role and responsibility of the media in respect of measures enhancing good inter-ethnic relations. The practices followed by the media when reporting on immigration policy and ethnic minorities are currently being examined within the framework of projects financed by the Ministry of Education, at the University of Tampere and the Swedish School of Social Sciences (University of Helsinki).

Dissemination of the text of the Convention

295. Having considered the fifteenth periodic report of the Government of Finland, the Committee further invited Finland to ensure the wide dissemination of the text of the Convention, as well as of the report and the concluding observations adopted thereon. The accepted individual communications procedure under article 14 of the Convention should also be widely publicized throughout Finland for the benefits of the general public (para. 18).

296. As mentioned in the previous periodic reports, the text of the Convention has been published in the Treaty Series of the Statute Book of Finland. The Ministry for Foreign Affairs has also given out a publication containing the text in Finnish, Swedish and English. This publication further contains information on the individual communications procedure under article 14. The publication is disseminated widely, and is also available in Edita bookstores at a reasonable price. The Government observes that public databases available through the Internet, including a database of Finnish legislation at <http://www.finlex.fi>, are widely used in Finland. The database of legislation contains the texts of international treaties binding on Finland.

297. The periodic reports of the Government of Finland, together with the concluding observations adopted by the Committee, are published in Finnish and English. The reports are widely disseminated among the general public and government authorities. The reports are also available on the Internet at <http://virtual.finland.fi/ministry/suomi/ihmisoikeudet.html>. The Ministry for Foreign Affairs will soon open Internet pages reserved specifically for the dissemination of information on human rights, linked to the Ministry's home pages (<http://formin.finland.fi>). The new pages will compile all the latest periodic reports on the implementation of various human rights conventions, conclusions and recommendations adopted by the relevant treaty bodies and other materials on human rights. The pages will also contain information on the possibilities of individuals to lodge complaints under different human rights conventions, including on the individual communications procedure under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination.

298. The concluding observations of the Committee on the Elimination of Racial Discrimination adopted on 9 August 2000, as well as a report on the hearing of the government delegation by the Committee, were given out to a large number of government authorities, the Finnish Parliament, mass media and other relevant bodies, and a press conference was arranged.

Intensified monitoring of the implementation of recommendations

299. In 2000 the Legal Department of the Ministry for Foreign Affairs started intensified monitoring of the implementation of the recommendations of the various treaty bodies. As a first step, the Department discusses the matter with the competent authorities for the purpose of assessing what kind of measures will be necessary for the implementation of the recommendations. This intensified monitoring will also encompass any recommendations made by the Committee on the Elimination of Racial Discrimination with respect to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination.

List of annexes

1. The Government's Plan of Action to Combat Ethnic Discrimination and Racism "Towards Ethnic Equality and Diversity".
2. Human Rights and Finland's Foreign Policy. Report by Minister for Foreign Affairs Erkki Tuomioja to the Foreign Affairs Committee of Parliament on the Human Rights Policy of the Government, 29 November 2000.
3. Strategies of the policy on Roma in 2000. Publications of the Ministry of Social Affairs and Health (1999:9).
4. The Finnish Aliens Act (378/1991).
5. Act on the Integration of Immigrants and Reception of Asylum-Seekers (493/1999).
6. Foreign Pupils/Students in Finnish Schools. National Board of Education.
7. Foreign Children at Comprehensive School Age. Statistics Finland.
8. Cases before the Court of Appeal.
