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**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX**

28 May 2018

Case Document No. 9

University Women of Europe (UWE) v. Finland
Complaint No. 129/2016

**FURTHER RESPONSE FROM THE GOVERNMENT ON THE
MERITS**

Registered at the Secretariat on 16 April 2018



16 April 2018

Mr Henrik Kristensen
Deputy Executive Secretary
European Committee of Social Rights

Complaint No.129/2016
University Women of Europe (UWE) v. Finland
FURTHER OBSERVATIONS ON THE MERITS OF THE COMPLAINT

Sir,

With reference to your letters of 19 January and 2 March 2018 concerning the aforementioned complaint, I have the honour, on behalf of the Government of Finland, to submit the following further observations on the merits of the aforementioned complaint.

FURTHER OBSERVATIONS ON THE MERITS OF THE COMPLAINT

General

1. The Government recalls its observations of 12 October 2017 on the merits of the complaint.
2. As regards multiple allegations presented by University Women of Europe (later, UWE) in its submissions to the European Committee of Social Rights (later, the Committee), the Government notes that the fact the Government does not comment each and every allegation does not mean that the Government accepts them. Accordingly, all of UWE's allegations are to be rejected.
3. The Government reiterates that the allegations presented by UWE are vague, general and unsubstantiated, and not supported by any relevant arguments nor evidence and thus, the complaint is unsubstantiated as a whole and should be rejected on these ground alone.
4. Should the Committee be of a different view, the Government presents the following further observations.

The Committee's findings

5. In its response to the Government's observations on the merits, registered at the Secretariat on 11 January 2018, UWE states that " the fact that the European Committee of Social Rights did not during those supervision cycles find that the policies implemented failed to comply with the Charter does not mean that its analysis covered all the aspects raised by this complaint, in particular because it did not have adequate information for that purpose and for the cause to be heard. Accordingly, the European Committee of Social Rights may acknowledge that the standards in question are in line with the Social Charter but that the practices are disappointing or inadequate and are therefore unacceptable. Moreover, the respondent state emphasises that it responded satisfactorily to the three or four requests by the Committee for more information. However, the Committee did not request additional information regarding other subjects where that was necessary. The submissions by Finland in this respect must therefore be regarded as irrelevant."
6. In this regard, the Government reiterates its comments (§§ 22-29) in its observations of 12 October 2017 on the merits of the complaint.
7. The Government notes that the Committee has in its decisions on collective complaints taken into account its previous conclusions under the reporting system (see, for instance, *Finnish Society of Social Rights v. Finland*, Complaint No. 107/2014, decision on admissibility and the merits of 6 September 2016, § 52).
8. UWE alleges that Finland has failed to fulfill its obligations under Article 4§3 as a whole. However, as regards Article 4§3 of the Charter, the Government notes that the Committee has only found that Finnish legislation does not enable the restoration of the employment relationship in a situation where an employee has been dismissed due to a claim on pay discrimination.
9. Regarding Article 20 of the Charter, the Committee has, pending receipt the information requested, concluded that the situation in Finland is in conformity with Article 20 of the Charter.
10. The Government notes that the Committee may request additional information in its conclusions when deemed necessary, and it is for the Government to submit this information to the Committee. The Government emphasises that it will continue submitting this information to the Committee also in the future as a part of a constructive dialogue with the Committee.
11. The Government notes that the Committee has stated that the implementation of the Charter requires the State Parties to take not merely legal action but also practical action to give full effect to the rights recognised in the Charter (*International Commission of Jurists v. Portugal*, Complaint No. 1/1998, § 32).
12. The Government notes that Finland has taken several measures to reduce the gender pay gap and to increase the number of women in decision-making posts and that there has been steady progress towards achieving these as pointed out in the Government's observations of 12 October 2017 on the merits of the complaint and below.

Allegations concerning wage gap between men and women for equal, similar or comparable work

13. As the Government has stated in its observations of 12 October 2017 on the merits of the complaint, Finland promotes equal pay using various methods in a diverse manner. The legislation prohibits pay discrimination and obliges employers to promote gender equality with regard to pay, among other things. Equal pay is promoted by both the Government's general gender equality programmes and tripartite equal pay programmes.
14. In its response, UWE refers to a lack of gender mainstreaming in the policies concerned.
15. The Government notes that the current and previous Governments have improved their gender mainstreaming efforts by setting concrete targets for the different ministries regarding the structures and measures of gender mainstreaming. These are monitored as part of the Government Action Plan for Gender Equality, among other means. The aim is to transform the ministries' practices so that they better integrate the gender perspective and promote more efficiently gender equality. Key processes include legislation, budgeting, performance guidance, statistics and data production, strategies, programmes and projects, education and communication and information.
16. The Government notes that mainstreaming of the gender perspective has been advanced in all the aforementioned key processes, according to annual follow-up that started in 2011. Integration of the gender perspective is most common in bill drafting and the budget process.
17. The Government notes that in its response UWE highlights the importance of gender equality work in eradicating gender-based stereotypes in education and working life.
18. In this regard, the Government notes that a great deal of work has been done in Finland: there is a legislative framework in place, and there has been a number of development projects.
19. Section 5 of the Act on Equality between Women and Men (609/1986) obliges authorities, education providers and other bodies providing teaching or training to ensure that girls and boys as well as women and men have the same opportunities for education, training and professional development. Moreover, according to section 5a of the Act, education providers are responsible for ensuring that each educational institution prepares a gender equality plan annually. The obligation applies even to comprehensive schools. The selection to education and profession must be based on individual grounds and not on any gender-related grounds. The obligation to prepare an annual gender equality plan applies to around 3,000 educational institutions.

20. The Government notes that an ongoing extensive research project "Purkutalkoot" focusing on the elimination of gender-based segregation is ongoing in the sector of the Ministry of Education and Culture. It aims to influence young people's educational choices and find ways to eliminate segregation into male- and female-dominated educational fields. Another objective is to find out what kinds of perceptions young people have of different professions and how stereotypical views of gender roles influence young people's educational and career plans. The research project will formulate recommendations for key actors in equal pay promotion on how they can encourage young people to make unbiased and individual educational and career choices.
21. Another ongoing project is a project funded by the European Social Fund (ESF) for reinforcing gender equality and reducing gender segregation in education and working life (SEGLI), which receives funding even from the Ministry of Social Affairs and Health. It aims to develop new ways to dismantle gender segregation in educational institutions and employment and economic development offices to reduce gender-based, intersectional division of work responsibilities. Project partners include comprehensive schools, vocational education and training organisations, general upper secondary schools, and employment and economic development offices.
22. Gender stereotypes must be tackled at an early stage. The Finnish National Agency for Education published new National Curriculum Guidelines on Early Childhood Education and Care in 2016, and they were implemented for the first time in August 2017. Gender equality, gender awareness and eradication of gender stereotypes have been given due consideration when drafting the guidelines.
23. Furthermore, the Ministry of Education and Culture has funded several projects that provide training and produce material to support gender equality planning in vocational education and training. Moreover, the Ministry of Economic Affairs and Employment has also carried out development projects to reduce gender segregation.
24. The Government notes that in its response, UWE addresses the gender equality planning obligation under the Act on Equality between Women and Men and its supervision and monitoring.
25. The Government notes that under the Act on Equality between Women and Men, employers in workplaces with at least 30 employees must prepare a gender equality plan dealing particularly with pay and other terms of employment (section 6a) and conduct a pay survey (section 6b).
26. The pay survey is used to ensure that there are no unjustified pay differences between women and men who are working for the same employer and engaged in either the same work or work of equal value. Currently, the obligation to prepare a gender equality plan applies to some 5,000–6,000 workplaces.
27. As observed by UWE, the gender equality planning obligation does not apply to workplaces with less than 30 employees.

28. However, the Act on Equality between Women and Men obliges every employer to promote equality between women and men within working life in a purposeful and systematic manner (section 6). Every employer must promote equality between women and men in the terms of employment, especially in pay.
29. As part of the Equal Pay Programme, the central labour market organisations have prepared a report on the quality and coverage of workplace gender equality plans and pay surveys. It was published in late 2017. Its aim was to collect data on how gender equality plans and pay surveys are carried out in workplaces and how they have succeeded in promoting gender equality at workplaces. Particular attention was paid to the 2015 amendments to the Act on Equality between Women and Men. The report indicates that workplaces need to improve their practices especially regarding the information they provide their employees about gender equality planning. Employee representatives had often insufficient knowledge about gender equality plans, pay surveys and related measures at their workplace. Workplaces also need to improve the monitoring of the measures included in the gender equality plans.
30. In its response, UWE observes that the official pay statistics exclude small-sized enterprises and claims that it is most probable that the gender pay gap is even higher in these enterprises.
31. The Government notes that the Statistics Finland's pay statistics comply with the Eurostat regulations that do not obligate the statistical authorities to compile statistics on enterprises with fewer than 10 employees.
32. The Government further notes that according to Statistics Finland the gender pay gap is not higher in small-sized enterprises in Finland. In fact, it is higher in larger enterprises. According to Statistics Finland's Structure of Earnings statistics for 2016, women's average total earnings amounted to 80% of men's average total earnings in enterprises with more than 250 employees. The corresponding figure was 86% in enterprises with 10–25 employees.
33. In its response, UWE also refers to supervision of discrimination. UWE claims that the Finnish Government has not described the measures it has introduced to increase the powers of the labour inspectors or the Ombudsman for Equality in terms of detecting in discrimination in companies. It presents questions concerning internal supervision in companies, checks carried out and investigations into disputes.
34. As the Government has previously noted, compliance with the Act on Equality between Women and Men is monitored by the Ombudsman for Equality and the Non-Discrimination and Equality Board. It is not the task of the labour protection authorities. The Ombudsman for Equality monitors compliance with the Act on Equality between Women and Men and in particular with the ban on discrimination and discriminatory job advertising.

35. The Ombudsman for Equality has submitted its observations of 20 March 2018 to the European Network of Equality Bodies Equinet to be passed on to the European Committee of Social Rights of the Council of Europe regarding the complaint. The Ombudsman for Equality observes the following:
36. "Supervision of conducting pay surveys is the duty of the Ombudsman for Equality. If an employer does not have a gender equality plan in place, the Ombudsman will impose a time limit within which the employer must draw up a plan. This has been done in many cases. Employers are also guided to develop their plans to the minimum requirements set by current legislation, e.g. concerning the pay survey.
37. According to the standard practice employed by the Ombudsman for Equality, employers are requested to present their gender equality plans in conjunction with all work-related discrimination cases that are investigated by the Ombudsman for Equality. The Ombudsman for Equality also takes from time to time supervisory actions, targeted at certain categories of employers, e.g. employers on some specific sector. In 2016–2017, the Ombudsman for equality made an assessment of equality planning in municipalities in three provinces of Finland, and in 2018 supervision will be targeted at some big private companies."
38. "The Ombudsman has commissioned three reports on the application of the Equality Act at general courts and at administrative courts between 2005 and 2014. In this period, some 180 cases involving the Equality Act were tried by district courts, where legal action has to be taken in order to claim compensation. Some 25 cases concerned suspicions of pay discrimination. The Finnish Labour Court has also tried a couple of cases regarding equal pay discrimination.
39. In Finland, the majority of the pay discrimination cases are settled by negotiations between shop stewards or trade unions and employers. This is the information the Ombudsman for Equality receives from the trade unions. The Ombudsman is not in a position to provide any exact numbers of these cases."
40. The Government observes that in its response, UWE refers to pay classification systems.
41. The Government notes that efforts to reduce the gender pay gap is closely intertwined with pay and agreement policies. In Finland, the labour market organisations agree on wage and salary increases and, therefore, can effectively steer the pay policies in sectors and companies/workplaces. Wages and salaries are usually determined by each employer based on the pay systems included in the collective agreements. Most of the pay systems in use are specific to a workplace, personnel group or sector. Pay systems play a key role in the promotion of equal pay. It has become increasingly common to have pay systems that are based on the demands of the work, on personal performance appraisals and on efficiency.
42. The Government notes that the Ministry of Social Affairs and Health and labour market organisations have together carried out several projects to develop pay systems. As part of the Equal Pay Programme, labour market organisations are reviewing the extent and quality of the gender impact assessment of collective agreements.

43. According to the Act on Equality between Women and Men, the pay survey is used to ensure that there are no unjustified pay differences between women and men who are working for the same employer and engaged in either the same work or work of equal value. A brochure, published by the Ministry of Social Affairs and Health in 2016 to guide the implementation of the Act on Equality between Women and Men, instructs that pay surveys must include a review of the existing pay systems, of the employee groups covered by them and the relevant application practices. The brochure emphasises the importance of clear and transparent pay systems.
44. The Government observes that the rationale of the Act on Equality between Women and Men have early on emphasised the importance of non-discrimination in terms of pay systems (Government bill HE 57/1985 vp), stating that if agreement-based classification systems de facto discriminate against men or women, the social partners are obligated to amend and improve them so that they better meet the gender equality targets. The rationale of the current Act on Equality between Women and Men (Government bill HE 19/2014 vp) states that when assessing work of equal value, attention must be paid to the nature of the work and to education and working conditions. Furthermore, pay systems must take into account Article 4 of the recast directive on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (Directive 2006/54/EC of the European Parliament and of the Council (recast)), which states that in particular where a job classification system is used for determining pay, it must be based on the same criteria for both men and women and so drawn up as to exclude any discrimination on the grounds of sex.
45. Pay systems based on assessed requirements of work do not necessarily guarantee that pay meets the requirements laid out in the Act on Equality between Women and Men. According to instructions issued by the Ombudsman for Equality, assessment systems can be discriminatory or they can be applied in discriminative ways. Discrimination could mean, for example, the way the system takes into account special characteristics of male and female dominated work and how these characteristics are rated.
46. Regarding UWE's observation of a municipal workplace, the Government observes that this is an example of a workplace where problems can be addressed with the pay survey under the Act on Equality between Women and Men.
47. In its response UWE criticises the way Finland calculates the gender pay gap.
48. The Government notes that at the moment, the average gender pay gap in the entire Finnish labour market is 16.3%. When reviewed by sector, the gender pay gap is smaller: on average, women's earnings amount to 84.9% of men's earnings in the private sector, 86.5% in the municipal sector and 86.8% in the State sector.

49. Statistics Finland reports that sector-specific gender pay gaps are smaller than in the economy as a whole, because sector-specific figures take into account only the employees in the respective sector. The national figures on the other hand compare employees in the municipal sector (often women whose average earnings are below average) against employees in the private sector (usually men whose average earnings are above average).
50. Furthermore, UWE presents the following figures for Finland:
- the gender pay gap: 73.7%
 - the gender hours gap: 18.4%
 - the gender employment rate gap: 7.9%.
51. The Government notes that the above three figures (73.7%, 18.4% and 7.9%) do not describe the gender pay gap as such, instead they describe how much the different components have influenced (weighted) the gender overall earnings gap indicator. In other words, the gender overall earnings gap for Finland (which is 24.5%) consists of 73.7% the gender pay gap, 18.4% the gender hours gap and 7.9% the gender employment rate gap.
52. UWE observes that part-time work has not been included in the pay comparison by gender.
53. The Government observes that part-time work is more common among women than men in Finland. In 2016, 20% of female wage earners worked part time, compared to 10% of male wage earners. Some part-time work is involuntary. Around 73,000 women and 33,000 men worked part-time because they could not find full-time work. Statistics Finland estimates that the number of part-time working women in Finland is low compared to Western Europe. Moreover, the overall pay gap discussed above takes into account hourly earnings by gender and thereby even the hourly earnings from part-time work.
54. Statistics Finland observes that the one-year statistics cited by UWE (https://www.stat.fi/til/ati/2017/03/ati_2017_03_2017-10-12_tau_011_en.html) concern a year when men's earnings increased faster than women's earnings. This was due to the Competitiveness Pact that cut holiday bonuses by 30% in the public sector. In other respects, women's earnings have increased faster than men's earnings in the 2010s.
55. As the Government stated in its observations of 12 October 2017, the Equal Pay Programme has monitored closely the effects of collective agreements on women's and men's pay and the gender pay gap by commissioning the Information Committee on Cost and Income Developments, established by the Ministry of Finance, to report every few years on the effects of collective agreements on the gender pay gap. The latest report concerned the years 2013 to 2016. The Committee reported that the gender pay gap concerning average regular earnings diminished by 0.8–1.5 percentage points in different sectors from the end of 2012 to the end of 2016.

56. It is further stated in the report that women's earnings have increased faster than men's earnings in all sectors, measured by both the index of wage and salary earnings and the index of regular earnings. The report by the Information Committee on Cost and Income Developments is based on the index of wage and salary earnings and the index of regular earnings produced by Statistics Finland. Even earlier reports by the Committee concerning the years 2010–2012 and 2007–2010 indicate that women's earnings have grown faster than men's earnings when measured by the index of wage and salary earnings and the index of regular earnings.
57. The Information Committee on Cost and Income Developments has not yet issued its report on earnings developments in 2017, because the final pay statistics have not yet been published.
58. In its response, UWE refers to the link between family leave and pay gap.
59. As stated by the Government in its observations of 12 October 2017, the Government extended the father's quota of parental leave to nine weeks (54 working days).
60. In addition to this, fathers can have the following family leaves after the birth of their child:
- parental leave after the mother has been on maternity leave (105 working days). This parental leave (158 working days) can be shared with the mother.
 - child care leave following the parental leave.
 - partial child care leave if they return to work on a part-time basis.
61. The Government notes that a number of different ways have been adopted in Finland to encourage parents to a more balanced use of family leaves, on one hand, and to even out the costs of family leave to employers, on the other.
62. The Government's Action Plan for Gender Equality includes, for example, a legislative amendment introducing a lump-sum payment of EUR 2,500 for employers of female workers for balancing out the costs incurred to employers in connection with family leave (Government bill HE 163/2016 vp). The Action Plan includes also measures aiming to reduce gender segregation and measures to promote reconciliation of work and family life at workplaces. The fathers have slowly increased their share of reimbursed parental allowance days.
63. The Ministry of Social Affairs and Health carried out the 'It's Daddy Time' campaign in autumn 2017. The campaign was partly funded by the European Commission and aimed to encourage especially fathers in blue-collar professions to take family leave.

64. A study by Lilja et.al. (*Do the choices and costs of family leave hamper gender equality in working life? Helsinki 2007, Reports of the Ministry of Social Affairs and Health, Finland*) examined the effects of taking family leave on parents' wage development and observed that the wages of mothers who have taken family leave fall behind the wages of women who have no children. The difference, however, evened out fairly soon after the mothers' returned to work, according to the study.
65. UWE also notes that the gender pay gap is based on monthly income and does not take into account benefits in kind.
66. The Government observes that benefits in kind widen the gender pay gap to some extent. However, Statistics Finland draws attention to the fact that benefits in kind are included in the national pays gap statistics, such as the index for index of wage and salary earnings, but not in the Eurostat figures, for example. The impact of benefits in kind can be calculated using Statistics Finland's Structure of Earnings statistics.
67. The Government notes that the gender pay gap for full-time wage and salary earners, based on monthly wages, was in 2016 as follows:
- benefits in kind included, the gender pay gap was 17.3%
 - benefits in kind excluded, the gender pay gap was 16.8%
68. Based on the same statistics, the gender pay gap for both full-time and part-time wage and salary earners, based on hourly wages, was as follows:
- benefits in kind included, the gender pay gap was 16.6%
 - benefits in kind excluded, the gender pay gap was 16.1%
69. The tripartite Equal Pay Programme, coordinated by the Ministry of Social Affairs and Health, monitors trends in the average gender pay gap using data on the average monthly regular wages for full-time wage and salary earners reported in Statistics Finland's index of wage and salary earnings. The index of wage and salary earnings includes performance bonuses and one-off pay components. The index of wage and salary earnings serves as a basis for comparing earnings trends for all wage and salary earner groups over time. It is used for monitoring the implementation of collective agreements and the trends in real earnings.
70. In its response, UWE also refers to pay comparisons.
71. The Government notes that according to Section 6b of the Act on Equality between Women and Men, pay comparisons are allowed only between employees who are working for the same employer. They are, however, not restricted to the same work or operating unit. It is, therefore, possible to compare the earnings of employees working in different units, but such comparisons must take into account other factors, such as location, that may affect the earnings levels. The Ombudsman for Equality monitors compliance with the Act on Equality between Women and Men, including pay discrimination issues.

72. The Ombudsman for Equality notes in its observations of 20 March 2018 that:

“The personal scope of application of the prohibition of pay discrimination covers employees working for the same employer and, in line with EU legislation and its interpretation, those employees whose pay has “single source” on which pay depends.”

73. UWE mentions in its response subcontracting and argues that subcontracting, too, should be covered by equal pay assessments/surveys. Employers may decide to outsource services or use temporary agency work without any guarantees of equal pay for the employees who transfer to the subcontracting enterprise or work agency. If the same rules that govern transfer of a business were applied to subcontracting, it would mean that pay and other employment terms and conditions remained unchanged.

74. UWE criticises Finland for ineffectual measures to reduce the gender pay gap.

75. Regarding UWE's general criticism regarding the measures taken by the Government to reduce the gender pay gap, the Government notes that Finland's equal pay programmes have been evaluated by an external and independent reviewer, focusing on how successful and effective the programmes' means and measures have been. The ongoing Equal Pay Programme 2016–2019 will be evaluated by an external and independent reviewer in 2018.

Allegations concerning the under-representation of women in decision-making posts

76. In its response, UWE discusses the number of women on the boards of listed companies and other decision-making posts.

77. The Government notes that the average proportion of women on the boards of listed companies in 2016 was 25%, so in 2017 there was an increase of 2 percentage points from the previous year.

78. The Government notes that UWE refers to the figure of an EU survey of January 2016 according to which the percentage of women on the boards of large companies in Finland is 29.2%. It should be noted that from the methodological point of view there are some differences in the criteria of defining the largest listed companies at the EU vs. national level. That is why there are some variations in the percentage at the EU level and national statistics (e.g. 2016: EU statistics 29.2%, Finland 32%).

79. As the Government has previously stated, since 2004 it has been pursuing its programme aiming to increase women's representation in boards and management groups in state-owned companies as part of the implementation of the Government Action Plan for Gender Equality.

80. Moreover, the rules under section 4 a, subsection 2 of the Act on Equality between Women and Men apply to the boards and management bodies of companies where municipalities are majority shareholders. If a body, agency or institution exercising public authority, or a company in which the Government or a municipality is the majority shareholder has an administrative board, board of directors or some other executive or administrative body consisting of elected representatives, this must comprise an equitable proportion of both women and men, unless there are special reasons to the contrary. This rule is applied to the boards of companies where municipalities are majority shareholders to the extent elected officials are appointed as board members (Supreme Administrative Court ruling KHO:2017:2). The guidelines issued by the Association of Finnish Local and Regional Authorities concerning ownership and corporate steering state that the composition of a board of directors must comply with the requirements of the Act on Equality between Women and Men.
81. The Government notes that the Finnish legislation sets no quotas on the boards of listed companies. As the Government has previously stated, one objective of the Government Action Plan for Gender Equality 2016–2019 is to increase equal representation of women and men on listed company boards.
82. The Government resolution from 2015 on the equal gender representation on the boards of directors of listed companies sets a goal of at least 40% men and 40% women on the boards of directors of large and medium-sized listed companies by 1 January 2020. The Government will monitor the progress and evaluate the need for legislation in autumn 2018. The Government's goal is to achieve equal representation in accordance with the recommendations of the Finnish Corporate Governance Code formulated by the Securities Market Association and through listed companies' own actions. The Finnish Corporate Governance Code, issued by the Securities Markets Association, has since 2008 included a recommendation on the equal gender representation on the boards of directors. In 2016, the Association added a recommendation on the establishment of company principles concerning the diversity of their board of directors. The recommendation also obligates companies to report on their targets and measures concerning equal gender representation on their board of directors.

CLAIMS FOR COSTS INCURRED

83. The Government notes that UWE has presented a claim of EUR 10 000 excluding tax to cover the time spent and the costs incurred in connection with the current proceedings.
84. The Government notes that there are no legal grounds for awarding just satisfaction nor to reimburse the costs occurred to the complainant organisation under the Charter nor the Additional Protocol to the Charter providing for a System of Collective Complaints.
85. The Government further notes that there is also no mentioning of this in the Explanatory Report to the Protocol.

86. Furthermore, the Government is of the view that UWE's claim is manifestly excessive and not supported by any evidence.
87. In any case, the Government is of the view that there is no legal grounds for reimbursement of the costs and therefore, in the Government's view, the claim should be dismissed.

CONCLUSIONS

88. The Government notes that Finland has taken several measures to reduce the gender pay gap and to increase the number of women in decision-making posts and that there has been steady progress towards achieving these.
89. In conclusion, the Government reiterates that UWE has not been able to substantiate its allegations concerning Article 4§3 and 20 alone or in conjunction with Article E of the Charter.
90. The Government recalls that UWE has not been able to demonstrate at all in which way Finland would have violated Articles 1, 4§2, 4§5 alone or in conjunction with Article E of the Charter.
91. In the Government's view, the allegations presented by UWE are of general nature, and not supported by any relevant arguments nor evidence.
92. Accordingly, the Government notes that there is no violation of Articles 1, 4§2, 4§3, 4§5, 20 and E of the Charter in the present case.

Accept, Sir, the assurance of my highest consideration.



Krista Oinonen
Agent of the Government of Finland
before the European Committee of Social Rights
Director, Unit for Human Rights Courts and Conventions