

**SIXTH PERIODIC REPORT BY THE GOVERNMENT OF FINLAND
ON THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION
FOR THE PROTECTION OF NATIONAL MINORITIES**

March 2023

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I AWARENESS OF THE RESULTS OF THE FIFTH MONITORING CYCLE

A. PUBLICATION OF THE RESULTS OF THE FIFTH MONITORING CYCLE

1. The Framework Convention, together with its Finnish and Swedish translations, has been published in the Treaty Series of the Statutes of Finland. The Statutes of Finland are available in the largest public libraries. In addition, the text of the Framework Convention is available on the FINLEX database of legislation¹ and on the website of the Ministry for Foreign Affairs², where the text of the Framework Convention is also available in Northern Sámi. Internet access is available free of charge at public libraries.

2. The Government's periodic reports on the implementation of the Framework Convention have been published on the website of the Ministry for Foreign Affairs, where the Framework Convention has its own page³. The site also includes the Advisory Committee's reports on Finland, the Government's comments on these reports and the recommendations of the Committee of Ministers in four languages (English, Finnish, Swedish and Northern Sámi).

3. The recommendations of the fifth monitoring cycle were translated immediately after their adoption into both national languages of Finland, *i.e.* Finnish and Swedish, and also into Northern Sámi. On 13 March 2020, they were widely distributed to bodies including the Office of the President of the Republic and the Prime Minister's Office, all the ministries, Parliament and the Parliamentary Ombudsman, the Office of the Chancellor of Justice, the Office of the Prosecutor General, the Supreme Court and the Supreme Administrative Court, specialised Ombudsmen, Advisory Boards, churches and religious communities, the Swedish Assembly of Finland, the Sámi Parliament, the Association of Finnish Local and Regional Authorities, research institutes specialised in human rights and a number of non-governmental organisations representing minorities. The recommendations of the Committee of Ministers were accompanied with a note encouraging the recipients to disseminate them as widely as possible.

4. The Unit for Human Rights Courts and Conventions of the Legal Service of the Ministry for Foreign Affairs will, upon request, provide materials relating to the text of the Framework Convention, the legislation implementing it and the monitoring of its implementation, and respond to enquiries concerning the rights and obligations deriving from the Framework Convention. The contact information of the unit is given in the introduction to the present report.

B. FOLLOW-UP OF THE RESULTS OF THE FIFTH MONITORING CYCLE

5. The final conclusions and recommendations of the Committee of Ministers concerning the implementation of the Framework Convention have been distributed to a large number

¹ <https://www.finlex.fi/en/>

² <https://um.fi/euroopan-neuvoston-voimassa-olevat-ihmisoikeussopimukset>

³ https://um.fi/euroopan-neuvoston-voimassa-olevat-ihmisoikeussopimukset/-/asset_publisher/mnr92wS4p1I3/content/kansallisten-vahemmistojen-suojelua-koskeva-puiteyleissopimus-1995-?com_liferay_asset_publisher_web_portlet_AssetPublisherPortlet_INSTANCE_mnr92wS4p1I3_assetEntryId=59115

of authorities, and the responsibility for taking any measures lies within each branch of government. The recommendations were presented to the Government network of contact persons for fundamental and human rights, which has representatives from each ministry. Representatives from the Office of the Chancellor of Justice, the Office of the Parliamentary Ombudsman and the Human Rights Centre also participate in the work carried out by the network.

C. CONTRIBUTION OF CIVIL SOCIETY TO THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION AND MEASURES TO DEVELOP THIS CONTRIBUTION

6. Matters within the scope of the Framework Convention are dealt with by bodies such as the Advisory Board on Non-Discrimination, the Advisory Board on Language Affairs, the Advisory Board for Roma Affairs and the Advisory Board for Ethnic Relations with the participation of the authorities and minority representatives.

D. OTHER MEASURES FOR INCREASING AWARENESS OF THE FRAMEWORK CONVENTION

Finland's third National Action Plan on Fundamental and Human Rights 2020–2023

7. Finland's third National Action Plan on Fundamental and Human Rights 2020–2023 (Appendix 1) focuses on developing the monitoring of fundamental and human rights. The Action Plan has involved the development of fundamental and human rights indicators producing data that, insofar as possible, can be disaggregated by population group in respect of topics where data capable of disaggregation is available. Certain indicators moreover focus specifically on monitoring the realisation of minority rights. The indicators are also used to monitor developments in the rights of language minorities and the monitoring objects include Finland's national languages, the Sámi languages, the sign languages and the Romani language. Several indicators are in place to monitor the realisation of the Sámi right to self-determination. The indicator framework also covers topics including the realisation of the right of gender minorities to self-determination, hate crime, promotion of non-discrimination and experiences of housing-related discrimination among the Roma.

8. The Action Plan additionally points out that there is a need from the perspective of monitoring the realisation of fundamental and human rights and, in particular, in order to detect structural inequality, to obtain research and statistical data that can be disaggregated by population group. A research project has been launched with a view to the potential development of such data collection. The project reviews the legal and ethical conditions for collecting human rights-based data disaggregated by population group and the current status of data collection, and also outlines potential future developments for data collection.

II RECOMMENDATIONS REQUIRING IMMEDIATE ACTION

A. RECOMMENDATIONS OF THE COMMITTEE OF MINISTERS REQUIRING IMMEDIATE ACTION

9. This section describes the measures taken for the implementation of the Committee of Ministers' recommendations requiring immediate action.

Recommendation 1 – hate crime, tolerance and intercultural dialogue

Increase and consolidate the resources of law enforcement agencies dealing with hate crime and provide the necessary training in order to effectively prevent and combat hate crime and reduce handling times of complaints. As regards the funding of activities that promote tolerance and intercultural dialogue, move from a project-based to a more structural and sustainable approach.

10. Finland has carried out considerable development work in order to combat hate crime. Some of this has been project-based and the need to move from such work to a more systematic approach organised with an eye to a longer time frame has been identified also in national efforts to combat hate crime.

Government Action Plan for Combating Racism and Promoting Good Relations between Population Groups

11. The aim of the Government Action Plan for Combating Racism and Promoting Good Relations between Population Groups is to combat racism and discrimination and to promote good relations between population groups. The Action Plan is based on the Government Programme, the situation assessment carried out during the preparation of the Action Plan, research data on discrimination, equality and relations between population groups, and international recommendations and good practices.

12. Topics addressed in the Action Plan include combating hate speech and hate crime, non-discrimination in working life and influencing attitudes and relations between different population groups. The Plan also aims to strengthen a culture of calling out racism in Finland.

13. The preparation of the Action Plan started with an assessment stage in order to gain a picture of the current situation. This assessment examined aspects including the relevant legislation, means of combating racism and discrimination in different branches of government, and experiences that different population groups have of racism and discrimination in Finland.

14. The broad-based Action Plan prepared on the basis of the situational picture was adopted as a government resolution in 2021. Work under the Plan will be continued in the various branches of government until spring 2023.

15. The implementation of the Plan is being monitored by a cross-sectoral working group. Progress reports will be submitted to the Ministerial Working Group on Internal Security and Strengthening the Rule of Law.

Against Hate and Facts against Hate

16. In recent years, the Ministry of Justice has coordinated a number of projects focusing on work against hate crimes (*Against Hate, Facts against Hate* and *Osaavat* [Capable]). All projects have involved enhancing the capabilities of law enforcement authorities in cases of hate crimes.

17. The project *Against Hate* provided anti-hate crime training to police officers in joint training with prosecutors and judges. The project also produced training materials for work against hate speech.

18. The project *Facts against Hate* organised a social media campaign against hate speech in autumn 2020 in cooperation with the police. The key message of the campaign geared to young people was “Say no to hate speech”. The campaign aim was to raise awareness of hate speech and its detrimental nature and to improve young people’s capabilities in recognising the hate speech they encounter online. Online training mandatory to all police officers and civilian police employees as well as Police University College staff on the topics of hate crimes, non-discrimination and customer encounters was also implemented under the project. The training package developed by the project was brought into use by the Border Guard and Customs as well. Finally, the project also produced a manual for police officers to support them in identifying and preventing acts of hate.

Project Osaavat

19. The project *Osaavat* [Capable] (1 April 2021 – 31 March 2023) aims at strengthening work against hate crimes and harassment especially through developing the competence of professionals in various fields. One of the key objectives of the project is to conceptualise a Centre of Excellence for work against hate crimes and discrimination and to pilot the Centre’s possible activities.

20. The aim in conceptualising and piloting the Centre of Excellence is to (1) determine the need for such a Centre, (2) to review existing concepts in Finland and Europe, (3) to prepare a proposal on a more permanent structure and coordination, and (4) to pilot the activities of the Centre (training, communication, coordination) within the framework of the project. The proposal on the Centre of Excellent concept will be completed in spring 2023.

21. The project *Osaavat* provided training to police officers from all police departments in late 2021 on hate crime identification, the particular characteristics of hate crimes, engagement with victims and cooperation with other actors, in particular to improve the standing of the victim. An event was also held for senior police officers where hate crimes, their handling by the police and the importance of their classification with regard to the entire criminal process were examined on a more general level.

22. The project produced the report *Viharikouluutuksen jatkuvuuden varmistaminen poliisissa* [Ensuring the continuity of training for the police against hate crime] published in 2022, the aim of which is to make hate crime training a permanent feature in the structures of police training⁴.

All in for Equality

23. The project *All in for Equality* provided police officers with training on the themes of non-discrimination, anti-racism and ethnic profiling. The training was organised in cooperation with the training under the project *Osaavat*.

24. The project concluded with a round table discussion on the structural anchoring of hate crimes training and work against hate crimes, which in turn was the foundation for a report highlighting the decisions and measures.

⁴ <https://julkaisut.valtioneuvosto.fi/handle/10024/163943?show=full>

Follow-up Survey on Hate Speech and Harassment and Their Effects on Different Minority Groups

25. The Follow-up Survey on Hate Speech and Harassment and Their Effects on Different Minority Groups was prepared by the Ministry of Justice.⁵ The overall objective of this follow-up survey was to show how hate speech and harassment are perceived by different minority groups. The aim was to provide information on the effects of hate speech and harassment on the sense of security among persons belonging to different minority groups and to produce follow-up and comparative data for a similar survey conducted by the Ministry of Justice in 2016. The purpose was also to provide information on the effects of the Covid pandemic on the situation. The premise was that any recommendations to be given should take into account the policy measures implemented since the previous survey. The target groups of the survey were Roma people, Sámi people, persons with an immigrant background, foreign-language speakers, foreign nationals, persons racialised due to skin colour or presumed ethnic origin, Swedish-speaking Finns, persons with disabilities, persons belonging to sexual and gender minorities, persons belonging to religious minorities, and persons not belonging to any religious community. The collected material was analysed to describe the phenomenon and people's experiences but not to draw general conclusions on how common harassment and hate speech are among each target group. Better identification and increased visibility of the phenomenon can help develop measures to intervene in and prevent hate speech and harassment and provide better support services for victims.

Continuing education course on polarisation, identity conflicts and addressing confrontation in policing

26. Held in early 2021 at the Police University College, the continuing education course on polarisation, identity conflicts and addressing confrontation in policing sought to strengthen police capabilities in polarised situations. The training was designed in cooperation with the Ministry of the Interior, the National Police Board, the Police University College and the project *Depolarize*.

27. The emphasis in police training has shifted from individual training seminars to more permanent training provision. Hate crimes are addressed in both the basic and further education of police officers. In addition, for several years now the Police University College has offered a continuing education training course on the identification of hate crimes.

Police performance guidance

28. One indicator in the performance agreement of the National Police Board is the number of hate crimes identified and investigated by the police. The aim of this indicator is to boost active measures on the part of the police to detect hate crimes on their own initiative. The hate crime classification data in the information system of the police are compared to the hate crime statistics compiled in the annual hate crime study conducted by the Police University College.

5

https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/164248/OM_2022_10_SO.pdf?sequence=1&isAllowed=y

Proposal on intensifying action against online targeting and shaming

29. The Ministry of the Interior appointed a working group in spring 2020 to draft proposals for intensifying action against online targeting and shaming. During the drafting, online targeting and shaming was examined as action that, while directed against an individual targeted because of their occupation or position, had the actual aim of influencing the activities of society's institutions. The working group was tasked with assessing the extent of online targeting and shaming and with drafting recommendations as to how victim rights realisation and referral of victims to support services could be improved in policing.

30. The efforts of the working group resulted in the formulation of a definition for online targeting and shaming in broad-based cooperation with the various administrative branches. In its work, the working group was supported by the report of the Ministry of Justice on needs to develop legislation. In September 2022, the Ministry of Justice issued an assessment memorandum⁶ on the punishability of online targeting and shaming.

National Police Board guidelines to the police on classification of hate crimes

31. The National Police Board has issued guidelines to the police on the classification of hate crimes. New guidelines on identifying, investigating and classifying hate crimes are currently under preparation and are expected to be issued in 2023. In order to facilitate hate crime identification and improve classification, the National Police Board has also implemented technical upgrades in police e-services. When reporting offences against life, health or honour in the e-services, the reporting person is asked if they believe they became victim of the crime because of their ethnicity or nationality, religion or belief, sexual orientation, gender expression, gender identity or disability. When the answer is yes, the police information system instructs the person handling the report to classify the report accordingly.

Hate speech against Russian speakers

32. Russia's war of aggression against Ukraine has had many kinds of impacts also on the sense of security and attitudes of people living in Finland and on interactions between groups. Both organisations and private individuals have reported rising hate speech against Finland's Russian-speaking minority. Such hate speech has been condemned by Prime Minister *Sanna Marin* and Non-Discrimination Ombudsman *Kristina Stenman*, among others.

33. The Ministry of Justice has also sought to influence societal dialogue and discrimination against Russian speakers since the start of the war of aggression. Besides posting a blog on the subject⁷, the Ministry of Justice has also attended events organised by the Ministry of Economic Affairs and Employment in relation to the war of aggression to speak on the topics of hate speech, population group relations and equality. The Ministry of Justice is kept abreast of the situation by the Advisory Board for Ethnic Relations and the expert working group for monitoring discrimination. The situation is also monitored by the Non-Discrimination Ombudsman.

⁶ <https://julkaisut.valtioneuvosto.fi/handle/10024/164319>

⁷ <https://oikeusministerio.fi/blogi-hakutulos/-/blogs/milla-aaltonen-anna-bruun-ja-mia-luhtasaari-vihapuheelle-ei-pida-antaa-tilaa>

Comments of organisations and communities

34. The National Church Council of the Evangelical Lutheran Church of Finland pointed out in its statement that the Church has engaged in reconciliation efforts and identified wrongdoings against the Sámi. The restoration of remains of the deceased to the Sámi Homeland and their interment there in autumn 2022 was of great symbolic significance.

35. The National Council of Women of Finland pointed out in its statement that women encounter more hate speech than men. According to a Nordic study, women and men encounter different kinds of online hate. Women are subjected to more sexism and sexual threats, and much of the online hate can be explained by gender and gendering. Those subjected to hate speech also more often become the victim of sexual harassment. Women are five times more likely than men to experience both hate speech and sexual harassment. Hate speech often goes unreported to the police and the authorities become aware of fewer cases than revealed by the victim survey and the various barometers. Hate speech is not only limited to social media; mainstream media, too, reinforce negative stereotypes of minorities and in this way undermine the status of minority women. The Central Association for Men's Organizations in Finland remarked how the fact that men, too, and not only women and minorities, can be victims of hate crimes and hate speech should be taken into account in the development of training materials content. Hate crimes and hate speech against men have gone without appropriate attention and also unstudied to some extent.

36. The Finnish National Youth Council Allianssi pointed out that for young people, one of the key hate crime phenomena includes the many kinds of discrimination against girls and minorities in particular on social media and other digital platforms.

37. The association SámiSoster pointed out that hate speech and intolerance directed at minorities including the Sámi have increased on social media to an alarming extent. According to the association's statement, hate speech against the Sámi as a people involves attitudes that can be attributed to little and/or incorrect knowledge about the Sámi, their culture and legal status. A concerning aspect of the hate speech against the Sámi in the media, social media and ordinary interactions between people is that this speech targets the Sámi as a group, a people, rather than as individuals. The association Inarinsaamelaiset remarked that the long-running dispute among the Sámi as to who is Sámi gives rise to intolerance between the different groups of Sámi.

38. Jehovah's Witnesses expressed their concern over increasing intolerance in the media. In their statement, they note that even Finnish mainstream media constantly publish one-sided and distorted information on minorities that is clearly coloured by bias rather than informed by correct and balanced knowledge. Jehovah's Witnesses, for example, have been the subject of very concerning statements in Finland's mainstream media in recent years.

Recommendation 2 – electoral roll for the Sámi Parliament

Develop, together with the Sámi, a commonly recognised system for registration on the electoral roll that strikes an adequate balance between the interest of the community in preserving its structures of self-governance on the one hand, and the principle of free self-identification on the other. This process should be inclusive and strive to reach an agreement on criteria for registration on the electoral roll, on an appeals mechanism on the interpretation of these criteria, and on a longer time frame for decision making on applications;

Reform of the Act on the Sámi Parliament

39. As laid out in its programme, the Government has continued its efforts to reform the Act on the Sámi Parliament. The Sámi Parliament and the Government parties were represented on a committee chaired by *Pekka Timonen*, Permanent Secretary of the Ministry of Justice (1 December 2020 – 15 May 2021). The starting points of the committee's work were fundamental rights and other obligations under the Constitution of Finland, international human rights instruments binding on Finland, the UN Declaration on the Rights of Indigenous Peoples and other developments and recent decisions in law and international law. Recent decisions refers to the two decisions of the UN Human Rights Committee concerning Finland on complaints involving inclusion in the electoral roll for Sámi Parliament elections. The Committee found that Finland had violated Article 25 of the International Covenant on Civil and Political Rights (ICCPR) (rights to political participation, among others) read alone and in conjunction with article 27 (rights of minorities). In its decision, the Committee emphasised the right of self-determination of the Sámi with regard to their status and membership in the community. The Committee held that among other actions, Finland was to review section 3 of the Act on the Sámi Parliament. In addition, the UN Committee on the Elimination of Racial Discrimination (CERD) issued on 13 June 2022 its decision (No. 59/2016) in a case concerning persons included in the electoral roll for the Sámi Parliament elections and found Finland to have violated the International Convention on the Elimination of All Forms of Racial Discrimination.

40. The Committee preparing amendment of the Act on the Sámi Parliament submitted its report, inclusive of a dissenting opinion by the representative of the Centre Party, on 11 May 2021. In other respects, the report was unanimous.

41. The key proposals of the Committee are:

- to reform the conditions under section 3 of the Act on the Sámi Parliament for inclusion in the electoral roll and to re-compile the electoral roll;
- to establish a new, independent and impartial appeal board for electoral roll matters;
- to develop the elections;
- to strengthen the obligation of the authorities to negotiate and to introduce a new provision on taking account of the rights of the Sámi in activities of the authorities;
- a reference to the right of self-determination of the Sámi would be included in the section of the Act on its purpose and the competence provision would be developed;
- it is proposed that in the future, the report of the Sámi Parliament be submitted directly to the Parliament of Finland; and
- it is proposed that the Sámi Parliament be added to the provisions of the Criminal Code concerning offences in office.

42. The aim of the changes proposed by the Committee is to protect and promote the realisation of the right of self-determination of the Sámi and to improve the operating conditions of the Sámi Parliament, and in particular to address the current status in the manner required by the UN Human Rights Committee.

43. The definition of Sámi person regarding the right to vote in the elections for the Sámi Parliament is proposed to be revised so that the provision would specifically apply to inclusion of the person in the electoral roll for the Sámi Parliament elections, *i.e.* the right to vote in those elections, instead of defining who is to be considered Sámi in the first place. The right of the Sámi as an indigenous people to define for themselves who is Sámi is proposed to be reinforced by reforming the objective conditions for inclusion in the electoral roll in a manner drafted in cooperation with the Sámi Parliament and by expanding the composition of the election board. The pan-Nordic provision of the initialled Nordic Sámi Convention has been taken into account in the formulation of the objective conditions.

44. The manner of requesting a review of a matter concerning inclusion in the electoral roll would be reformed so as to make an independent and impartial review board the first review instance. Its decisions could be appealed to the Supreme Administrative Court provided that the Court grants leave to appeal. The electoral roll would be re-compiled on the basis of the revised criteria for application for inclusion. The time of submission of electoral roll applications is proposed to be made earlier so as to allow sufficient time for the appropriate processing of the applications and requests for review.

45. A government proposal to amend the Act on the Sámi Parliament was submitted to Parliament on 18 November 2022.⁸ The Government's decision to give the proposal to Parliament was not unanimous. The proposal was discussed in various parliamentary committees in 2023, but there was no plenary decision taken. Due to time constraints related to the upcoming parliamentary elections, the Constitutional Law Committee, which served as the Committee for reports, did not have the prerequisites to draw up an appropriate report on the matter. However, the Committee considers it important that the Government submits a new proposal on the matter immediately at the beginning of the next parliamentary term in order to safeguard the provisions on the status and rights of the Sámi in section 17, subsection 3 and section 121, subsection 4 of the Constitution of Finland and to fulfil Finland's international human rights obligations. Parliamentary elections will be held on 2 April 2023.

Decisions of the UN Treaty Bodies

46. By the decisions issued by the UN Human Rights Committee on 1 February 2019, Finland was found to have violated the International Covenant on Civil and Political Rights in cases concerning inclusion in the electoral roll for the Sámi Parliament (cases nos. 2668/2015⁹ and 2950/2017¹⁰). In addition, the UN Committee on the Elimination of Racial Discrimination issued on 13 June 2022 its decision (no. 59/2016¹¹) in the case of persons approved for inclusion in the Sámi electoral roll, in which decision the Committee found a violation of the International Convention on the Elimination of All Forms of Racial Discrimination.

47. The matter of inclusion in the electoral roll has sparked considerable national debate. The Sámi Parliament pointed out that the proposal on the Act on the Sámi Parliament was drafted in cooperation with the Sámi Parliament, an official representative of the Sámi people, and that the Plenum of the Sámi Parliament considered the government proposal at

⁸ https://www.eduskunta.fi/FI/vaski/HallituksenEsitys/Sivut/HE_274+2022.aspx

⁹ <https://juris.ohchr.org/casedetails/2563/en-US>

¹⁰ <https://juris.ohchr.org/casedetails/3322/en-US>

¹¹ Not yet available on the OHCHR database.

its meeting of 29 November 2022 and decided on its approval by a clear majority¹². In the view of the Sámi Parliament, adoption of the reform would be very important to the preservation of the Sámi languages and culture and also from the viewpoint of maintaining self-determination in these. The Skolt Village Assembly, too, expressed its opinion that it is important to advance the amendment of the Act on the Sámi Parliament on the basis of the compromise proposal put forward by the Committee. SámiSoster held that Finland must comply with the decisions of the UN Treaty Bodies (CCPR/C/124/D/2668/2015, CCPR/C/124/D/2950/2017 and CERD/C/106/D/59/2016) and that accordingly, the Sámi as an indigenous people and pursuant to their right of self-determination should have the right themselves to decide their membership. Inarinsaamelaiset pointed out that in its view, Finland has landed in a situation where not all members of an indigenous people were accepted for inclusion in the electoral roll, thus wholly excluding some of the Sámi people from decision-making on matters that concern them. According to the association, the creation of distinct institutions, structures of self-determination and legislation for the different parts of the indigenous people should be considered. The associations Peltojärven saamelaiset and Peltojärven lapinkylä jointly pointed out that also in the future, the definition of who is Sámi should be such that it takes into account also Sámi people who have lost the Sámi language.

Recommendation 3 – strengthening the Sámi Parliament

Significantly strengthen the participatory rights of the Sámi Parliament in legislation and practice, inter alia by equipping the Sámi Parliament with the necessary resources and providing training to the officials concerned at national and local levels on the correct implementation of the “obligation to negotiate”. While the amendment to the Act on the Sámi Parliament should have priority, the authorities should ensure effective participation as a matter of urgency even while the Act remains unamended;

Resources of the Sámi Parliament

48. The resources of the Sámi Parliament have been increased. The total resources in euro are indicated in the table below.

Table 1. Resources to the Sámi Parliament included in the Budget proposal

Budget proposal 2023	EUR 4,422,000
Budget proposal 2022	EUR 4,000,000
Budget proposal 2021	EUR 4,131,000
Budget proposal 2020	EUR 4,156,000
Budget proposal 2019	EUR 3,977,000

Training provided by the Ministry of Justice

49. The Ministry of Justice advises and provides training for the other ministries on matters concerning the obligation to negotiate in respect of the Sámi. In 2019, the Ministry of Justice organised training for officials at all ministries and authorities active in the Sámi Homeland on topics including the appropriate implementation of the obligation to negotiate.

¹² The Plenum of the Sámi Parliament approved the government proposal with additions on 29 November 2022 by a vote of 15-3-1 (vote on a proposed amendment to the government proposal concerning the quota system) and a vote of 15-4-0 (vote on approving the government proposal).

50. The Sámi Parliament pointed out that the proposal on the Act on the Sámi Parliament would, in the spirit of the UN Indigenous Peoples Declaration, strengthen the implementation of the right of the Sámi people to self-determination as well as their right to stronger participation in decision-making on matters that concern them, in particular in respect of the voting right criteria in section 3 and development of the obligation to negotiation and cooperate under section 9. The Sámi Parliament commends and welcomes the proposed reform of the negotiation procedure under section 9. The Sámi Parliament also points out the enforcement of the Act requires not only adequate new resources so that the activities of the Parliament can be adapted in the manner required under the amended Act, but also enhanced cooperation between the Sámi Parliament and the authorities related to the implementation of the Act.

51. SámiSoster noted that it holds the best grassroots-level knowledge of the circumstances and needs regarding the language and culture of the Sámi in healthcare and social welfare and that this knowledge has been little drawn on in the sector's law-drafting. In addition, the association remarked that the prevailing practice regarding the opportunities of Sámi actors other than the Sámi Parliament to participate in the drafting of legislation having particular impacts on the status of the Sámi is inconsistent with the spirit and principles of international law on indigenous peoples.

Recommendation 4 - Finnish-Swedish bilingualism

Safeguard the societal consensus on Finnish-Swedish bilingualism through stepping up awareness-raising, underpinned by an explicit commitment at the highest political level. Without prejudice to their constitutional obligations, the Finnish authorities should engage in an open dialogue with the Swedish speakers about their priorities to ensure that commitments made regarding public services in the Swedish language are realistic, effective, matched with adequate resources, and regularly monitored.

Strategy for the National Languages of Finland

52. In line with the programme of Prime Minister *Sanna Marin's* Government (2019–), a revised Strategy for the National Languages of Finland has been drawn up to ensure that everyone has the right to receive services in the national languages and to improve the language climate. The Strategy was adopted as a government resolution in late 2021. It was prepared in an inclusive process involving extensive consultation with experts, interest groups and citizens. The Strategy concerns the national languages of Finland, Finnish and Swedish, and is a declaration of the Government's intent with regard to language policy. Its aim is to ensure that Finland continues to have two viable national languages. With regard to the Finnish language, the main objective is to prevent the narrowing of the field of use of the language. With regard to Swedish, the aim is to ensure the functionality and availability of services in Swedish and to strengthen the vitality of the language community.

53. The Strategy also aims to promote opportunities of immigrants to learn in both national languages. It sets out three guidelines: 1) right to services in one's own language, 2) safeguarding the status of the national languages, and 3) living bilingualism. The goals have been set and concrete measures established in order to implement the vision of the Strategy in different administrative sectors. One of the aims of the Strategy is for both national languages to have a visible and audible presence in society. Several measures have been determined in order to accomplish this and they concern aspects including support for cultural productions and cultural and sports services in both Finnish and Swedish as well as

Finnish and Swedish dialogue with the third sector. Another aim of the Strategy is for the language climate to be tolerant and unbiased and for there to be natural interaction between the language groups. Measures relating to this involve matters such as language instruction, bilingual leisure and hobby activities, and training materials geared to the authorities. The Strategy also pays attention to the active use of both national languages in public administration, in both internal and external communications.

54. Responsibility for the implementation of the Strategy has been assigned to several actors, while the overall responsibility rests with the Ministry of Justice. Each year, the Ministry of Justice will collect progress reports from the other ministries on the measures for which they are responsible through the Government's network of contact persons for the national languages

55. A separate appropriation has been set aside for the preparation and implementation of the Strategy for the National Languages of Finland.

Network of contact persons for the national languages

56. On 20 March 2020, the Ministry of Justice appointed the members of the Government's network of contact persons for the national languages for a term running from 1 April 2020 to 31 March 2023. The network serves as a cross-sectoral, low-threshold cooperation forum that supports the ministries primarily in matters involving Finland's national languages, Finnish and Swedish, but also on other language issues as required.

57. The duties of the network are to promote the implementation of language legislation in government and the activities of the authorities, to share and develop best practices between the different branches of government and to create new opportunities for cooperation in respect of the national languages in particular both within government and in stakeholder relations, to monitor and deploy the Government programme modules relating to language policy, to monitor and assist the Ministry of Justice in the preparation and deployment of the Government Language Report, and to monitor the implementation of the recommendations relating to language matters issued by the UN Treaty Bodies and the Council of Europe as well as to implement and develop other language matters as a whole.

Project for the improvement of the language climate

58. In 2020–2022, the Ministry of Justice implemented a specific project for improving the language climate that focused on Finland's national languages in particular. The aim of the project was to create the conditions for a positive language climate, to reduce tensions between the language groups and to bring together different societal actors interested in improving the overall language climate in society. The project's outcomes included, among other things, a campaign, geared to the general public, in support of a positive language climate, the accumulation of best practices in promoting and implementing bilingual service in municipalities, and the production of communications materials on linguistic rights for children and young people in particular.

Sign languages

59. The Government has appointed an Advisory Board on Sign Languages for a term running from 11 February 2021 to 10 February 2025. The Board was appointed for the

purpose of assessing the accomplishment of the objectives of the Sign Language Act (359/2015) and promoting the equality, inclusion and fundamental rights of people using the Finnish and Finnish-Swedish sign languages. The Ministry of Justice is preparing an assessment memorandum on the implementation of the Sign Language Act. The Prime Minister's Office has appointed a working group tasked with preparing the launch of a national reconciliation process, as laid out in the programme of Prime Minister *Sanna Marin's* Government, concerning the historical violations of the rights of the deaf in Finland. The working group has been appointed for a term running from 26 October 2022 to 23 June 2023.

60. The first ever Sign Language Barometer survey¹³ was carried out by the Ministry of Justice in 2020 to ask users of Finnish and Finnish-Swedish sign language how well their linguistic rights had been realised. Issues raised in the survey involved challenges relating to interpretation when dealing with authorities and the lack of information in sign language.

61. The language policy programme includes several proposals for measures relating to the sign languages.

62. The Finnish Association of the Deaf pointed out in its statement that people using sign language are often at risk of double discrimination. The historical injustices against the deaf are described in the report entitled *Viitotut muistot* [Signed memories]¹⁴ that also contains information on current-day structural discrimination expressly in training and education and in the sector of healthcare and social welfare. The association SAMS – Samarbetsförbundet kring funktionshinder pointed out in its statement how essential it is for minorities within minorities, for example people with disabilities who are native Swedish speakers, to have their voice heard in dialogues. The association emphasised the significance of thorough impact assessments in law-drafting. It also remarked that people with disabilities who are native Swedish-speakers may be very vulnerable due to the risk of intersectional discrimination. The organisation refers to the fact that such people have been discriminated against in instances including healthcare and social welfare, the judicial system, policing, public information dissemination, and services for the disabled such as travel services.

III OTHER MEASURES

B. IMPLEMENTATION OF THE FRAMEWORK CONVENTION BY ARTICLE

ARTICLE 1

Finland's support to the UN work for indigenous people

63. Finland provides voluntary funding for the voluntary Trust Fund on Indigenous Issues which supports the UN Permanent Forum on Indigenous Issues. The Fund is intended to finance the implementation of the decisions of the Permanent Forum. Voluntary funding is also provided to the Indigenous Peoples and Minorities Section (IPMS) of the Office of the High Commissioner for Human Rights (OHCHR). In 2022, Finland gave EUR 60,000 to the Trust

¹³

https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/162839/OM_2021_4_SO.pdf?sequence=4&isAllowed=y (available only in Finnish)

¹⁴https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/163689/VNTEAS_2021_61.pdf (available only in Finnish)

Fund on Indigenous Issues and EUR 60,000 to help finance the activities of the Indigenous Peoples and Minorities Section of the OHCHR.

ARTICLE 2

64. The programme of Prime Minister *Sanna Marin's* Government (2019–) contains numerous references to Nordic cooperation. According to the programme, Finland will aim to further facilitate the movement of citizens between the Nordic countries. The aim is to achieve practical results in areas such as leading the fight against climate change and in digitalisation and cultural and defence matters.

Cooperation in Sámi affairs

65. Nordic cooperation in Sámi affairs is carried out by means of the Nordic Government Officials Body for Sami Affairs (NÄS). Based on Recommendation No. 13/1962 of the Nordic Council, the body consists of the Finnish, Swedish and Norwegian delegations, which each have at least three officials representing the Government and Sámi Parliament of their respective countries. The Government Officials Body convenes approximately once a year to share information on current issues.

ARTICLE 3

66. There is nothing new to report in respect of this Article.

ARTICLE 4

Recommendation 6 - equality bodies

Streamline the fragmented system of equality bodies in close consultation with representatives of national minorities. In particular, the authorities should extend the mandates of the Non-Discrimination Ombudsman and the National Non-Discrimination and Equality Tribunal to the area of employment, grant the latter the right to award compensation and provide the Non-Discrimination Ombudsman with adequate resources to fulfil its mandate.

Partial reform of the Non-Discrimination Act

67. The Acts under government proposal HE 148/2022 concerning a partial reform of the Non-Discrimination Act have been adopted and the amendments will enter into force on 1 June 2023. The amendments give the Non-Discrimination Ombudsman authority to consider individual cases in the area of employment and to issue justified opinions in relation to these. In addition, the National Non-Discrimination and Equality Tribunal may recommend payment of compensation. Additional resources will be allocated to both bodies in the context of the amendments. During the drafting of the amendments, an extensive consultation was held with organisations by remote connection on 28 October 2021. Non-governmental organisations in particular, taking into account minorities and various groups, were invited to contribute.

Follow-up report on the Roma and housing

68. The follow-up study on equality of the Roma in housing inclusive of recommendations was conducted by the Ministry of the Environment in 2018–2019. The study report examines the problems related to housing among the Roma and their equality, both relative to the main population and within the Roma community. According to the study, the equality of the Roma in housing relative to the main population has improved and the population groups are now more equal as housing applicants. However, both the main population and the Roma are facing economic problems more than before. The young Roma, in particular, are experiencing financial problems that impact on housing. There is the risk that some Roma may be excluded from the usual housing market. The practices of permission to move and avoidance obligation constitute an additional challenge. The report recommends closer interaction within the stakeholders in the housing sector and advising the customers to seek services.

Views of organisations on discrimination in working life

69. Akava, the Confederation of Unions for Professional and Managerial Staff in Finland remarked that according to studies, in working life and access to employment, people belonging to different minority groups (e.g. ethnic minorities, the ageing, people with disabilities, sexual and gender minorities) experience a great deal of the kind of discrimination prohibited under the Non-Discrimination Act (1325/2014). According to Akava, only a small number of cases come under investigation by the occupational health and safety divisions of Regional State Administrative Agencies. In 2020, the discrimination cases evaluated by the occupational health and safety authorities involved discrimination mainly on the basis of health status (46% of inspections) or other personal reason (29% of inspections). The number of cases each year of discrimination on the basis of e.g. disability or ethnicity coming under evaluation in inspections is less than ten of each. The Finnish National Youth Council Allianssi pointed out that young people in general are particularly vulnerable to abuses in working life, for example collective agreement violations.

ARTICLE 5

Recommendation 5 – scope of application of the Framework Convention and dialogue with representatives of Karelians

Maintain a flexible and open approach to the scope of application of the Framework Convention and formalise dialogue with representatives of Karelians, with a view to strengthening their protection in domestic legislation;

Language policy programme

70. In line with the programme of Prime Minister *Sanna Marin's* Government, the Government has drawn up a language policy programme¹⁵ dealing with languages spoken in Finland other than the national languages, in particular the Sámi languages, the Romani language, the Karelian language and sign languages. The language policy programme aims to respond to challenges identified for different language groups. The objectives of the programme are to protect, revive, support and strengthen the autochthonous languages of

¹⁵

https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/164216/VN_2022_51.pdf?sequence=1&isAllowed=y (available only in Finnish)

Finland. Children and young people are at the heart of the programme: the aim is to be able to secure the intergenerational transmission of languages in the future too. The language policy programme includes measures concerning the Karelian language. Under the programme, a Government-level Karelian language expert working group is to be set up and a plan to revitalise the Karelian language as well as a related action plan will be prepared.

Project to revitalise the Karelian language

71. The University of Eastern Finland implemented in 2021–2022 a Karelian language revival project with funding from the Ministry of Education and Culture. The project involved support for the written use of Karelian by producing learning materials in Karelian as well as Karelian-language content openly available online and on social media, by carrying out Karelian vocabulary work, and promoting cooperation between Karelian speakers and Karelian organisations. The project also organised activities in Karelian, for example conversation clubs and study circles. A cooperation network was established for Karelian language instructors in liberal adult education. The core studies in the Karelian language at the University of Eastern Finland were made available at Open University.

72. In November 2022, the Ministry of Education and Culture granted the University of Eastern Finland further funding for Karelian language revival efforts in 2023–2024 and for preparing a Karelian language revival plan and related action plan in cooperation with stakeholders. The amount of the two-year grant is EUR 300,000.

Finland's second National Roma Policy 2018–2022

73. The primary objective of Finland's National Roma Policy for 2018–2022 (ROMPO2)¹⁶ was to support the progress seen in the societal integration of Roma and positive development in Roma linguistic, cultural and social rights. The policy programme was based on the premise that Finland's current legislation and comprehensive service system provide a good foundation for the promotion of the inclusion and equality of the Roma population. The mainstreamed actions and measures targeted specifically at the Roma population set out in the National Roma Policy created further capacities for considerable improvements in the human rights and socioeconomic status of Roma. The aim was to increase the level of activity, inclusion and access to influence among the Roma population and with respect for and by strengthening the Romani language and Roma culture and identity

74. On the basis of follow-up data on Finland's first National Roma Policy, the strengthening of the societal integration of Roma calls for increases in the amount, effectiveness and planning of cooperation in Roma issues at the local and regional levels in particular. One way of reaching these objectives and monitoring progress made is to create county-specific Roma programmes (MAARO programmes) now being prepared. In addition, the new policy programme seeks to take into account matters relating to information provision and the preservation of Roma cultural heritage. Along with the needs of Finland's traditional Roma population, the National Roma Policy also covers the needs of foreign and non-sedentary Roma living in Finland temporarily or on a long-term basis

75. The report *Toisen romanipoliittisen ohjelman 2018-2022 kansallinen ohjaus- ja seurantaraportti* [Finland's National Roma Policy 2018–2022: Guidance and monitoring of its

¹⁶ <https://julkaisut.valtioneuvosto.fi/handle/10024/161878>

implementation]¹⁷ assessed the implementation of the Roma Policy at the local and national level. The municipalities that had drawn up a local MAARO programme are most committed. The inclusive process for planning the policy was its strength. There is room for improvement in harmonising with other national programmes and the EU framework. Measures must be taken to develop a more systematic approach to the funding and coordination of the policy implementation and to take better account of the diversity and participation of the Roma population. It is also necessary to strengthen both the use of research data, particularly when monitoring the policy implementation, and the knowledge-based approach to future programmes.

Third National Roma Policy 2023–2030

76. The key objective of the new National Roma Policy for 2023–2030 is to support Roma inclusion, participation and equality in keeping with the EU Roma strategic framework. The cross-cutting objectives of the National Roma Policy are elimination of discrimination and anti-Gypsyism as well as equal implementation of the fundamental rights of the Roma. The human rights-based approach is the starting point for the mainstreaming of the programme. The new policy document was issued in February 2023. A separate action plan will be prepared to support the coordination of the policy's implementation. The policy takes intersectional account of the diversity of the Roma population and its many groups. The actions are gender sensitive and take into account age groups and disabilities as well as particularly vulnerable people. Roma inclusion in the planning and implementation of the policy programme was strengthened.

Roma employment

77. One of the objectives of the National Roma Policy 2018–2022 was that in the coming years, Finland will significantly increase the general vocational education and training level and employment rate among Roma by increasing the Roma population's own level of activity and by providing a variety of support measures

78. Steps towards the objectives will be taken by targeting measures at the following Policy Guideline areas: 1) reinforcing access to education and training in all forms and at all levels of education and training, and 2) promoting occupational competences, employment, entrepreneurship and labour market integration.

79. The new National Roma Policy 2023–2030 has been mainstreamed into the Government's working life diversity programme and the action programme against racism and for good relations as well as the European Pillar of Social Rights, in this way making the Roma part of the social policy debate on reducing poverty and on the diversity of working life. The measures address topics such as discrimination in hiring and boost Roma employment not only by means of continuing measures to enhance the level of education among the Roma but also local employment projects.

¹⁷ Stenroos, Marko; Grönfors, Janette; Weiste, Anneli: Romanipoliittinen ohjelma 2018-2022: Toimeenpanon ohjaus ja seuranta. Raportteja ja muistioita [Reports and Memorandums] 2022: 27. Ministry of Social Affairs and Health. <http://urn.fi/URN:ISBN:978-952-00-5435-9> (only in Finnish for the time being, will be made available in English)

Study on Roma children in early childhood education and care and in pre-primary education

80. The first study of Roma children under school age was carried out as part of Finland's second National Roma Policy 2018–2022. Data was collected from the guardians of children of an age to attend early childhood education and care and pre-primary education as well as from staff in early childhood education and care and pre-primary education in 2018 and 2019. The Finnish National Agency for Education report *Romanilapset varhaiskasvatuksessa ja esiopetuksessa* [Roma children in early childhood education and care and pre-primary education] (2020)¹⁸ proposes measures spanning several years. For the most part, the findings of the study were very positive.

Roma education and training

81. In sessions geared to Roma families, the Finnish National Agency for Education has addressed topics such as the significance of adult education, everyday life skills, study skills, study/life balance, the costs of studies and financing opportunities as well as descriptions of the offerings of institutions providing adult education. These themes are also widely addressed in the magazine *Latšo Diives* published by the Finnish National Agency for Education.

82. In respect of vocational education and training, the Roma population has been taken into account in the revised national qualification requirements in the sector of education and guidance. Students pursuing a further vocational qualification in education and instruction can now specialise in working with the Roma people. In addition, the new national qualification requirements include an optional module on the use of Romani language in instruction.

83. Equality and non-discrimination training for Roma organisations, local Roma working groups and other organisation in order to prevent and address discrimination, intersectional discrimination and internal discrimination has been arranged jointly by the Ministry of Justice, the Non-Discrimination Ombudsman and the National Advisory Board on Romani Affairs that operates under the aegis of the Ministry of Social Affairs and Health.

Revitalisation of the Romani language

84. The status of the Romani language in Finland is highly endangered, especially among young adults, teenagers and children. It is also included on the UNESCO list of languages in danger. The Romani language no longer passes organically to new speakers. One of the challenges lies in empowering the Roma community so as to encourage them to speak their language. This is the overriding objective of the measures to revitalise the Romani language.

85. Romani language instructors are in short supply. Studies in the Romani language and culture may now be pursued at the University of Helsinki and the number of students enrolled in these studies is on the rise. The Finnish National Agency for Education is preparing a project that seeks to develop remote instruction in the Romani language. This would allow language instruction to be provided to Roma pupils in multiple locations.

¹⁸ <https://www.oph.fi/fi/tilastot-ja-julkaisut/julkaisut/romanilapset-varhaiskasvatuksessa-ja-esiopetuksessa>
(available only in Finnish)

86. One of the objectives of Finland's second National Roma Policy 2018–2022 was to draw up a national action programme for the revitalisation the Finnish Romani language. The Finnish Romani language revitalisation programme for 2023–2030 prepared by the Finnish National Agency for Education includes 11 sets of measures. Its aims include to broaden the university-level syllabus to cover not only core and intermediate studies but also advanced studies in the subject while paying particular attention to language revitalisation issues in the contents of the study modules.

International Romani Day

87. International Romani Day is celebrated in Finland on 8 April with flag-flying, as is traditional for national days of celebration. Buildings, including the Ministry for Foreign Affairs, are also illuminated in the colours of the international Romani flag to mark the occasion.

Meetings of the Ombudsman for Children with Roma youth

88. The Ombudsman for Children pointed to a study on the views of Roma children as to the realisation of their rights that had been carried out by the Ombudsman as part of the implementation of the National Child Strategy. The preliminary findings from the interviews indicate that a significant portion of the children interviewed would like to learn the Romani language as a school subject. In addition, the children hoped that the Romani language could be revitalised as a language spoken at home, and wished there were leisure activities where they could speak the language.

Meetings of the Ombudsman for Children with Sámi children

89. The Ombudsman for Children pointed out that a topic raised in meetings with Sámi children was the significance of leisure in the revitalisation of languages. Children value youth culture in Sámi and about Sámi in the form of *e.g.* music, books, TV shows and games.

KOTAMO project

90. The objective of the KOTAMO project (2021–22) was to examine the state of equality, non-discrimination and diversity among teaching and research staff in Finnish higher education institutions and to propose recommendations for measures to address any problems identified.

91. The study focused on gender equality and ethnic diversity. The report showed that Finnish higher education institutions still have a great deal of work to do in promoting gender equality and ethnic diversity and that they need support in this work. The main challenges are related to the inadequate implementation of equality and non-discrimination plans, the relatively low number of women and ethnic minorities at the highest career stages in universities, non-transparent recruitment processes, poorer career development among ethnic minorities (when compared to the majority population), discrimination experienced by these minorities, and a non-inclusive working culture. Promoting equality and diversity requires actions, support for higher education institutions and more research.

92. The final report for the KOTAMO project also lists a number of recommendations by which higher education institutions can promote non-discrimination. The most important tools are considered to be improved implementation and follow-up of equality and non-discrimination plans, increased nationwide support for gender equality and non-discrimination work, mandatory gender equality and non-discrimination training for staff who participate in recruitment and work in leadership positions, and resources for the collection and study of data on gender equality and diversity at higher education institutions.

Recommendation 7 - maintenance and development of Sámi culture and ratification of conventions

Ensure, in close consultation with the Sámi, that decisions on the use of traditional Sámi land do not negatively affect the possibility for the Sámi to maintain and develop their culture in that area. To secure Sámi cultural and institutional autonomy, the authorities should continue to seek consensus on a reform of the relevant legislation, the ratification of ILO Indigenous and Tribal People Convention No. 169, and the Nordic Sámi Convention;

Reform of the Act on the Sámi Parliament

93. The report (VN/5875/2019) on the amendment of the Act on the Sámi Parliament¹⁹ proposes expansion of the obligation of the authorities to negotiate with the Sámi Parliament (paragraph 2). According to the proposal, the obligation to cooperate and negotiate would concern measures that are implemented in or effectively extend to the Sámi homeland, and any other measures that particularly impact the Sámi language or culture or the status or rights of the Sámi as an indigenous people.

94. The proposed revised provision on taking account of the rights of the Sámi in the activities of the authorities would clarify how the authorities should in practice take account of their obligations based on the Constitution of Finland and international human rights obligations in respect of the rights of the Sámi. An authority should not cause a minor detriment to the realisation of the rights of the Sámi unless the measure had a legitimate aim in terms of fundamental and human rights and the means for achieving the aim were proportionate to the achievement of a compelling societal need. Under no circumstances would it be permissible to cause considerable detriment. In addition, the proposed provision would require the authorities to assess the impacts of their activities on the right of the Sámi to maintain and develop their language and culture, their traditional livelihoods included. This assessment shall take into account the combined impact of the activities of the different public authorities and the measures taken at different times.

Nordic Sámi Convention

95. The Nordic Sámi Convention is the result of five years of negotiations between the Governments and the Sámi Parliaments of Norway, Sweden and Finland. The negotiations concluded in success in autumn 2016 and the Convention was initialled in January 2017. The Convention's key role is to enable better cooperation, especially in order to ensure that the conditions for maintaining the Sámi languages and culture are met. The Nordic Sámi

¹⁹

https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/163216/OM_2021_21_ML.pdf?sequence=1&isAllowed=y

Convention would not establish any new rights to land use or livelihoods, for example. The Convention would also be relevant from the perspective of the development of international law, as it would be the first regional human rights instrument on the rights of an indigenous people. The fact that the instrument was the result of negotiations between States and the indigenous people has also been the subject of international interest.

96. According to the Convention, in each country it shall be approved by the relevant Sámi Parliament before being signed by the country's Government. The Sámi Parliamentary Council (SPC) has issued a joint proposal of the Sámi Parliaments on topics in respect of which the negotiations should be re-opened. Talks are ongoing between State officials and the Sámi Parliament as to alternative ways to proceed.

ILO Convention No. 169

97. The government proposal HE 264/2014 on adopting the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and on amending the Act on Metsähallitus was submitted to Parliament in November 2014. The proposal to ratify was deferred by Parliament and there was not enough time for its consideration before the parliamentary elections. The outdated government proposal was withdrawn from Parliament in January 2019.

98. Based on the relevant entry in the Government Programme, the Ministry of Justice will prepare a memorandum on the conditions for ratification and in this memorandum, update the situation with regard to *e.g.* legislative amendments that have already been effected. The report on the conditions for ratification is to be circulated for comments in spring 2023.

Sámi National Day

99. Sámi National Day is celebrated in Finland on 6 February. It was on that date in 1917 that the Sámi in the Nordic countries initiated cross-border cooperation. The day was entered in the Finnish almanac in 2004. The Sámi National Day is a flag-flying day for central government agencies and institutions.

ARTICLE 6

Hate crimes reported to the police

100. The Police University College publishes an annual report on hate crimes reported to the police. In 2021²⁰, a total of 1,026 reports of an offence classified as a suspected hate crime were registered. This was 20% more than in 2020. Most of these crimes contained racist elements. The crimes against men were most commonly assaults, whereas the most common type of crime against women was defamation.

Suspected crimes against Judaism and Jewish people

101. According to the 2021 report on hate crimes reported to the police, there were 17 reports in the review year of suspected crimes against Judaism and Jewish people. This was one less than the year before. Despite being low, the number of reports is considerable when

²⁰ <https://polamk.fi/en/hate-crime>

taken in proportion to the number of Jewish people in Finland. As in the previous year, 12 of the reports concerned verbal abuse, threats and harassment. Four of the reports concerned crimes against property and one a one-sided assault.

Training of police officers in Swedish

102. Swedish-language education towards a Bachelor's in Police Services is organised at intervals of 1.5 years. Applicants for education in Swedish usually have only one opportunity in 18 months to pass the entrance exam. Last year, the Police University College arranged a second round of applications for Swedish-language education.

Bullying and harassment at vocational educational institutes

103. The Vocational Education and Training Student Survey Amisbarometri²¹ indicates that minority students in particular are subjected to bullying and harassment and feel unsafe at vocational educational institutes. According to the survey, roughly one in five non-binary individuals and those who did not wish to specify their gender had considered dropping out or transferring to another place of study. The most common reasons for considering whether to drop out had to do with the level of interest in the field or the studies, the quality or organisation of the instruction, learning difficulties or health reasons (at least 20% of those who had considered dropping out). Among non-binary individuals and those who did not wish to specify their gender, bullying or harassment (19%) and discrimination or racism (16%) were also highlighted.

104. The results of the most recent School Health Promotion Study²² indicate that student welfare in secondary education is currently inadequately resourced. The National Union of Vocational Students in Finland (SAKKI) raised the issue of safeguarding the wellbeing of Swedish-speaking students. It is vitally important that there is a low threshold for these students to access healthcare and social welfare services when student welfare services are insufficient to meet their needs.

Project to test the Child Participation Assessment Tool

105. In 2019, the Ministry of Justice coordinated a pilot project on using the Child Participation Assessment Tool, developed by the Council of Europe, to evaluate how the rights of children and young people to participate have been realised in Finland. Published in 2020, the project report²³ presents an assessment of the status of child participation rights in Finland and raises key areas for development as well as examples of best practices. The assessment sought to pay particular attention to the situation of vulnerable children, including children in ethnic minorities.

²¹ <https://sakkiry.fi/amisbarometri/> (available only in Finnish)

²² <https://thl.fi/en/web/thlfi-en/research-and-development/research-and-projects/school-health-promotion-study>

²³ "Kuullaan, mutta ei kuunnella": Lasten osallistumisoikeudet Suomessa. Arviointiraportti. [Consulted but not Heard. Children's Participation Rights in Finland. Evaluation report.] Publications of the Ministry of Justice, Reports and guidelines 2020:10. (available only in Finnish)

ARTICLE 7

Amendment of section 7 of the Assembly Act

106. Act 435/2019 on amending section 7 of the Assembly Act entered into force on 1 August 2019. The legislative project revised the provisions in section 7 of the Assembly Act on the time period for notifying of a public meeting.

107. The Assembly Act was amended to state that meetings arranged outdoors in a public place shall be notified to the local police no less than 24 hours prior to the start of the meeting. Extension of the notification period seeks to provide the police with better capabilities in safeguarding the freedom of assembly. As before, also a later notification may be considered valid if the arrangement of the meeting does not cause significant disruption to public order. This enables also 'spontaneous meetings' to be held.

108. Underlying the amendment of the Act was the fact that in practice, the notification period of six hours had been found to be too short to allow the police in all situations to safeguard in an appropriate and befitting manner the exercise of the freedom of assembly in the manner required of the police under law. The earlier notification period of six hours was also exceptionally short in international comparison. European reference countries quite typically require notification to be given no later than two or three days prior to the meeting.

ARTICLE 8

Regulation of religious slaughter

109. In Finland, freedom of religion and conscience is secured equally to everyone by the Constitution of Finland. The prohibition of discrimination imposes strict interpretative boundaries on how Finland can act in safeguarding the realisation of the freedom of religion. Under section 13 of the Non-Discrimination Act, an apparently neutral rule that puts a person at a disadvantage compared with others as on the grounds of *e.g.* religion constitutes discrimination unless the rule has a legitimate aim and the means for achieving the aim are appropriate and necessary. In order to be necessary, the means must be appropriate and proportionate.

110. With regard to safeguarding the freedom of religion, it is vital that people have the opportunity to consume the kind of food that is required by their religion.

111. A government proposal (HE 186/2022) for an Animal Welfare Act and related acts was submitted to Parliament on 22 September 2022. Changes to the regulation of religious slaughter were proposed so that that animals must always be stunned before blood-letting. Since the type of religious slaughter permitted in Finland is difficult to carry out in practice, religious slaughter these days always involves the stunning of the animals before blood-letting. In other words, the proposal would have not changed the religious slaughter practices currently in place. The proposed amendment would have not affected the availability of religious slaughtered meat in Finland.

112. Parliament required that the current provisions be preserved and passed the Animal Welfare Act without any new restrictions on religious practices of animal slaughter. Under current legislation, animals belonging to mammals (in practice cattle, sheep, goats) must not be slaughtered without stunning, but stunning at the same time as the start of bleeding is required for slaughter.

113. The proposal raised discussion and concerns, especially among Jewish and Muslim minorities. The Finnish-Islamic Congregation, members of which include Tatars, expressed its concern over the proposed Act. Religious slaughter is a part of not only Islam but also of Judaism. The Congregation notes that while animal welfare is a concern with regard to slaughter, in hunting, animals often experience prolonged suffering before finally being put down whereas in Islamic ritual slaughter, it is a matter of seconds before the animal is stunned.

114. The preparation of the Animal Welfare Act has involved dialogue with religious communities and it is hoped that this channel of communication will remain open also in future.

ARTICLE 9

Support to national minority-language newspapers and e-publications

115. The Government may grant aid to support newspapers and online publications in the national minority languages, *i.e.* Sámi, Karelian and Romani as well as sign languages, and to support the production of news services in Swedish. The appropriation may also be applied to producing content in the Sámi or Karelian languages that is included in newspapers published in Finnish or Swedish.

116. In 2022, the only applications for the aid were received from Swedish-language media. The Government granted EUR 0.5 million to support newspapers in the national minority languages and the equivalent online publications and the production of news services in Swedish.

Radio and TV in minority languages

117. The Finnish Broadcasting Company YLE produces diverse content for the various language groups and minorities. In order to cater for diversity, YLE ensures that people from different backgrounds, such as language minorities and cultural minorities, as well as people disadvantaged by sensory impairment or disability, are treated equally. The aim of YLE is for representatives of special and minority groups to be seen, to an increasing extent, as participants, experts and contributors also in content geared to the mainstream population. YLE provides content and services not only in Finnish, Swedish and Sámi but also in sign language and easy Finnish as well as English, Russian, Romani and Karelian. Accessibility has become an increasingly integral element in planning the offering of YLE and it is one of the areas of emphasis in the company's strategy for the coming years.

118. On 8 November 2022, YLE Saame launched a news and current issues podcast in Skolt Sámi entitled *Mâ'st jiõm mainste'če ääkkain* [What I would not discuss with Granny].

ARTICLE 10

Recommendation 8 – Swedish-language healthcare and social services and monitoring the implementation of the linguistic rights of the Swedish-speaking population

Ensure that in practice Swedish speakers have access to health care and social welfare services in their first language. Efforts should be made in particular to combat any intersectional discrimination against Swedish-speaking children, the elderly, and persons with disabilities using such services. The authorities should closely

monitor and, if necessary, undertake action regarding the implementation of Swedish speakers' linguistic rights in the amalgamated district courts.

Language legislation

119. The language legislation concerning Finnish and Swedish that is currently in force is largely appropriate and up to date. It contains the formal provisions on safeguarding the linguistic rights of both Finnish and Swedish speakers. The challenge arises from shortcomings in the observance of language legislation and its application in practice. One of the starting points of the health and social services reform, too, was to safeguard that the current linguistic rights, and statutory linguistic rights will not be undermined when duties transfer from the municipalities to the wellbeing services counties.

Strategy for the National Languages of Finland

120. One of the aims of the new Strategy for the National Languages of Finland is to safeguard linguistic rights in the health and social services reform. Related measures include the tools with which to safeguard linguistic rights in the services of the wellbeing services counties as well as dialogue between customers and authorities in order to boost understanding of the importance of language in safeguarding the standard of service.

121. Another aim of the Strategy is to safeguard the status of the national languages as well as linguistic rights in administrative reform projects. Related measures here include preparing a plan, in connection with the implementation of reforms, for organising services and service paths in minority languages and for coordinating language services within the authority, preparing a template for the planning and coordination of language services and, when establishing new authorities, complying with the principles of the Institute for the Languages of Finland in the naming of the authorities. The Strategy also seeks to ensure the availability of language-skilled labour in both national languages and to create and maintain environments in dealing with the authorities where it feels natural to speak either Finnish or Swedish. An additional aim of the Strategy is to ensure that digitalisation supports the realisation of linguistic rights and the availability of services in both national languages.

Linguistic rights in healthcare and social welfare services

122. Linguistic rights in healthcare and social welfare services are governed by legislation including the Act on Organising Health and Social Services (612/2021), the Language Act (423/2003), the Healthcare Act (1326/2010), 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).

123. Under the Act on Organising Health and Social Services, health and social services shall be organised in both Finnish and Swedish in bilingual wellbeing services counties so that the client is provided with the services in the language of their choosing, either Finnish or Swedish. In unilingual wellbeing services counties, health and social services are organised in the language of the county. The Language Act (423/2003) lays down provisions on the right of clients to use their own language, to be consulted and to receive their documents in either Finnish or Swedish, and also on the right to interpretation.

124. In addition, the Act on Organising Health and Social Services provides that the wellbeing services county of West Uusimaa shall be responsible for supporting the development of

Swedish-language healthcare and social welfare services in the entire country. Under the Act, bilingual wellbeing services counties shall also conclude a cooperation agreement in order to safeguard the realisation of the linguistic rights of Swedish speakers in health and social services. Implementation of the cooperation agreement shall be monitored and assessed annually.

125. Under the Act on the Wellbeing Services Counties (611/2021), a bilingual wellbeing services county shall have a national language board. The members of the committee shall be drawn from the minority-language population of the wellbeing services county. The duties of the national language board are to:

- examine, assess and issue opinions on how the decisions made by the county council affect the practical realisation of linguistic rights;
- examine, assess and define the need for services available in minority languages in the wellbeing services county and monitor the availability and quality of these services;
- on the basis of reports, assessments and monitoring, propose measures to the county executive to improve services and service chains for language minorities, set the language proficiency requirements for county personnel and promote the language skills of county personnel; and
- make proposals regarding the content of the agreement on cooperation and the division of labour between bilingual counties, issue a statement on the agreement to the county council and monitor the implementation of the agreement.

126. The board must provide the executive of the wellbeing services county with an annual report on the provision of services intended for language minorities. The county executive shall provide the county council with a statement on the measures arising from the assessment report.

127. Inclusion Finland FDUV (a non-profit organisation for Swedish-speaking persons with intellectual disability in Finland) in its statement expressed its concern that the health and social services reform has not adequately catered for the Swedish-speaking population in certain bilingual wellbeing services counties.

Linguistic rights in district courts

128. When adopting the government proposal to Parliament on amending the Courts Act and certain other Acts (HE 270/2016), Parliament approved the following statement:

“Parliament requires the Government to monitor the effects of the structural reform of the district courts and the related possible reform concerning the consideration of summary civil cases and to pay particular attention to the regional availability of legal protection, the realisation of linguistic rights, economic impacts and the provision of legal services, and to submit to the Law Committee a report on these by the end of 2022.”

129. The report of the rapporteur appointed by the Ministry of Justice to examine the impacts of the reform was submitted to the Ministry in autumn 2022. It formed the basis for the report required by Parliament and submitted to it in December 2022. The report drew attention to the fact that the share of cases dealt with in the district courts in Swedish had been in a slight decline for the past ten years or so.

Report on application of language legislation 2021

130. The Government report on the application of language legislation is a follow-up report that is submitted to Parliament once every parliamentary term. The report discusses, besides Finnish and Swedish, at least the Sámi, Romani and sign languages and, where necessary, linguistic conditions in Finland more generally.

131. The report shall discuss the application of language legislation, the implementation of linguistic rights, language relations in Finland and the development of Finnish and Swedish. The Government report on the application of language legislation 2021 (Appendix 2) contains up-to-date information about the language situation in Finland, structures supporting linguistic rights, the impact of administrative changes on language groups and experiences of the implementation of linguistic rights when dealing with the authorities. The main themes are digitalisation and the realisation of linguistic rights in teaching, in the police and rescue services and in emergency response centre activities. The report also covers the language service obligation of private companies pursuant to section 25 of the Language Act. At the end of the report, there is a summary of the experiences gained during the monitoring period on the application of language legislation and the current language situation in Finland.

Decisions of the Parliamentary Ombudsman concerning minority languages

132. In complaints submitted to the Parliamentary Ombudsman, the status of minorities has come up in language cases, among others. The Parliamentary Ombudsman issued a total of 86 decisions on language cases in 2021. Thirty of these decisions resulted in measures (34.5%). As in previous years, the majority of the decisions involved the right to service in Swedish. The cases concerning the use of foreign languages in the activities of the authorities had to do with the status of both national languages. Two of the decisions were about arranging sign-language interpretation at a briefing held by the authorities. An observable trend in recent years has been for language complaints to an increasing extent to concern the provision of information and guidance in its various forms rather than concrete customer service situations or dealings in a matter with the authorities.

Decision of the Parliamentary Ombudsman concerning the right of a child to social services in Swedish

133. Decision (EAOK 488/2021) of the Parliamentary Ombudsman addresses non-discrimination, right to own language, right to adequate healthcare and social welfare services, and safeguarding of fundamental and human rights. In the case, the City of Helsinki had not been able to arrange special care for a Swedish-speaking child with mild intellectual disabilities and psychiatric challenges in the child's mother tongue in the housing unit during the assessment period (guidance in the housing unit).

134. The Parliamentary Ombudsman held that the procedure at the housing unit had violated the Social Welfare Act (1301/2014) and violated the child's equality and social, cultural and linguistic rights guaranteed by the Constitution of Finland. The Ombudsman emphasised that, from the perspective of the implementation of the right to self-determination and other rights of a child in need of special support, it is particularly important that the child's right to receive service in the language of their choice be realised.

135. In the decision, the Ombudsman remarked that the language used plays an important role in encountering the child and in the mutual understanding of matters. The Ombudsman emphasised that inadequate resources are not a valid reason for not offering a client a service in the language of their choice. In the Ombudsman's view, the city – as the entity providing and purchasing the service – should have taken the necessary measures in time to realise the child's right to special care in Swedish on an equal basis with Finnish-speaking children.

136. The Ombudsman emphasised that the implementation of fundamental rights requires active measures by public authorities to create effective preconditions for the implementation of fundamental rights. In practice, this means continuous measures from the service provider in a situation where the organised service does not implement the client's fundamental rights.

137. The National Church Council of the Evangelical Lutheran Church of Finland pointed out that a particularly vulnerable group are Swedish-speaking young people struggling with mental health challenges, as it is difficult for them to receive services in their native language in the Helsinki Metropolitan Area.

138. SAMS – Samarbetsförbundet kring funktionshinder in its statement raised its concern over the deficient realisation of the linguistic rights of the Swedish-speaking minority in health and social services in particular. SAMS underscored the need for people to be able to communicate and be treated in their native language, as the matters discussed are often of a sensitive nature. The Finnish Association of the Deaf pointed out in its statement that the users of Finnish-Swedish sign language are often subjected to discrimination in respect of both of their languages: there is less Swedish text available and sign language interpretation is always provided in Finnish sign language. FDUV expressed its concern over the development of services for Swedish-speaking people with developmental disabilities and the lack of digital services in Swedish. It also expressed its concern over the reduction in the resources available to the production of television broadcasting content in Swedish.

Recommendation 9 – Sámi-language healthcare and social welfare services

Clarify, in close consultation with the Sámi, the statutory rights as regards the provision of Sámi-language health care and social welfare services in the Sámi homeland and define attainable and measurable objectives. Sufficient budgetary resources should be made available so that these objectives can be met. Furthermore, the authorities should assess the need for and, if it is established, consider supporting the provision of certain services in the Sámi languages outside the homeland.

Rights of Sámi speakers in the health and social services reform

139. As a rule, the development of healthcare and social welfare services in Sámi takes place as part of the service system as a whole and it has therefore been important to ensure that major reforms, such as the health and social services reform and the Future Health and Social Services Centres project, could support this aim as well as possible.

140. Parliament passed the legislation on the health and social services reform in summer 2021. The wellbeing services counties established in the reform launched operations on 1 January 2023. Under the Act on Organising Health and Social Services (612/2021), the wellbeing services counties must have sufficient competence, functional capacity and readiness to take responsibility for organising health and social services and they must attend to the availability of health and social services commensurate with their residents' service

needs in all situations. The Lapland wellbeing services county has responsibility for healthcare and social welfare services in Sámi. Negotiations between central government and the counties allow developments to be monitored also in respect of linguistic rights.

141. In order to secure the linguistic rights of Sámi speakers in the context of the health and social services reform, a Sámi language board was established pursuant to the Act on the Organising of Health and Social Services (612/2021). Only Sámi speakers may become members of this board. The Sámi language board is tasked with issuing opinions as to the impacts of the decisions of the county council of the Lapland wellbeing services county on the realisation of linguistic rights. The board also assesses the need for and availability and quality of services in Sámi. Based on this information, the board submits to the county executive proposals on improving services and service chains for language minorities as well as the language proficiency requirements for county personnel and their language skills. The board provides the county executive with an annual report on the provision of services intended for language minorities. The county executive in turn submits a proposal to the county council on the measures to which the report should give rise.

Development of Sámi-language services in the Future Health and Social Centres project

142. One of the four areas of emphasis for the Lapland region in the future health and social services project funded by the Ministry of Social Affairs and Health and intended to support the implementation of the wellbeing services county reform is to develop culturally appropriate Sámi-language services. The aim here is to improve the availability of culturally appropriate Sámi-language family services and boost their quality, to build up family services into a networked and multi-channel approach in cooperation among healthcare and social welfare services as well as education and youth services and specialised services, and to strengthen the professional support to employees.

143. Additional aims include to make culturally appropriate Sámi-language mental health and substance abuse treatment services better available through low-threshold initial contact. A further aim is to improve service coordination and service compatibility between primary and specialised healthcare and social services, to instil in the services an understanding of being indigenous people-driven and to ensure that the methods used recognise the specific needs relating to the Sámi language, culture and way of life.

144. The Ombudsman for Children stressed that when organising healthcare services, for example, children must be consulted for their views regarding the practical implementation of the services. In autumn 2021, Sámi children related to the Ombudsman their experiences with interpretation arrangements that were considered inappropriate.

145. SámiSoster pointed out that the health and social services reform and the related legislation will not improve the legal status of the Sámi or the availability of Sámi-language services but that the situation will rather remain unchanged, as under section 5, subsection 1 of the Act on Organising Health and Social Services (612/2021) that is a part of the reform, in unilingual wellbeing services counties health and social services will be organised in the language of the county, *i.e.* Finnish or Swedish, while in bilingual counties they will be organised in both languages. This means that the Lapland wellbeing services county, for example, has the obligation to arrange health and social services in the language of the county, *i.e.* Finnish. Where a customer or a patient wishes to use the health and social services of the Lapland county in Sámi, under the Act on Organising Health and Social Services they

have the right to do so in the manner referred to in the Sámi Language Act in the municipalities within the Sámi Homeland and also, in certain cases, outside the Homeland in the Lapland wellbeing services county. The statement of SámiSoster also raises the issue of interpretation challenges.

146. The National Council of Women of Finland in its statement pointed out that the long distances in Lapland will affect the accessibility of services. Long distances make it difficult for ageing Sámi women, for example, to access healthcare and social welfare services. Sámi who belong to sexual or gender minorities also perceive that their right to *e.g.* mental health services is not realised due to a lack of expertise in the Sámi culture and gender and sexual minorities.

Sámi Truth and Reconciliation Process

147. The Government appointed the Sámi Truth and Reconciliation Commission on 28 October 2021. The matter was prepared in close cooperation with representatives of the Finnish state, the Sámi Parliament and the Skolt Village Assembly.

148. The objective of the Commission's work is to gather Sámi people's experiences of the actions of the Finnish state and authorities and their effects on the Sámi people, and to make this information visible.

149. The Sámi Truth and Reconciliation Commission is an impartial and independent body. It consists of five commissioners, two of whom are appointed based on a proposal from the Government, two based on a proposal from the Sámi Parliament and one based on a proposal from the Skolt Village Assembly.

150. The purpose of the truth and reconciliation process is:

- to identify and assess historical and current discrimination, including the assimilation policy of the state and violations of rights;
- to find out how they affect the Sámi and their communities in the current situation;
- to propose ways to promote links between the Sámi and the state of Finland and among the Sámi people; and
- to raise awareness about the Sámi as the indigenous people of Finland.

151. The Commission shall draw up a report on its work, including proposals for measures. The aim is to submit the report to the Government, the Sámi Parliament and the Skolt Village Assembly by 30 November 2023.

152. Strengthening the overall psychosocial support available to the Sámi people is an element of the truth and reconciliation process. Adequate psychosocial support is a vital condition for embarking on this demanding process. Effective psychosocial support was a precondition of the Sámi Parliament as well for taking up the truth and reconciliation process.

Health services for the Roma

153. The study by the Finnish Institute for Health and Welfare²⁴ conducted as an action under earlier National Roma Policies found that experiences of discrimination, low levels of education, poor employment rates and financial difficulties are commonplace among the Roma. The results reveal various health challenges, such as chronic diseases and risk factors, as well as difficulties with physical functional ability. Strengths include strong social relationships among the Roma people, a strong community and help between community members. Victims of discrimination in particular find it challenging to access health services.

154. The second National Roma Policy 2018–2022 includes an action stating that the results of the Roma Health and Wellbeing Study (Roosa project) will be utilised and its action proposals implemented in national, regional and local health and wellbeing promotion work. This will provide the foundation for the age group-specific actions to boost the health of the Roma included in the new National Roma Policy.

155. The new Third National Roma Policy 2023–2030 scopes Roma families' needs for services and the accessibility of services, pays particular attention to the needs of ageing Roma and Roma with disabilities, increases awareness within the Roma community of secure childhoods and intimate partner violence, and enhances the accessibility of victim services. The policy programme contains gender-sensitive actions to improve health, wellbeing and security and to prevent health problems. Services to promote sports and physical exercise, proper diet, substance abuse prevention and holistic wellbeing (mental health included) will be targeted to the Roma and their inclusion in hobbies and leisure activities will be increased, as will the work carried out by Roma organisations with Roma who suffer from substance abuse or mental health issues or who are imprisoned.

ARTICLE 11

156. There is nothing new to report in respect of this Article.

ARTICLE 12

National core curriculum

157. Under the national core curriculum for basic education, Sámi (Inari Sámi, Skolt Sámi and Northern Sámi), Romani and sign languages (Finnish and Finnish-Swedish) may be taught as a syllabus in the subject of mother tongue and literature. Syllabuses consist of multidisciplinary artistic, practical and cultural subjects, the teaching of which is based on a broad concept of text.

158. Instruction in Sámi and Romani may also be provided as education supplementary to basic education to which the narrower education objectives indicated in the appendix to the national core curriculum apply. Discretionary government grants for no more than two weekly lessons may be obtained for arranging this kind of education for each group of four

²⁴ Weiste-Paakkanen, Anneli., Lämsä, Riikka. & Kuusio, Hannamaria. 2018. Suomen romaniväestön osallisuus ja hyvinvointi [Inclusion and wellbeing among the Finnish Roma population]. Romanien hyvinvointitutkimus Roosan perustulokset [Basic results of the Roma Wellbeing Study] 2017–2018. National Institute for Health and Welfare, 2018 (available only in Finnish).

pupils. Where a municipality does not have four pupils to make up a group of Sámi or Romani language instruction, the grant may also be made for groups of two pupils.

Continuing training of teachers

159. The Finnish National Agency for Education has annually provided support of roughly EUR 15 million for staff training projects in education and early childhood education and care. The aim of staff training funded by central government is to promote the ongoing learning of staff in education and early childhood education and care as well as their equal opportunities to enhance their competences needed in their profession. Staff training supports the implementation of the Government's education policy reforms and develops the competences needed to adjust to changes in the operating environment. One of the main themes for staff training in 2020–2023 is to strengthen linguistic and cultural competences.

160. Many development projects, too, have enhanced teacher competences and produced materials in support of teaching. The KuTiMat project to promote culturally aware teachership, school culture and teacher education funded by the Finnish National Agency for Education, for example, developed research-based materials for addressing themes of cultural diversity as well as various kinds of tools for assessing the quality of teaching materials and for guidance and self-reflection. The materials produced in the KuTiMat project have also been translated into different languages including the Sámi languages.

161. The Teacher Education Forum established by the Ministry of Education and Culture has worked to promote linguistically and culturally sensitive education. The current Forum serves until the end of 2023. Projects to develop teacher education have advanced the implementation of the teacher education development programme prepared in 2016 and strengthened innovative language pedagogics as well as teacher competences relating to linguistic and cultural sensitivity and multilingualism. The learning materials produced in this project are stored in the Library of Open Educational Resources (aoe.fi) for the free use of all teachers.

162. One of the teacher education projects was entitled *Ketterä korkeakoulu* [Agile Higher Education Institution] and it ran from 1 December 2018 to 31 December 2022. The project developed new and more effective models for the education of Sámi-speaking teachers and teachers of the Sámi language and also provided training to teachers speaking Northern, Inari or Skolt Sámi. In 2022, the project focused on preparing a plan for teaching the Sámi languages and educating Sámi-language teachers and on organising in-service training courses for student teachers and serving teachers.

163. The Ministry of Education and Culture appointed a working group for the development of teaching in and of the Sámi languages in February 2020. The working group was tasked to examine the state of early childhood education and care and education in Sámi as a whole. The working group was to prepare proposals for developing early childhood education and care in Sámi, the Sámi languages and teaching in Sámi, securing the availability of Sámi-speaking personnel and teaching material in the fields of education and social and health services, raising awareness of the Sámi languages, Sámi history and culture, and strengthening Nordic school cooperation in Sámi education. Four separate reports were commissioned to support the work of the working group and experts were widely consulted. The working group submitted its final report on 15 April 2021. The report proposes, among other things, increased teaching of Sámi knowledge in schools.

164. One of the measures proposed in the national action programme for the revitalisation the Finnish Romani language is to clarify the study path of students of Romani language at the University of Helsinki to become qualified Romani-language teachers and also to ensure that students studying to be Romani-language teachers include courses in digital and remote pedagogy in their studies so as to enable them, upon graduation, to provide remote education. The aim of the measure is to secure the number of Romani-language teachers.

ARTICLE 13

Language islands

165. The term 'language island' refers to a unilingual Finnish-speaking municipality that nonetheless provides education in Swedish. Some language islands have long histories and offer education ranging from early childhood education and care to upper secondary, while others are more recent and only offer early childhood education and care and primary education. The schools in the older and larger language islands are often private ones, while the newer and smaller ones are served by a municipal department of education.

166. The new Strategy for the National Languages of Finland²⁵ adopted as a Government resolution on 2 December 2021 assigns responsibility to the Ministry of Education and Culture for the action of supporting those Finnish-language municipalities that are invested in Swedish-language education ('language islands'). The Ministry of Education and Culture in cooperation with the Finnish National Agency for Education has been examining the option of expanding the purposes of discretionary government grants intended to expand bilingual education so that language islands would also qualify for the grants. This change would first be applied in the grants distributed in 2023.

ARTICLE 14

Recommendation 10 – Sámi language teaching, revitalisation of the Romani and Karelian languages

Consolidate the support for Sámi language teaching, paying particular attention to language nests, distance education, and teacher training. Furthermore, the authorities should increase their efforts to revitalise the Romani and Karelian languages through actively promoting first language teaching of these languages in schools.

Language policy programme of the Government

167. The language policy programme of the Government covers also the Sámi languages and the Romani language. The following measures apply to the Sámi languages and other autochthonous languages:

- learning materials are central to learning languages and efforts will be made to ensure their availability;
- opportunities to develop teaching in the autochthonous languages that utilises remote connections in the entire country will be explored;
- development of teaching that utilises remote connections will be developed by enhancing teacher competences by means including staff training;

²⁵ <http://urn.fi/URN:ISBN:978-952-383-967-0>

- higher education institutions will be encouraged to invest in resources for research into the various languages;
- efforts will be made to increase language nest activities, language clubs and other activities which promote language vitality, taking account of the different needs and potential of the different languages;
- efforts will be made to revitalise languages in a systematic and sustained manner;
- efforts will be made to collect and disseminate best practices in language revitalisation and inter-language dialogue and cooperation will also be promoted;
- an organised permanent structure will be created to support these aims (language policy forum or network) and it will promote information-sharing on minority language planning and the status of minority languages as well as language revitalisation;
- a survey and planning project aimed at organising sustained minority language revitalisation work and to establish the structures for these activities will be launched and separate funding allocated to it.

168. See also paragraphs 84–86 on the revitalisation of the Romani language and paragraphs 71–72 on the revitalisation of the Karelian language.

169. The Ombudsman for Children pointed out that in strengthening the teaching of the Sámi languages, attention should be paid to the inequalities between the languages. When meeting with Sámi children in autumn 2021, the Ombudsman learned that one Northern Sámi group had access to nearly all education in Sámi and that Northern Sámi was in fact a stronger language than Finnish for the pupils in this group, whereas another Northern Sámi group only had two lessons per week of instruction of the Sámi language. In the Skolt Sámi group, there was also other education available in Sámi besides the two Sámi-language lessons per week, but since the mother tongue of most of the pupils was Finnish, they studied in Finnish. The pupils in the Inari Sámi group were in a Sámi-language class where they were taught in Inari Sámi but from Finnish-language textbooks. The Ombudsman also drew attention to the availability of learning materials.

170. SámiSoster expressed its concern over the fact that the developmental needs of children who are native Sámi-speakers are not taken sufficiently into account in the teaching of Sámi and the development of teaching. It is important for the Sámi culture to be featured in the teaching of the various subjects in Sámi, their learning materials and teacher education.

ARTICLE 15

Recommendation 11 – strengthening the Advisory Board for Ethnic Relations

Strengthen the Advisory Board for Ethnic Relations (ETNO) in close consultation with representatives of all minorities. The authorities should in particular increase the share of minority representatives, ensure the transparency of the membership selection process, increase budgetary and human resources, and consider formalising ETNO's status in law.

Advisory Board for Ethnic Relations

171. Based on a proposal of the Ministry of Justice, the Government appointed a new Advisory Board for Ethnic Relations (ETNO) on 17 December 2020. The term of the newly appointed Board extends until 16 December 2024. As provided in the Government Decree on the Advisory Board for Ethnic Relations, the structure and membership of the Board has remained unchanged. The Board consists of a chair and at least two but no more than three vice chairs as well as no more than 34 other members.

172. Each member has a personal deputy. ETNO membership includes representatives from new bodies on the basis of rotation. Five new organisations have been included in the composition of organisations representing immigrants, ethnic minorities and religious communities. Two new bodies are represented as permanent experts. The remaining Board composition conforms to the Government Decree. The Permanent Secretary of the Ministry of Justice continues as chair. The vice chairs are held by a department head from the Ministry of the Interior, a representative of immigrants and ethnic minorities, and a Member of Parliament representing the parliamentary groups.

173. Under the Government Decree, those Centres for Economic Development, Transport and the Environment (ELY Centres) with wider immigration coordination responsibility shall appoint seven regional Advisory Boards for Ethnic Relations.

174. The regional Boards consist of the chair and vice chair as well as no fewer than 10 and no more than 14 other members, each with their personal deputy. The ELY Centre may appoint permanent experts to the regional Board if it so chooses. While the compositions of the regional Boards vary somewhat, their chair or vice chair shall represent immigrants or ethnic minorities and at least half of the membership of the regional Board shall also consist of immigrant or ethnic minority representatives.

175. The open calls to organisations to serve on the Boards in the term 2020–2024 was initiated in spring 2020. The call was communicated as openly as possible, making use of both official channels and numerous networks. Information sessions which all interested persons, organisations and other parties were invited to attend were organised in all seven regions while the call was underway. The applications to join the national Board were received by the Ministry of Justice in spring and summer and their processing started in the autumn after the summer holidays.

176. The applications in the regions were submitted in early autumn and the regional Boards were appointed soon thereafter. The national Board was composed and complemented with permanent experts in November and the composition of the Board was presented to the Government in December.

177. The administration of ETNO takes place at the Ministry of Justice, where its secretariat is based in the Democracy and Elections Unit of the Department of Democracy and Public Law. The secretariat continues to consist of a full-time secretary general and an expert devoting 50% of their working time to the secretariat. The Ministry of Justice has allocated EUR 80,000 per calendar year for the operations of the Advisory Boards. The appropriations are applied towards both the national and regional Boards.

178. As part of the implementation of the Government's action programme against racism and for good relations, the Ministry of Justice has allocated EUR 240,000 to the regional Boards for 2021–2023. These pilot activities will be coordinated by the Uusimaa ELY Centre

and their purpose is to strengthen the role of the organisations on the Boards as experts in population relations and in promoting them. A full-time coordinator has been hired for the project and each region has been set aside an operational appropriation of EUR 17,000 per year. Negotiations on continuing the pilot activities remain ongoing.

179. Discussion into making the standing of ETNO official will be initiated in 2023 in the context of assessing the structure and functioning of the Board. Only after this will the Ministry of Justice submit to the Government a proposal on revising the appointment, structure and standing of the Board. This revised Board will then be appointed in 2025 after the expiration of the term of the current Board.

Reform of the Citizens' Initiative Act

180. On 10 November 2022, the Government submitted to Parliament a proposal on amending the Act on a Candidate's Election Funding, the Act on Political Parties, sections 112 and 143 I of the Election Act and section 10 of the Citizens' Initiative Act (HE 254/2022). The aim of the proposal in respect of the citizens' initiative is to lower to 16 years the age limit for supporting European Citizens' Initiatives (Citizens' Initiative Act).

ARTICLE 16

181. There is nothing new to report in respect of this Article.

ARTICLE 17

Restriction of cross-border traffic between Finland and Russia

182. Finland restricts the travel of Russians to Finland on Schengen visas for purposes of tourism and for purposes of transit to other parts of the Schengen area. The restrictions on entry remain in force until further notice. The entry into Finland on a visa by certain specifically defined special groups is not, as a rule, subject to restriction.

Decision of the Deputy-Ombudsman on treatment of the Sámi in internal border control

183. The Parliamentary Deputy-Ombudsman issued decision 5597/2020 on the treatment of the Sámi in internal border control. According to complaints, the closure of border crossing points and border crossing permit procedures related to the temporary reintroduction of internal border control had prevented and hampered reindeer herding by Sámi people and the Sámi culture in general in violation of the Constitution. The question was whether the rights secured for the Sámi people by the Constitution of Finland required the Border Guard to take more extensive measures to take into account the status of the Sámi people and to safeguard Sámi livelihoods.

184. As a result of the Constitution and international treaties, there is a prohibition of undermining the Sámi culture, which means that official actions may not undermine the rights of the Sámi as an indigenous people to practise and maintain their culture.

185. According to the Deputy-Ombudsman, as a result of the temporary reintroduction of internal border control, the restrictive measures concerning border crossings had an impact on the Sámi people, particularly in the form of negative effects that were reflected on Sámi

livelihoods but also on the Sámi community and culture in a more comprehensive manner. On the other hand, the impacts of the restrictive measures did not focus only on the Sámi but also on others crossing the border. However, the impacts on the Sámi people could be understood to be somewhat more comprehensive.

186. According to the Deputy-Ombudsman, the border control and permit procedures were due to a change caused by the prevention of a communicable disease, and this change could not be regarded as a far-reaching or significant measure that could directly and in a special way affect the status of the Sámi as an indigenous people and significantly undermine the Sámi culture. While the right of an indigenous people to health and life must be safeguarded, the measures taken in this regard had to accommodate the fact that the spread of the serious communicable disease varied from one region to another.

187. Taking these considerations into account, the proactive requirement of border crossing permits for crossings outside the border crossing points had not violated the provisions of the Constitution concerning the Sámi people. It had merely been a matter of controlling border crossings and of the procedure for authorising or prohibiting border crossings

ARTICLE 18

188. The Nordic Sámi Convention is discussed in paragraphs 95–96.

ARTICLE 19

189. There is nothing new to report in respect of this Article.

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APPENDICES

- [National Action Plan on Fundamental and Human Rights 2020–2023](#)
- [Government Report on Application of Language Legislation 2021](#)