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**ADVISORY COMMITTEE ON THE
FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES**



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Convention for the Protection of National Minorities –
received on 1 February 2019**

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

January 2019

INTRODUCTION

The Committee of Ministers of the Council of Europe adopted the Framework Convention for the Protection of National Minorities in November 1994. Finland has been a party to the Framework Convention since 1998, when the Convention entered into force internationally. The Framework Convention is included in the Treaty Series of the Statutes of Finland, under numbers 1–2/1998.

The Framework Convention is the first legally binding multilateral instrument ever devoted to the protection of national minorities. It is also the first international convention that brings the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities into force at the regional level. The Framework Convention contains programme-type definitions of the principles obligating the member states to protect their national minorities. The provisions of the Framework Convention on the legal position of persons belonging to minorities have to be implemented through national legislation, appropriate governmental policies or by concluding bilateral or multilateral treaties.

The implementation of the Framework Convention is monitored by the Committee of Ministers of the Council of Europe, assisted by an Advisory Committee. On a periodic basis, the State Party shall transmit to the Council of Europe comprehensive information on the legislative, judicial and administrative measures taken to give effect to the principles and rights of the Convention. The information shall include a response to the recommendations adopted by the Committee of Ministers on the implementation of the Framework Convention. The Advisory Committee examines the report and gathers additional information to support its conclusions by visiting the State Party. After the examination, the Advisory Committee gives its conclusions and draft recommendations to the Committee of Ministers. The Committee of Ministers then makes the final decisions concerning the adequacy of the implementation of the Convention by the State Party and recommends possible additional measures.

This is the fifth periodic report of the Government of Finland on the implementation of the Framework Convention. The report covers the period between January 2015 and January 2019.

Further information

For further information on human rights conventions and on periodic reports related to the monitoring of their implementation, please contact the Ministry for Foreign Affairs of Finland, Legal Service, Unit for Human Rights Courts and Conventions, at the following address:

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PART I - AWARENESS OF THE RESULTS OF THE FOURTH MONITORING CYCLE

A. PUBLICATION OF THE RESULTS OF THE FOURTH 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 in the FINLEX database of legislation¹ and on the Internet site of the Ministry for Foreign Affairs², where the text of the Framework Convention is also available in Northern Sámi. The Internet may be used free of charge at public libraries.

2. The Government's periodic reports on the implementation of the Framework Convention have been published on the Internet site 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 fourth monitoring cycle were translated immediately after their adoption into both national languages of Finland, i.e. Finnish and Swedish. On 11 April 2017, they were widely communicated to, for example, 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 to 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 FOURTH MONITORING CYCLE

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

¹ <http://www.finlex.fi>

² <https://um.fi>

³ https://um.fi/euroopan-neuvoston-voimassa-olevat-ihmisoikeussopimukset/-/asset_publisher/7eBEhF08kjVG/content/kansallisten-vahemmistojen-suojelua-koskeva-puiteyleissopimus-1995-

number of authorities, and the responsibility for taking any measures lies within each branch of administration.

6. The recommendations were presented to the Government network of contact persons for fundamental and human rights with representatives from each ministry in 2017. 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. In particular, the network follows the implementation of the National Action Plan on Fundamental and Human Rights 2017-2019.

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

7. 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.

8. The Ministry for Foreign Affairs organised a round-table discussion on the recommendations of the fourth monitoring cycle of the Framework Convention on 11 December 2018. The Advisory Committee was represented in the discussion by its member, Mr *Detlev Rein*. During the discussion, the Deputy Chancellor of Justice and the Non-Discrimination Ombudsman brought up challenges in the implementation of the rights of national minorities they have discovered in their monitoring work. Comments were expressed by representatives of the Swedish speakers, Sámi, Roma, Tatars and Karelian speakers. The ministries also provided information on their topical projects related to the scope of application of the Framework Convention.

9. The Government's fifth periodic report was drafted at the Ministry for Foreign Affairs. Material was requested for the report from all national minority groups. A discussion was organised on the draft report at the Ministry for Foreign Affairs on 29 January 2019. The participants included representatives of the Ministry of Finance, the Ministry of Justice, the Ministry of Social Affairs and Health, the Ministry of Education and Culture, the Ministry of the Environment, the Finnish National Board for Education, the Association of Finnish Local and Regional Authorities, the Swedish Assembly of Finland and several non-governmental organisations.

D. OTHER MEASURES FOR INCREASING AWARENESS OF THE CONVENTION

National Action Plan on Fundamental and Human Rights 2017-2019

10. In its fourth report on Finland (paragraph 32), the Advisory Committee called the authorities to ensure that, in the second National Action Plan on Fundamental and Human Rights, minority rights will continue to be among the priorities.

11. Finland's second National Action Plan on Fundamental and Human Rights 2017-2019 was approved by a Government resolution on 16 February 2017⁴. The objective of the Action Plan is to promote the constitutional obligation of the public authority to guarantee the observance of fundamental and human rights. The measures taken under the Action Plan are designed to act on identified problems with fundamental and human rights and to complement the work being carried out in various policy sectors to promote fundamental and human rights.

12. The priorities of the Action Plan include fundamental and human rights education and training, equality, the right to self-determination and fundamental rights and digitalisation. The Action Plan includes a total of 43 projects which are spread across the administrative branches of all ministries. The Plan includes projects covering the strengthening of knowledge on the Sámi (project 1.1.3), the teaching personnel's capacities to address hate speech and racist behaviour (project 1.2.1), supporting equality planning both at the Government level (project 2.1.1) and in the context of sports organisations (project 2.1.3), as well as the promotion of equality in work life (project 2.1.4). The Action Plan further includes projects related to the rights of the Roma (project 2.5.4) and the Sámi (3.5.1).

13. The Framework Convention and the recommendations related to its implementation form the legal basis of three projects in the Action Plan: (1) increasing the Government capacity to assess realisation of equality, identify and address discrimination and promote equality; (2) supporting equality planning in municipalities, implemented in connection with the part of the Rainbow Rights project for which the Association of Finnish Local and Regional Authorities was responsible; and (3) TRUST - good relations in Finland.

Events related to the Framework Convention in Finland

14. On 8 December 2017, the Ministry for Foreign Affairs co-organised a seminar called *Sweden and Finland - problem cases on the European map of minority languages?* with the Hanasaari Swedish-Finnish Cultural Centre and Minority Rights Group Finland. A publication on national minorities was published as part of the Finland 100 project in connection with the seminar.

Minorities falling within the scope of application of the Framework Convention

15. At the end of 2017, Finland's population numbered 5 513 130 persons. As regards the national languages of Finland, Finnish and Swedish, the number of people with Finnish as their mother tongue was 4 84 761 and that with Swedish 289 052. According to the population register, the number of Sámi-speaking people was 1 992. However, the number of Sámi in Finland is estimated at approximately 10 000 persons. More than 60 per cent of them live outside the Sámi homeland. The number of people speaking Inari Sámi has increased steadily, being currently approximately between 300 and 400 persons. The number of Skolt Sámi speakers is approximately 300.

16. There were 77 177 Russian speakers and 49 590 Estonian speakers. The number of Roma is estimated at 10 000. Now the Romani language can be entered as the mother tongue in the population register. However, this possibility has virtually never been used in

4

http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/79849/OMML_25_2017.pdf?sequence=1&isAllowed=y

practice. There are approximately 800 to 900 Tatars in Finland, of which only a fraction can speak the Tatar language. The Finnish Jewish community has around 1 800 members. Yiddish is on the verge of disappearing from Finland as there are only around twenty persons speaking it as their mother tongue. The number of Karelian speakers, mainly former border Karelians and their offspring, has been estimated at 5 000. The estimated number of Finnish Karelian speakers is 3 000 and the number of people who have moved from the Russian Karelian area slightly over 2 000. It is estimated that around 20 000 people know the language to some extent.

PART II - RECOMMENDATIONS REQUIRING IMMEDIATE MEASURES

A. RECOMMENDATIONS OF THE COMMITTEE OF MINISTERS REQUIRING IMMEDIATE MEASURES

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

Recommendation 1 - a constructive and high-level dialogue with the Sámi people, land rights issues in the Sámi Homeland, strengthening of the knowledge of the Sámi language and the cultural identity of the Sámi

Engage in a constructive and high-level dialogue with the Sámi people, possibly in a government-led platform, to ensure that the interests of all parties are adequately addressed both in national legislation and through the ratification of the ILO Convention No. 169 on Indigenous and Tribal Peoples; strengthen the knowledge of the Sámi languages, maintain and develop the cultural identities of the Sámi in the Homeland while targeting also Sámi living outside of the Homeland.

Committee for the Act on the Sámi Parliament

18. The Sámi Parliament has emphasised the need to amend the Act on the Sámi Parliament (974/1995), and an active dialogue for furthering the issue has been going on. In November 2017, following negotiations with the Sámi Parliament, the Ministry of Justice appointed a committee for the Act on the Sámi Parliament with the task of preparing a reform of the Act on the Sámi Parliament. The Government parties and the Sámi Parliament were represented in the committee. In addition, a parliamentary follow-up group was appointed to support the preparation of amendments to the Act.

19. The committee's work was guided by fundamental rights and other constitutional obligations, international human rights treaties binding on Finland and the UN Declaration on Indigenous Rights. The committee also considered the initialled Nordic Sámi Convention and the ILO 169 Convention (International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples).

20. The key issue in the reform of the Act on the Sámi Parliament was the definition of the Sámi contained in the Act and the right based on it to vote in the elections for the Sámi Parliament. Another essential issue was the strengthening of the participation rights of the Sámi. The draft proposal prepared by the Committee included amendments to election provisions, including quotas for ensuring the representation of different areas.

21. The proposal drafted by the committee for the Act on the Sámi Parliament for amending the Act on the Sámi Parliament was submitted to a broad consultation process in June 2018, and a summary was drafted of the statements submitted. The Plenum of the Sámi Parliament decided on 24 September 2018 not to approve the proposal for the amendment of the Act on the Sámi Parliament. According to the Plenum of the Sámi Parliament, a particular problem was the transition period, which would have meant that the next elections for the Sámi Parliament would have been organised in accordance with the definition contained in the present act (section 3)), as well as the proposed appeals committee.

22. The Government considers that it cannot pursue the proposal further without the approval of the Sámi Parliament. The reform of the Act on the Sámi Parliament would have brought essential changes to the linguistic and cultural autonomy of the Sámi people.

International Labour Organization Convention No. 169 and amendment to the Act on Finnish Forest and Park Service

23. The government proposal for adopting the ILO 169 Convention and amending the Act on Finnish Forest and Park Service was submitted to Parliament in November 2014 (Government Proposal 264/2014). The ratification proposal was put on ice at Parliament, and there was not enough time to handle it before the parliamentary elections. As the proposal relates to the adoption of an international treaty, it is still pending at Parliament. Parliament has allowed the Government more time for handling the proposal till the end of 2018.

24. The government proposal has technically become outdated in respect of the amendment of the Act on the Finnish Forest and Park Service, for example, since the pending amendment can no longer be added to the Act on the Finnish Forest and Park Service currently in force. Consequently, the proposal cannot be pursued further without a new preparation process, which is timewise not possible during the electoral term that will end in spring 2019. Since the proposal is outdated and the electoral term will end, the Government decided to withdraw the proposal from Parliament. The Sámi Parliament has been contacted in the matter. The proposal's withdrawal from Parliament does not mean taking a stand on whether the Convention will be ratified at a later point. A new preparation process can be started after the elections if the next Government so decides in agreement with the Sámi Parliament.

25. In support of national discussion and decision-making, the Government commissioned a research report comparing the legal solutions adopted by other states in respect of the rights of indigenous peoples. A comprehensive research report called *Actualising Sámi rights: International Comparative Research* was published in January 2017⁵.

Reconciliation process concerning Sámi issues

26. In October 2017, the Government launched the preparation of a reconciliation process concerning Sámi issues. The initiative for appointing a truth and reconciliation commission originated from the Sámi Parliament. In its action plan adopted in April 2016, the Sámi

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https://tietokayttoon.fi/documents/10616/3866814/4_Saamelaiisten+oikeuksien+toteutumisen+kansainv%C3%A4linen+oikeusvertaileva+tutkimus/e765f819-d90c-4318-9ff0-cf4375e00688?version=1.0

Parliament states that its specific objective is to improve the legal status and the right to self-determination of the Sámi and to establish a truth commission for meeting this objective. An international seminar was organised in February 2018 with the objective of obtaining information on procedures adopted by other states and creating a basis for future work. The preparation process included organising a broad consultation round in the Sámi Homeland and in the largest Finnish cities between 2 May and 29 June 2018.

27. During the consultation round, it became evident that the Sámi regard the truth and reconciliation process as a good idea but they still expressed strong distrust concerning the idea that Finland is investigating the injustices faced by the indigenous Sámi people in good faith.

28. Information was collected from the indigenous Sámi people during the consultation round on their thoughts about the reconciliation process in preparation in Finland, which issues the commission, if established, should investigate and what kind of commissioners, i.e. commission leaders, would enjoy the trust of the indigenous Sámi people.

29. The report published as part of the preparation for the truth and reconciliation process concerning Sámi issues presents the material collected during the consultation round as such but in an anonymous form. The report⁶ has been published in five languages (Northern Sámi, Inari Sámi, Skolt Sámi, Finnish and Swedish) with a separate English version⁷.

30. The Sámi Parliament decided in its meeting of 18 December 2018 that they are prepared to pursue the truth and reconciliation process further.

31. The Prime Minister's Office and the Ministry of Justice are exploring, in cooperation with the Finnish Sámi Parliament, how the reconciliation process (commission) should be implemented and what kind of role and composition the independent commission responsible for the process should have. The actual appointment of the commission will be transferred to the next Government.

32. The reconciliation process currently in preparation in Finland is based on the international institution of truth and reconciliation commissions that emerged in the 1970s. On the international level, truth commissions or truth and reconciliation commissions refer to processes of investigating injustices that have taken place in history and uncovering the truth, i.e. what has happened, in order to prevent such injustices from occurring again.

Promotion of the obligation to negotiate under the Act on the Sámi Parliament

33. According to section 9 of the Act on the Sámi Parliament, the authorities are obligated to negotiate with the Sámi Parliament in certain matters which affect the status of the Sámi as an indigenous people. The Ministry of Justice prepared, together with the Sámi Parliament, a memorandum gathering good practices on the implementation of the obligation to negotiate⁸.

6

http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/161165/14_18_Saamelaisten%20asioita%20koskeva%20sovintoprosessi_WEB.pdf?sequence=1&isAllowed=y

⁷ <http://julkaisut.valtioneuvosto.fi/handle/10024/161203>

⁸ https://oikeusministerio.fi/artikkeli/-/asset_publisher/oikeusministeriolta-muistio-hyvista-tavoista-toteuttaa-saamelaiskarajalain-neuvotteluelvoitetta

34. The memorandum emphasises that the purpose of the negotiation procedure is to create a genuine and timely dialogue aiming at consensus. In some situations the authorities have considered that an ordinary consultation adequately fulfils the obligation to negotiate. However, in this case the purpose of the obligation to negotiate, i.e. a genuine dialogue, is not realised.

Decision by the Chancellor of Justice on the obligation to negotiate

35. According to the Constitution of Finland, in the performance of his or her duties, the Chancellor of Justice monitors how fundamental and human rights are implemented in Finland. This also includes monitoring how the authorities comply with the international treaties imposing obligations on Finland and the EU legislation binding on Finland.

36. Issues related to the protection of minorities come up in the work of the Chancellor of Justice, as part of Constitution-based monitoring of fundamental and human rights, in the form of decisions given to complaints and in the form of statements given mainly on legislative proposals within the supervision of the Council of State. The issues that are brought up in complaints often concern the realisation of linguistic rights and equality. A complaint related to the Sámi was also handled and resolved during the reporting period as explained in the following paragraph.

37. The decision No. OKV/12/21/2016 concerned the timeliness of the negotiations under the Act on the Sámi Parliament. The Ministry of Agriculture and Forestry had reserved an opportunity for the Sámi Parliament to negotiate in accordance with the Act on the Sámi Parliament on the Tenjoki Fisheries Agreement in September 2016. The negotiations were not held until after the signing of the Fisheries Agreement between Finland and Norway. The Deputy Chancellor of Justice considered that the negotiations on the agreement and its content should have been held before the completion of the negotiations between Finland and Norway for the scope of influence guaranteed to the Sámi Parliament by law to be genuine. The Deputy Chancellor of Justice also considered that neither had the case been dealt with appropriately from the perspective of good governance.

Negotiations between the Finnish Forest and Park Service and the Sámi Parliament

38. County- or municipality-specific advisory boards have been established in accordance with section 39 of the Act on the Finnish Forest and Park Service (234/2016) to assist in decision-making on the use of state territories managed by the Finnish Forest and Park Service so as to take the situation of the local population into account and to promote coordinated activities. Municipality-specific advisory boards will be appointed for municipalities belonging entirely to the Sámi Homeland and entrusted with the responsibility of dealing with sustainable use and management of state land and water areas and their natural resources.

39. The Finnish Forest and Park Service has conducted negotiations in accordance with section 9 of the Act on the Sámi Parliament (974/1995) on the following matters:

- natural resources planning which defines principles and objectives for the management and use of state land and water areas, including a five-year plan on the felling volumes and forestry work;

- plans for the management and use of statutory wilderness areas that safeguard the Sámi culture and traditional livelihoods;
- decisions on quotas for hunting and fishing;
- general principles for renting and selling state land; and
- other issues brought up by the Sámi Parliament, such as a management plan for the Juutua-Tuulispää camping site.

40. The Finnish Forest and Park Service has also negotiated and agreed on the following matters with the Sámi Parliament and the Skolt village meeting:

- forestry practices in the Sámi Homeland;
- cooperation with reindeer owners' associations and coordination of livelihoods; the agreement on the matter is monitored annually in cooperation between the reindeer owners' associations in the Sámi Homeland, the Sámi Parliament, the Skolt village meeting and the Finnish Forest and Park Service; and
- cooperation under Article 8j of the UN Biodiversity Convention to preserve the Sámi culture. The cooperation is based on the Akwé:Kon Guidelines.

41. The Finnish Forest and Park Service has also actively participated in the revival of the Sámi languages beyond the requirements of the Sámi Language Act (1086/2003). For example, official documents, key plans and other essential materials are published in the local Sámi language and interpretation is provided in important meetings and seminars without a separate request. A person responsible for Sámi issues has worked at the Finnish Forest and Park Service since 2008. The Finnish Forest and Park Service has a Sámi website⁹ and *Sámi meahcit* and *luondu* on Facebook. Signs and brochures are also available in the Sámi languages.

Negotiation forum for reindeer farming

42. The Ministry of Agriculture and Forestry appointed a negotiation forum for reindeer farming on 22 March 2017 with the task of preventing conflicts between reindeer farmers and other actors by creating common rules and best practices. One of the forum members is a representative of the Sámi Parliament. In addition, research and survey projects relating to the Skolt Sámi have been financed from the agriculture development fund.

Year of European Cultural Heritage

43. In 2018 Europe, including Finland, celebrated the Year of European Cultural Heritage¹⁰. The Finnish National Agency for Education celebrated the thematic year from the perspective of the Sámi culture. Various events and seminars were organised at schools with the support of the Finnish National Agency for Education. The Finnish National Agency for Education organised an event between different agencies (the Finnish National Agency for Education, the Arts Promotion Centre Finland, the Institute for the Languages of Finland, the

⁹ www.lundui.fi , www.metsa.fi

¹⁰ <http://www.kulttuuriperintovuosi2018.fi/fi/>

Academy of Finland, the Sámi Education Institute and the Sámi Parliament) on the Sámi National Day.

Meetings between the Ombudsman for Children and young Sámi

44. The Ombudsman for Children annually consults 4 to 5 groups of children and young persons (Young Advisers). In the consultations, children and young people talk about their experiences of their daily life. The Ombudsman for Children uses their experiences in his work, for example in statements relating to children's and young people's life.

45. In 2016, the Ombudsman for Children organised, in cooperation with the municipality of Inari and the Sámi Parliament, a meeting with school children in Vuotso and with young people belonging to the Youth Council of Inari and the Youth Council of the Sámi Parliament. During the discussions, the young people said that they are proud of their Sámi identity and like living in Inari, close to nature. They regarded the opportunities for secondary education as adequate, and many of them hoped to carry on family traditions in reindeer farming, for example. The municipality's youth council also functions well, and the young people felt that their opinion had been heard in several matters. However, the young people particularly brought up the concern of finding employment in their home municipality. They also hoped for better leisure facilities, especially in Inari. In addition, they wished for a better understanding of Sáminess as they consider that Sáminess is associated with a lot of prejudices and unawareness.

Recommendation 2 - implementation of the Strategy for the National Languages

Intensify efforts to adopt and implement the Action Plan related to the 2012 Strategy for the National Languages of Finland in order to guarantee that the knowledge, visibility and presence of the Swedish language is maintained in education, in the administration, in the labour force and in the public at large.

Action Plan for the Strategy for the National Languages of Finland

46. The first Government Strategy for the National Languages of Finland was adopted in December 2012.¹¹ It is a strategy for two viable national languages, reaching out to span many decades. The Strategy for the National Languages was one of the strategies of the previous Government that the Council of State decided to extend to cover the Government term of 2015 to 2019. Based on this decision, the Ministry of Justice published an Action Plan for the Strategy for the National Languages of Finland in February 2017¹². It covers measures in different administrative branches for putting in practice the long-term measures of the Strategy for the National Languages. Some of the measures contained in the Strategy for the National Languages have already been implemented successfully, and this work will continue until the end of the period covered by the Action Plan.

¹¹ Strategy for the National Languages of Finland, Government resolution, Prime Minister's Office Publications 7/2012, https://oikeusministerio.fi/documents/1410853/4734397/Kansalliskielistrategia_EN.pdf/2e5f2752-4777-4b96-997f-acf145befe5d

¹² Action Plan for the Strategy for the National Languages of Finland, Publications of the Ministry of Justice 13/2017, 28 February 2017, https://oikeusministerio.fi/documents/1410853/4734397/ActionPlan_StrategyfortheNationalLanguages.pdf/5513fe14-d092-4404-9ec1-d3a6e6a354af/ActionPlan_StrategyfortheNationalLanguages.pdf.pdf

National languages network

47. The Ministry of Justice has appointed a national languages network for the term of 2015 to 2019. The whole Government is represented in the network. One of its key tasks is to implement the Action Plan for the Strategy for the National Languages of Finland. The Ministry of Justice has reserved budgetary resources for implementing the measures set for the Ministry in the Action Plan.

Language indicators

48. The Ministry of Justice has developed dedicated indicators for monitoring linguistic rights¹³. The indicators measure and explain the realisation of linguistic rights and vital bilingualism and seek to reveal development trends.

49. The indicators are also used for monitoring linguistic rights and the national language policy and as a tool in language policy decision-making. The indicators are applied to Finnish, Swedish and Sámi speakers, sign language users and, as appropriate, to other language groups.

50. The indicators consist of three parts. Structural indicators describe elements which support the realisation of linguistic rights, process indicators analyse the effectiveness of the state's steering measures in the realisation of linguistic rights, and outcome indicators measure experiences of how the rights are realised in practice from the perspectives of individuals and communities.

51. The indicators were prepared on the basis of the Strategy for the National Languages, building on the model developed for human rights indicators by the UN. The first phase of the development work has now been completed and the work will continue by, for example, exploring the information sources for indicators in more detail. It is hoped that the ministries and other authorities, in particular, will widely adopt the indicators.

Indicators for visibility of languages in media content produced by authorities

52. The Ministry of Justice has drafted indicators for visibility of languages in media content produced by authorities¹⁴. The follow-up of the indicators is based on the Act on the Finnish Broadcasting Company (1993/1380, sections 6 to 7 and section 12b) and on the company's annual report to Parliament. The Act on the Finnish Broadcasting Company sets an obligation on the Finnish Broadcasting Company Yle to use its programmes to provide an efficient and inclusive channel for communication, consultation and influencing for all minority groups.

¹³ https://oikeusministerio.fi/artikkeli/-/asset_publisher/kiellellisten-oikeuksien-seurantaan-uudet-indikaattorit

¹⁴ Follow-up Indicators for Linguistic Rights, Publications of the Ministry of Justice 35/2018, 10 October 2018, http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/161088/OMSO_35_2018_Follow-up_indicators_for_linguistic_rights.pdf?sequence=1&isAllowed=y

Instructions for assessing linguistic impacts

53. In February 2017, the Ministry of Justice issued instructions for assessing linguistic impacts¹⁵. The purpose of the instructions is to provide guidance for officials drafting legislation on how linguistic rights and language groups should be accommodated in the initial stage of legislative drafting. The Ministry of Justice is currently revising its consultation guide in respect of the realisation of the rights of language groups.

Ministry of Justice's training material on linguistic rights

54. In spring 2018, the Ministry of Justice produced electronic training material on linguistic rights for officials and adopted introductory programmes and training on linguistic rights for new officials both in its own administrative branch and in the whole Government. Information events on linguistic rights have also been organised for supervisors, emphasising their role in influencing the attitudes towards the Swedish language. The purpose of awareness-raising of linguistic rights has been to promote positive attitudes towards language groups.

Consideration of language groups in the development of information systems

55. A recommendation concerning the use of information systems by authorities was updated in 2017, emphasising consideration of language groups in the development of information systems in public administration. The Ministry of Justice has drafted related instructions for the *Suomi.digi* website on how language groups should be taken into account in digital public services.

Both are equal campaign

56. The Ministry of Justice was co-funding a campaign called *Both are equal* in 2017 to increase the people's awareness of bilingualism by means of videos published on social media and in other contexts. An updated brochure and an animated video for the general public are in preparation to increase awareness of language groups and their rights.

Finnish Swedish Heritage Day

57. Since 2017, the Council of State has organised a joint campaign on the Finnish Swedish Heritage Day on 6 November to celebrate the Swedish language and to promote the officials' awareness of linguistic rights.

Recommendation 3 - defuse the climate of interethnic prejudice and tension

Defuse the climate of increasing interethnic prejudice and tension by stepping up efforts to combat all forms of intolerance, racism, xenophobia and hate speech, in particular in social media; promptly condemn all instances of racism and ethnic hostility in public discourse; raise public awareness of the legal remedies available against hate crime and hate speech; strengthen the role of law enforcement

¹⁵ Instructions for Assessing Linguistic Impacts, Publications of the Ministry of Justice 46/2016, http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/75595/OMSO_46_2016_Ohje_kielelliset_vaikutukset_22s.pdf?sequence=1&isAllowed=y

and the judiciary to detect and sanction hate speech and hate-motivated offences; raise the level of recruitment of persons belonging to minorities in the police.

National Crime Prevention Programme 2016-2020

58. The National Council for Crime Prevention operating in connection with the Ministry of Justice deals with general issues related to crime prevention, reducing the harmful effects caused by crime and promoting security. The National Council for Crime Prevention has drafted a crime prevention programme promoting local inclusion in order to improve local crime prevention.¹⁶

59. The programme introduces measures for developing local crime prevention, with its particular focus on cooperation between different crime prevention actors, such as authorities, businesses, non-governmental organisations and residents, in the planning and implementation of crime prevention. One of its objectives is to promote the citizens' participation in crime prevention.

60. Hate speech and harassment have the strongest impact on the sense of security. The programme includes collecting and disseminating information on projects and good practices for preventing an increase in the sense of insecurity, discrimination or, for example, hate speech, which prevents residents from different population groups from participating in local activities. The objective is to find practices that have been proven effective in crime prevention.

Is Finland the Safest Country for Everybody?

61. According to a report called *Is Finland the Safest Country for Everybody? Realisation of safety in respect of different genders and population groups*¹⁷, commissioned by the Ministry of the Interior, internal security is experienced differently by different population groups. Hate speech, discrimination, racism and violence are the major causes of insecurity. According to the report, hate speech is mainly directed to minority groups with a visible difference as compared to the "majority population". Hate speech is experienced, for example, by immigrants, persons with disabilities, the Roma, the Sámi, religious minorities and sexual and gender minorities. People belonging to several different minority groups face hate speech and racism particularly easily. Both in the questionnaires and interviews, hate speech was regarded as a serious social problem threatening security, the elimination of which requires upholding a value debate which promotes equality and non-discrimination.

¹⁶ Working Together for Safer and More Secure Communities – National Crime Prevention Programme, Publications of the Ministry of Justice 55/2016, http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/79054/OMSO_55_2016_Working_together_46.pdf?sequence=1&isAllowed=y

¹⁷ Onko Suomi maailman turvallisim maa kaikille. Turvallisuuden toteutuminen eri sukupuolten ja väestöryhmien kannalta. (Is Finland the Safest Country for Everybody? Realisation of safety in respect of different genders and population groups.) Published by KPMG Oy, 2018.

Second Government Integration Programme for 2016-2019

62. The Ministry of Economic Affairs and Employment is, under the integration legislation, responsible for coordinating the integration policy and the promotion of good ethnic relations. The Ministry is also responsible for the national evaluation and follow-up of the integration policy and the promotion of good ethnic relations.

63. One of the objectives of the second Government Integration Programme for 2016-2019¹⁸ is a Finnish society where immigration is discussed openly, with respect for human dignity, and where also official forums with well-functioning interaction between different population groups are available for dialogue between the authorities and the immigrants. The integration programmes of municipalities take account of the objectives of the Government Integration Programme from the local circumstances and promote good relations on the local level.

Meaningful in Finland Action Plan

64. In spring 2016, the Ministry of Education and Culture launched a comprehensive *Meaningful in Finland Action Plan*¹⁹ to prevent hate speech and racism and to foster social inclusion. The Action Plan included ten measures targeted at, for example, teaching personnel training, youth work, sports, culture and dialogue between religions. At the same time, all actors in the ministry's administrative branch were urged to participate in joint action against hate speech.

65. As part of the implementation of the *Meaningful in Finland Action Plan*, training on working in a multicultural environment has been organised for persons working with children and young people. This aims at supporting their capacities to strengthen democratic values, awareness of human rights and a sense of inclusion among children and young people.

66. A key measure of the *Meaningful in Finland Action Plan* in the youth sector was to launch a special government grant application process for municipal youth services. Its objective was to prevent hate speech and promote equality.

67. Grants were awarded to a total of 14 projects. The projects increase the young people's knowledge and understanding of equality and human rights and strengthen their abilities to combat hate speech and discrimination in all their forms. The projects comprise events, training as well as production and dissemination of materials on the topic.

68. The projects include organising planned joint activities for young people belonging to different groups in their leisure time. The objective is to increase hate speech-free interaction between young people of different origins, which enhances mutual

¹⁸ Government Integration Programme for 2016-2019 and Government resolution on a Government Integration Programme, Publications of the Ministry of Economic Affairs and Employment 47, 8 September 2016,

http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/79156/TEMjul_47_2016_verkko.pdf?sequence=1&isAllowed=y

¹⁹ Meaningful in Finland Action Plan: Action Plan to prevent hate speech and racism and to foster social inclusion, Ministry of Education and Culture, 2 May 2016,

http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/75432/Meaningful_in_Finland.pdf

understanding between them and reduces prejudices. Evaluation of the activities carried out in the context of the projects and their outcome started in 2018.

69. In the context of vocational education and training, the *Meaningful in Finland* Action Plan is implemented through a *Peace at Campus* project, which seeks to prevent racism and juxtaposition between ethnic groups. The project develops tools and a model for preventing racism and juxtaposition between different ethnic groups in vocational education and training. At the same time, it supports the creation of work and educational communities that foster inclusion. The project is a two-year joint project of the National Union of Vocational Students in Finland (SAKKI ry), the Culture and Sports Union of Finnish Vocational Education (SAKU ry) and the Finnish Evangelic-Lutheran Church. In autumn 2017, the Ministry of Education and Culture awarded the project a special grant intended for integrating asylum seekers and immigrants.

Against Hate project

70. Towards the end of 2017, the Ministry of Justice launched a project called *Against Hate* with the aim of developing the work against hate crimes and hate speech. The project will continue until the end of November 2019. The project activities are focused on developing hate crime reporting and strengthening the capacities of authorities, in particular of the police, prosecutors and judges, against hate crimes and hate speech as well as on improving support for hate crime victims.

71. In addition to the Ministry of Justice, the project partners include the Finnish Association for Mental Health and the Victim Support Service as well as Croatian organisations *Centre for Peace Studies, Human Rights House Zagreb, and GONG*. The project receives funding from the *Rights, Equality and Citizenship Programme* of the European Union (2014-2020) as well as from project partners.

72. The project extends hate crime reporting to cover hate crime cases handled by the prosecution service and courts. It also aims at strengthening the capacities of the police, prosecutors and judges against hate crimes and hate speech through training. The purpose of training is to increase awareness of national and international regulation pertaining to hate crimes and hate speech, to improve the ability of authorities to recognise hate crimes and hate speech and to develop cooperation between the authorities.

73. The project also develops cooperation and coordination between different actors, for example by means of the network established as part of the project, explores actions against hate crimes and hate speech by various actors and disseminates information on these. The project further includes organising round-table discussions on the follow-up and reporting of hate speech. The project creates a checklist intended for ordinary Internet users for recognising punishable hate speech. It further strengthens the practices related to victim support (by enhancing network cooperation between local authorities and organisations and by providing training for potential victims and organisations representing them) and pilots shadow reporting on hate crimes that complements official information.

TRUST - Good relations in Finland project

74. The Ministry of Justice has worked, in cooperation with the Ministry of Economic Affairs and Employment and the Advisory Board for Ethnic Relations, for the promotion of multi-directional integration by increasing awareness of equality and good relations. Since

2018, training has been provided for municipal authorities and third sector actors involved in immigration and equality work, especially in connection with the *Trust - Good Relations in Finland* project²⁰ coordinated by the Ministry of Justice. Training and the material produced in support of it have equipped the actors with additional tools for combating intolerance and racism, recognising conflicts between population groups and solving them as well as for promoting good relations between population groups.

PROXIMITY project

75. The Ministry of Justice is participating in the PROXIMITY project²¹ launched in 2017 and funded by the European Union (EU). The main objective of the project is to prevent racism, xenophobia and other forms of intolerance by increasing the capacities of local authorities. Its further objective is to cooperate on the EU level to share good practices and experiences of identifying and addressing racist and other hate crimes. Another objective is to increase the capacities of local authorities, in particular of local police officers, to identify and tackle hate crimes and other forms of intolerance. The project also seeks to identify best practices for awareness raising, training and municipal special services in European cities.

76. The project activities focus on strengthening the capacities of local authorities, in particular of local and community police, against racism and hate crimes through training, sharing of good practices and mutual learning as well as through developing local-level action plans for preventing racism.

Good Practice project

77. The Ministry of the Interior has participated in an EU funded *Good Practice* project aiming at increasing the competence of the police and prosecution service in matters related to hate crimes. An objective was to increase support services for hate crime victims. The project prepared a hate crime toolkit for police officers and prosecutors. The Crime Victim Service also participated in the project. The capacity for service provision has increased but a remaining challenge is that relatively few hate crime victims have contacted the services. The project continued in 2018 as an EU-funded joint project between Northern Ireland, Finland and Turin.

Police actions in the prevention and investigation of hate crimes

78. In Finland, hate crimes reported to the police have already been followed for 20 years by the Police Department of the Ministry of the Interior and the Police University College. Hate crimes reported to the police are discussed in more detail in paragraphs 167-175.

²⁰ Reception Centres and the Promotion of Good Relations - Results and observations from the first phase of the TRUST project, Publications of the Ministry of Justice 17/2016, http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/80092/OMSO_17_2017_Vastaanottokeskukset.pdf?sequence=1&isAllowed=y

²¹ Proximity Policing against Racism, Xenophobia and other Forms of Intolerance Project, OM075:00/2017, Ministry of Justice, 2 October 2017.

79. The National Action Plan for Preventing Violent Radicalisation and Extremism²² adopted in April 2016 by the ministerial working group on internal security and administration of justice requires that the police step up their actions in exposing and investigating hate crimes.

80. The Government Report on Internal Security²³ outlines that the police will focus on actions which best maintain the safety of people. In practice, this means more intense efforts in respect of offences important for safety but with lenient sanctions. These include offences targeted at vulnerable victims (e.g. children, the elderly, intimate partner violence) and hate crimes with lenient sanctions. These objectives are also included in the strategy and performance targets of the police.

81. The National Police Board of Finland has, together with the Police University College, drafted a training programme on combating hate crime. The first training on combating hate crime was carried out at the Police University College in 2016 and the next one has been planned for this year.

82. For the police to be better able to identify hate crimes, take them into account in criminal investigation and combat them, the National Police Board of Finland has concluded a memorandum of understanding with the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE) on the implementation of a training programme against hate crimes for law enforcement (TAHCLE).

83. In accordance with the programme, a half-a-day workshop on hate crimes was arranged for chief police officers at the Police University College in January 2017, and later that spring, two three-day training courses with the same content were organised for trainers. Representatives from all police departments participated in these training courses. The police officers who participated in the training course for trainers (approx. 40) work as hate crime trainers in their own regions and can give on-the-job training to the personnel of their police units. According to a survey conducted at the end of 2017, approximately 900 police officers have participated in this training. Training courses were also organised in 2018.

Working group for preparing an action plan for combating hate speech and hate crimes

84. In 2017, the Government allocated funding to the police for stepping up the efforts to tackle hate speech and hate crimes. The measures were presented in the final report of the working group for preparing an action plan for combating hate speech and hate crimes²⁴, published by the National Police Board of Finland on 14 November 2016.

85. A group focusing on punishable hate speech (called the VIPU group) was established at the Police Department of Helsinki in early 2017 as proposed in the final report of the

²² National Action Plan for Preventing Violent Radicalisation and Extremism, Publication of the Ministry of the Interior 15/2016, 12 May 2016, http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/74921/Toimenpideohjelman_final.pdf?sequence=1&isAllowed=y

²³ Government Report on Internal Security. Publication of the Ministry of the Interior 8/2016.

²⁴ Final Report of the Working Group for Preparing an Action Plan for Combating Hate Speech and Hate Crimes, 14 November 2016, https://poliisi.fi/instancedata/prime_product_julkaisu/intermin/embeds/polisenaxwwwstructure/53788_Vihapuheiden_tehostettu_torjunta_raportti.pdf?43fcb9caf60dd488

working group. The VIPU group was also given a national role. In addition, cybercrime intelligence and investigation at the National Bureau of Investigation and visible police actions in social media were enhanced by establishing a post of Internet police focusing on combating punishable hate speech at each police department. In 2017, the VIPU group recorded 233 reports of an offence, of which 188 involved incitement against an ethnic group, 92 defamation, 24 an unlawful threat and 10 violation of the freedom of worship.

Recruitment of minority representatives in the police

86. The police force should reflect the ethnic structure of the population. Measures supporting this objective have already been and will continue to be implemented.

87. According to Finnish legislation, the person's ethnic background is not entered in registers. For this reason, there are no separate records of the number of police officers belonging to a minority.

88. The Police University College regularly organises basic and in-service training in Swedish. In addition, it is necessary to ensure that also people from other minorities are recruited in the police. One of the objectives included in the gender equality and equality plan of the police for 2017-2019²⁵ is to encourage representatives of ethnic minorities, in particular, to apply for posts in the police administration.

89. This objective is also included in the annual plan of the National Police Board aiming at promoting the access of ethnic minorities to police training and recruitment in the police, considering perspectives related to language skills and citizenship.

90. This objective is also written down in the student recruitment strategy recently adopted by the police. The strategy states that the number of persons with immigrant background has not significantly increased in Finland until during the past two decades. The age structure of immigrants is such that most of them are making career choices or are at the beginning of their career. It is essential to encourage them to apply for police training.

91. Local measures are important in the recruitment of persons with immigrant background as people originating from the same area are concentrated in certain localities in Finland. The Police University College has, in fact, implemented co-projects with the police departments of Helsinki and Southwestern Finland to enhance recruitment. Thanks to the cooperation channels between police departments, a visitor group consisting of young immigrants, for example, has visited the Police University College to learn how the police works in Finland.

92. The Police University College is also engaged in cooperation with Tampere Vocational College Tredu, including joint workshop days for Tredu students with immigrant background and for Police University College students. This activity is not only significant for equality training but also for recruitment.

93. The entry requirements of the Police University College have also been revised so as to facilitate the recruitment of persons with immigrant background. For example, completion of military service is no longer a requirement and the aptitude test is weighted in grading,

²⁵ Gender equality and equality plan of the Ministry of the Interior for 2017–2019, Publications of the Ministry of the Interior 6/2017, http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/79437/SM_06_2017.pdf?sequence=1&isAllowed=y

which, on the other hand, means that the importance of the written test and consequently of the knowledge of Finnish/Swedish has decreased.

Preventive action strategy for the police

94. The Ministry of the Interior has prepared a preventive action strategy for the police, which was adopted in December 2018. The objective of the strategy is that the police will enhance interaction and contacts with minority groups and develop their competences in respect of the related special issues and cooperate with religious communities to ensure the safety of their members and the security of their sanctified places as well as to improve crisis preparedness.

Hate crime seminar

95. In 2017, the Ministry of the Interior organised, in cooperation with the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE), a hate crime seminar in Helsinki to discuss hate crimes motivated by antisemitism and actions for improving the safety of Jewish communities.

Support for vocational education providers

96. The reform of vocational education and training will influence the vocational education culture. The new legislation puts more emphasis on community spirit, wellbeing and inclusion. In late autumn 2017, the Ministry of Education and Culture granted a total of 1.2 million euros to six education providers for developing approaches and practices with a focus on community spirit, wellbeing and inclusion.

Special programme of the Arts Promotion Centre Finland against hate speech and racism

97. The Arts Promotion Centre Finland (*Taike*) is an expert and service agency for promoting the arts. An arts council operating in connection with *Taike* functions as an advisory body for the Ministry of Education and Culture in arts policy decision-making. The arts council is implementing a special programme against hate speech and racism between 2017 and 2019.

Recommendation 4 - provide for an effective and inclusive channel of communication, consultation and influence on the decision-making process by minority groups

Provide for an effective and inclusive channel of communication, consultation and influence on the decision-making process by all minority groups, in particular Russian and Karelian speakers, within the existing consultation mechanisms; engage in dialogue with minority linguistic groups, including Estonian speakers to the extent to which they express an interest in being protected under the Framework Convention.

Advisory Board on Language Affairs

98. The Advisory Board on Language Affairs is an expert body operating in conjunction with and supporting the Ministry of Justice which represents different sectors of society and

is tasked to promote linguistic rights. The duties and composition of the Advisory Board are laid down in the Government Decree on the Implementation of the Language Act (433/2004).

99. The Government appoints the Advisory Board for a four-year term at a time. The term of the current Advisory Board runs from 1 April 2016 to 31 March 2020.

Consultation on language affairs

100. The Advisory Board on Language Affairs operating in conjunction with the Ministry of Justice organises an annual consultation to discuss language affairs in order to promote an open dialogue between the Government and language groups. Representatives of different language groups, such as the Karelian language, are invited to participate in the consultation. The Advisory Board for Ethnic Relations represents the speakers of Russian, Estonian and other foreign languages in the consultation. Different language groups, such as Karelian and Estonian speakers, are also consulted in the preparation of the Government report on the application of language legislation. The report is submitted to Parliament every four years.

Action Programme for Making Digital Transport and Communication Services Accessible

101. The Ministry of Transport and Communications published an action programme for 2017 to 2021 in May 2017. The programme's objectives include the implementation of mainstreaming in the administrative branch of transport and communications, prevention of social exclusion in transport and communications services as well as the promotion of multi-channel services and technology neutrality.

102. The programme outlines priority concrete measures that can be implemented and monitored in the short term in order to ensure equal access to digital transport and communications services. The programme is primarily intended for the administrative branch of the Ministry of Transport and Communications, such as the Finnish Transport Safety Agency, the Finnish Transport Agency, and the Finnish Communications Regulatory Authority, but it also provides guidelines for, for example, service providers, non-governmental organisations and for any other actor or research and development centre in the field of transport or communications.

103. In addition to digitalisation, the underlying trends of the programme include urbanisation, climate change, ageing and diversification of population. The programme states that the significance of all cultural factors should be understood in depth in the development of digitalisation in transport and communications. One of the programme's priorities is to make transport and communications services suitable for as many people as possible so that the new digital services make the citizens' daily life easier, regardless of their age, physical disabilities or, for example, *language*.

104. The programme stresses mainstreaming and, for example, the fact that non-governmental organisations, such as immigrant organisations, should be taken better into account as important stakeholders and engaged in cooperation in the administrative branch of transport and communications.

105. The programme also seeks to promote mainstreaming through the agencies' equality plans. One of the measures introduced in the programme is to always consider equality impacts in the preparation of new legislation and in the amendment of existing laws. The

programme's implementation is monitored, for example, by means of performance targets set for the agencies.

Dialogue with Estonian speakers

106. In its fourth report on Finland (paragraph 14), the Advisory Committee urges the authorities to engage in dialogue with minority linguistic groups, including Estonian speakers if they express an interest in being protected under the Framework Convention.

107. Estonians are the largest and fastest growing immigrant group in Finland. Over the past ten years, their number has tripled (1990: 1 394, 1995: 8 710, 2005: 15 336 and 2017: 49 590 Estonian speakers). According to the Estonian population register, approximately 70 000 Estonian citizens are living in Finland either permanently or temporarily, more than half of them in the metropolitan area. They are the second largest group of foreign language speakers after the Russian speakers.

108. Participation by Estonians in Finnish social life is very limited as well as their organisation activities. There are shortcomings in social safety networks, career development, knowledge of Finnish legislation, preservation of their own language and culture and in mother tongue learning.

109. The Tuglas Association is the oldest and largest Finnish-Estonian organisation in Finland. It was founded in 1982 and has around 3 000 members. It seeks to promote the integration of Estonians in Finland, active citizenship and social wellbeing through cultural means.

110. The Estonian language is represented in the consultation on language affairs by the Advisory Board for Ethnic Affairs (ETNO).

PART III - OTHER MEASURES FOR THE DEVELOPMENT OF THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION

B. IMPLEMENTATION OF THE FRAMEWORK CONVENTION BY ARTICLE

ARTICLE 1

The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.

Finland's support to the UN work for indigenous peoples

111. Finland provides voluntary funding for the UN Voluntary Fund for Indigenous Populations, which supports the participation of representatives of indigenous peoples in UN meetings. The Sámi may also apply for support from the fund. Voluntary funding is also provided for the voluntary fund supporting the United Nations Permanent Forum on Indigenous Issues, which supports the implementation of the decisions of the permanent forum. In 2018, 50 000 euros were given to the UN Voluntary Fund for Indigenous Peoples and 50 000 euros to the UN Trust Fund on Indigenous Issues. The general contribution to

support the activities of the OHCHR was 1 600 000 euros in 2018. Out of this amount, 70 000 euros were earmarked for the OHCHR's ongoing activities in relation to indigenous peoples.

ARTICLE 2

The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.

112. According to the Programme of Prime Minister *Juha Sipilä's* Government²⁶, the Nordic countries, the European Union – also as a security community, NATO partnership, the OSCE and the UN form the framework for Finland's international cooperation. In addition, Finland will maintain good bilateral relations with other states.

113. EU membership is a political choice that connects Finland to the Western community of values. Finland respects common rules and expects other Member States to do the same. Finland is an active, pragmatic and result-oriented Member State. The Government will seek, in a constructively critical and cooperative way, to combine the national and joint European interest in Finland's EU policy. The European Union must pursue its interests effectively, and defend democracy, international law and human rights in its neighbourhood and worldwide.

ARTICLE 3

1. Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.

2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.

Reform of the population register system

114. In its fourth report on Finland (paragraph 19), the Advisory Committee urges the Finnish authorities to ensure the implementation of the principle of self-identification as laid down in Article 3 of the Framework Convention by enabling entering information on the person belonging to several different population or language groups in the population register so that the information would better reflect the individual's own choice.

115. According to a key observation included in the Report of the Government on the Application of Language Legislation 2017²⁷, it should be considered whether the population

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https://valtioneuvosto.fi/documents/10184/1427398/Ratkaisujen+Suomi_EN_YHDISTETTY_netti.pdf/8d2e1a66-e24a-4073-8303-ee3127fbfcac

²⁷ Report of the Government on the Application of Language Legislation 2017, Government publications 10/2017, 31 January 2018,

http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/160561/VNK_H1017_Report%20of%20the%20Government%20on%20the%20Application%20of%20Language%20Legislation%202017_net_3.pdf?sequence=1&isAllowed=y

information system could be amended by allowing the entry of more than one mother tongue per person. The survey will consider which benefits the entry of more than one mother tongue in the population information system would bring for individuals. In addition, impacts on the authorities' actions, such as service planning, will be assessed.

116. According to the Institute for the Languages of Finland, collecting population data on languages is a challenging task in terms of research, statistics and the survey method. It stresses that an expert group should consider any solution before changes are made to the population information system.

ARTICLE 4

1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

2. The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

3. The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.

Recommendation - provision of support to the Office of the Non-Discrimination Ombudsman

Provide adequate political and financial support to the Office of the Non-Discrimination Ombudsman to enable it effectively to pursue its well-established role of protecting minorities within its broader mandate.

Resources of the Office of the Non-Discrimination Ombudsman

117. According to section 9 of the Act on the Non-Discrimination Ombudsman (1326/2014), the Non-Discrimination Ombudsman shall have an office with a necessary number of presenting officers specialised in the Ombudsman's field of action and other personnel. The Non-Discrimination Ombudsman is an autonomous and independent authority.

118. There are 16 permanent posts at the Office of the Non-Discrimination Ombudsman. In addition, since 2015, two to five persons have been employed there by means of funding under different projects. The Office of the Non-Discrimination Ombudsman received five new posts in connection with the Non-Discrimination Act in 2015. The new posts were established to allow the Non-Discrimination Ombudsman to effectively monitor compliance with the Non-Discrimination Act in a situation where new grounds for discrimination were introduced into the scope of monitoring.

119. The number of new discrimination complaints filed with the Ombudsman's Office has tripled since 2015. The Ombudsman is of the opinion that carrying out her statutory duties efficiently and successfully is not feasible if the number of contacts keeps growing at the same rate while the resources remain the same. The Ombudsman's operating conditions are evaluated annually in joint discussions with the Ministry of Justice.

120. An appropriation is reserved in the state budget for covering legal costs in matters under the Non-Discrimination Act (1325/2014) where the Non-Discrimination Ombudsman acts as a counsel in the proceedings of a victim of suspected discrimination and has agreed to compensate for any legal costs if the case is lost.

Roma and housing

121. In January 2018, the Ministry of the Environment published a follow-up report on equality of the Roma in housing²⁸. It is a follow-up study to the report on housing and equality of the Roma published in 2012²⁹.

122. The report discusses the problems related to housing among the Roma and their equality, both relative to the majority population and within the Roma community. The objective of the report was to produce background information on the trend in equality of the Roma in housing and whether the measures taken have produced the desired result.

123. The data used includes information from contacts and complaints to the Non-Discrimination Ombudsman, the Housing Finance and Development Centre of Finland and the Parliamentary Ombudsman, inquiries among actors in the housing sector and the Roma, and expert interviews.

124. According to the study, the equality of the Roma in housing relative to the majority population has improved and the population groups are now more equal as housing applicants. However, both the majority population and the Roma are facing more economic problems than before. The young Roma, in particular, often experience financial problems that impact on housing. Some of the Roma face the risk of being excluded from the usual housing market. The practices of permission to move and avoidance obligation constitute an additional challenge. They are no longer reflected in the work of housing sector as much as before, but in social welfare work their impact is well known. The report recommends closer cooperation between the stakeholders in the housing sector and the authorities and advising the clients to seek services.

125. It is also important to continue the work on changes within the Roma community in a way that they could give up certain cultural customs that may complicate the housing and living of the Roma.

126. Finland's second National Roma Policy includes measures for ensuring equal treatment of the Roma in housing.

Study on Roma children, young people and families in connection with the programme to address reform in child and family services

127. A study on Roma children, young people and families in connection with the programme to address reform in child and family services³⁰ revealed that in the context of

²⁸ Follow-up Report on Equality of the Roma in Housing, Reports of the Ministry of the Environment 6/2018, 23 January 2018,

http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/160489/YMra_6_2018.pdf?sequence=1&isAllowed=y

²⁹ Housing and Equality of the Roma, Reports of the Ministry of the Environment 8/2012, 11 April 2012, http://julkaisut.valtioneuvosto.fi/bitstream/handle/10138/41411/YMra8_2011_Romanien_asuminen_ja_yhdenvertaisuus.pdf?sequence=2&isAllowed=y

³⁰ Tarja Borelius, Central Finland Centre of Excellence in the Social Sector, 2017.

services for Roma children and families, it is essential to consider the Roma culture and customary traditions as well as their potential influence on the service content. The study recommends, for example, that the measures of the National Policy on Roma be continued, the perspectives of children, young people and families be taken into account on all levels of the Roma work and that the skills and resources of Roma children and young people be made visible and the awareness of the majority population on the history, culture and lives of the Roma population be increased to reduce negative attitudes towards the Roma. The study emphasises, however, that knowledge as such is not sufficient for improving the status of Roma children and families but this requires encounters between people.

Survey of the current status of services for Sámi children, young people and families

128. According to a survey of the current status of services for Sámi children, young people and families³¹, the right of Sámi children, young people and families to receive services in their own language is not adequately realised. The situation is better in the Sámi Homeland than outside it. However, differences between individual languages are also substantial in the Sámi Homeland. The poorest situation is faced by Skolt Sámi speakers. The best selection of Sámi-languages services in the Sámi Homeland is available in the municipality of Utsjoki. The availability of Sámi-language services is best in early childhood education and care and in basic education and poorest in youth work and in leisure, cultural, sports and library services. According to the survey, apart from Utsjoki, Sámi children and young people do not receive the support they need to maintain and develop the Sámi language and culture.

129. The most important factors undermining the availability of services are the low number of Sámi-speaking personnel and shortage of resources. Lack of information and the fact that Sámi clients are not recognised or their linguistic rights are not respected also contribute to this.

130. According to the survey, the special appropriation channelled through the Sámi Parliament has an important role in safeguarding the availability of Sámi-language social and health services in the Sámi Homeland. In addition, the realisation of the fundamental rights and equality of Sámi children and families requires clear strengthening of Sámi-language basic services, improving the availability of Sámi-speaking personnel, implementing the revival programme of Sámi languages and strengthening collaboration and the financial resources of Sámi actors.

Survey of services for Swedish-speaking children and families

131. According to a survey of services for Swedish-speaking children and families, a lack of Swedish skills undermines the availability of services. The situation is particularly difficult in psychology services and child psychiatry. According to the survey, more Swedish services would also be required in speech therapy, occupational therapy and in services provided by special kindergarten teachers. In child welfare, there is a shortage of foster care places for Swedish-speaking children. The survey reveals that improvements are also needed in other Swedish-language services for children and families, such as mother and child home services, intensified family work, divorce services, family rehabilitation and hospital schools. Multi-professional cooperation should also be strengthened in the context of services.

³¹ Survey of the current status of Sámi-language services, the Sámi Parliament https://stm.fi/documents/1271139/4067344/SAAMELAPeselvitys110117_final.pdf/f1418169-7e37-4d7a-803d-30d192ffed5f

ARTICLE 5

1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.

Recommendation - implementation of the National Policy on Roma

Earmark resources to continue implementing the National Roma Action Plan; foster equal opportunities for access to education for the Roma, in particular as regards equal access to upper secondary and higher education by providing incentives to municipalities; focus on adult education and employment, including by reducing discrimination as regards access to the labour market.

Impacts of the first National Policy on Roma

132. The term of Finland's first National Policy on Roma ended in 2017. A preliminary evaluation report of the policy programme was published in 2014. The programme was assessed further in connection with the drafting of the next National Roma Policy. The policy programme has increased awareness of Roma affairs on the national level and made their coordination more efficient. This has been achieved, in particular, through the *From Policy to Practice* project funded by the EU, which was running from autumn 2016 to August 2017. It was implemented together with regional Advisory Boards for Roma Affairs and local Roma population. The aim of the project was to promote and monitor how well the National Policy on Roma is known at local and regional levels, to create local and regional networks between the Roma, authorities and other stakeholders in order to implement the policy programme, and to spread information on good practices for local and regional implementation. The project strengthened networks for promoting Roma affairs and supported regional implementation of the national policy.

Finland's second National Roma Policy for 2018-2022

133. Finland's second National Roma Policy for 2018-2022³² was published in May 2018. The primary objective of the policy programme is to support the progress seen in the societal integration of Roma and positive development in Roma linguistic, cultural and social rights. The policy programme is based on the premise that Finland's current legislation and comprehensive service system provide a good foundation for the promotion of the equality

³² Finland's National Roma Policy (Rompo) 2018-2022, Publications of the Ministry of Social Affairs and Health 3/2018, http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/160845/03_18_Suomen%20romanipoliittinen%20ohjelma_2018_2022_web.pdf?sequence=1&isAllowed=y

of the Roma population. The mainstreamed actions and measures targeted specifically at the Roma population set out in the policy programme will create further capacities for considerable improvements in the human and minority rights and socioeconomic status of the Roma. This must take place by increasing 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.

134. For this purpose, the new National Roma Policy defines primary national objectives, key measures to be taken by all responsible parties and principles guiding the implementation of the policy programme. The policy programme also covers monitoring the implementation. It includes measures for, for example, strengthening participation in all kinds of education at every level and for promoting professional skills, employment, entrepreneurship and integration into the labour market. The primary objective of the policy programme is to improve employment among the Roma.

135. The Ministry of Justice is responsible for the implementation of work against discrimination and hate speech under the second National Roma Policy. Core teams specific for each administrative branch in accordance with the new implementation model are about to start their operation.

County-specific Roma programmes (MAARO programmes)

136. On the basis of the follow-up data on Finland's first National Policy on Roma, the strengthening of the societal integration of Roma calls for increases in the amount, effectiveness and planning of cooperation in Roma affairs at the local and regional levels in particular. One way of reaching these objectives and monitoring the progress is to create county-specific Roma programmes (MAARO Programmes) which support the implementation of the Counties Act that is currently being drafted.

Follow-up study on the employment of the Roma population and employment barriers

137. The National Roma Policy for 2018-2022 includes cross-administrative targets for different sectors. One of its priorities is to promote professional skills, employment, entrepreneurship and integration into the labour market among the Roma. The Ministry of Economic Affairs and Employment is responsible for this priority.

138. As a concrete measure, the Ministry of Economic Affairs and Employment will in 2019 commission a study on the employment situation, entrepreneurship and integration into the labour market among the Roma. The study aims at examining how to promote the inclusion of the Roma in the labour market, i.e. what are the best approaches and good practices. Another topical objective is to find out what kind of prejudices and discrimination the Roma face in the labour market. The purpose is to search for best ways of promoting the equality of the Roma in working life and addressing the barriers to employment and entrepreneurship among the Roma.

139. A total of 40 000 euros has been reserved for the study, which will be conducted during 2019. A previous study was completed in 2008.

Studies on inclusion of Roma children

140. A study on the early childhood education and care and pre-primary education of Roma children is going on. Questionnaires have been sent to Roma families, and replies

should be received in April or May 2019. In addition, separate questionnaires will be drafted for the personnel in early childhood education and care and pre-primary education. The Finnish National Agency for Education will start working on the results in summer, and a report is to be published by the end of the year.

Au mensa - Come along project

141. The Ministry of Education and Culture has since 2014 supported a project called *Au Mensa - Come along* run by the Finnish Roma Association. The project aims at helping young Roma to have their voice heard by asking their opinions, by encouraging them to participate in debate on topics important to them and by organising activities and events for them.

142. In the first phase of the project, young Roma were consulted about their wishes and needs in respect of, for example, employment, social status and leisure activities. Later the project has focused on activating young Roma and providing concrete support for education, leisure time, employment and social influence. The project has also included networking and increased, for example, the knowledge of teaching personnel and teacher students of the Roma culture. The Ministry of Education and Culture has decided to continue financing the project with 250 000 euros in 2018 to 2020.

Education of the Roma

143. In 2015, the Finnish National Agency for Education conducted a study on the educational backgrounds of Roma adults.³³ Approximately two thirds of the respondents had received their school-leaving certificate either from a comprehensive or an elementary school. One third did not have a school-leaving certificate. 25 per cent of the Roma who had attended school in the 1950s had received a school-leaving certificate.

144. Completion of basic education has increased rather steadily among the Roma, and in the first decade of the 21st century slightly over 80 per cent of the Roma had a school-leaving certificate. Furthermore, the attitudes among the Roma towards the completion of compulsory education and education in general have improved. In the youngest age group of adult Roma, nearly 100 per cent of Roma girls complete compulsory education. Dropping out of school is still more common among Roma boys.

145. According to the above-mentioned study, the Roma can rather well utilise the opportunities of vocational education and training. More than one third of adult Roma have a vocational qualification, but very few enrol in a general upper secondary school or university.

146. 85 per cent of the students participating in vocational education and training were women (142 persons). The large share of women can be explained by the fact that women usually studied in large groups. Men (26 persons), on the other hand, studied as individual students at educational institutions, or at least their groups were significantly smaller. The total number of students and the ratio of male and female students are influenced by the fact that during the school year concerned, one educational institution organised training specifically targeted at Roma women at several localities. A total of 80 women participated in this training.

³³ Satu Rajala and Satu Blomerus. A review of the educational backgrounds of adult Roma. Reports and studies 2015:8.

147. In 2018, the Finnish National Agency for Education published a guidebook on upper secondary schools for the Roma to give them information about general upper secondary education and provide them with access to academic further education enabled through general upper secondary education.

148. In 2019, the Finnish National Agency for Education will publish information material for young and adult Roma dealing with, for example, the significance of adult education, every day skills, study skills, the combining of studies and everyday life, the costs of studies and financing opportunities as well as education possibilities at adult education institutions. The Finnish National Agency for Education will also continue to arrange meetings around these themes with the Roma in different places to create interaction on the importance of education.

149. There are no separate programmes targeted at the Roma in vocational education and training; instead, the Roma apply for and participate in vocational education within the ordinary system. The reform of vocational education and training can also be considered to improve the opportunities of the Roma to participate in education and find employment. The language of instruction in vocational education is Finnish, Swedish or Sámi. Instruction may also be given in the Romani language.

150. In respect of vocational education and training, the Roma population has also been considered in the amended core curricula for education and counselling. The vocational qualification in education and counselling includes a separate competence area in Roma work. The modules of the qualification in the competence area in Roma work have been designed to allow representatives of different fields to strengthen their competence in Roma work. In addition, the new core curricula include an optional module called *Use of Romani language in counselling*.

151. New licences to award vocational qualifications and to provide education have been granted since the beginning of 2018. When the education providers' minimum number of student years was assessed upon awarding the licences, education of the Roma was taken into account as one factor in respect of those education providers that over the past years had also paid attention to the vocational education and training of the Roma, with the objective of improving the education level of Roma adults, in particular. These providers have developed approaches to promote the training and employment of the Roma in cooperation with the Roma organisations and actors and the authorities.

152. In addition, they have made active efforts to influence prejudices and attitudes at educational institutions and in working life, in particular, but also in society at large.

Romani language teachers

153. The status of the Romani language is highly endangered in Finland, especially among young adults, teenagers and children. It has also been included in the Unesco's list of endangered languages. According to the Institute for the Languages of Finland, only one third of the Roma have a good knowledge of the Romani language and two thirds no longer use it. The Romani language is passed down to new speakers first and foremost through teaching. One challenge is to empower and encourage the Roma community to use its language.

154. There is a shortage of Romani language teachers. It is now possible to study the Romani language and culture at the University of Helsinki, and the number of students is

increasing. The Finnish National Agency for Education is also going to launch a project to develop distance teaching of the Romani language. This would allow for teaching the Romani language to Roma pupils in several localities.

Financing projects of the European Social Fund for the education of the Roma

155. Nationwide financing from the European Social Fund (ESF) has been directed to projects which support enrolment in education by the Roma and facilitate pathways to education, such as the project *Tšetanes naal* - educational pathways. The project also aims at strengthening knowledge and skills related to Roma awareness.

Meetings between the Ombudsman for Children and young Roma

156. In 2016, the Ombudsman for Children met young Roma in an event organised by the personnel of the Roma project run by the city of Jyväskylä. In the event, young people hoped for, for example, more leisure activities where they could also participate in the women's traditional Romani outfit. They also brought up challenges related to employment. Young Roma feel that they have to prove their skills twice as hard as others because many people are prejudiced. Internships would be particularly important for young Roma but it is difficult for them to find placements. The Romani language and prejudices towards the Roma were also brought up. Many children and young people would be interested in learning the Romani language, but this is challenging since the language is taught only after normal school hours. Nearly all children and young people told the Ombudsman that they had experienced bashing and name calling. Solving the problem would require more information on different cultures at schools, for instance.

Promoting the Tatar culture

157. There are approximately 700 Turkic Tatars in Finland. The first Tatars moved to Finland as early as in the 1870s and most of them between 1917 and 1920. The majority of them speak Tatar as their mother tongue. Most of the Tatars live in the metropolitan area and Järvenpää. The members of the Tatar community have created their identity in a balanced way, in harmony with the values of the Finnish mainstream society and integrated successfully into Finnish society. At the same time, they have managed to preserve their religion (Islam), culture and the Tatar language among fifth-generation immigrants. The Tatars in Finland are well organised so as to preserve their language, religion and culture.

158. The Finnish Islamic Congregation, established in 1925, takes care of teaching the Tatar language and Islamic religion and gives financial assistance to other Tatar organisations.

159. The congregation organises activities and training for its members of all ages as follows:

- nursery school on Saturdays
- lunch-time meetings for retired persons on Wednesdays
- religion and mother tongue instruction for children of comprehensive school age on afternoons after school hours and 10- to 14-day summer camps for children aged between 7 and 16 years in summer
- religion and mother tongue groups for adults in the evenings.

160. Since marriages with non-Tatars have become more common over the past years, Tatar language courses have been organised for these persons. The congregation pays for teaching material / school books. It also publishes its own newsletter *Mähallä habärläre* once or twice a year.

161. The cultural society FTB (established in 1935) organises Tatar-language soirées and other events, such as theatre, choir, folk dance and music performances in the Tatar language. The society has also often invited Tatar artists from the Republic of Tatarstan, with which it nowadays has good relations.

162. The sports club *Yolduz* (established in 1945) has had a football team of its own since its founding. It organises, for example, skiing weekends for young people and has for over 40 years arranged a winter holiday event at the Pajulahti sports institute. Its other activities include olympics for children, golf cup events and various sports activities for women and men, according to demand.

163. Finland's Islamic congregation has strong contacts with the surrounding society and is a member of *World Congress of the Tatars* (Kazan, Tatarstan). The congregation's president belongs to the 75-member board of the Congress. The community is also a member of the National Forum for Cooperation of Religions in Finland, and the Finnish Tatars participate actively in a dialogue between religions.

Revival programme of the Sámi language

164. The Government has agreed to implement an action plan for the revival of the Sámi languages³⁴. In addition to general subsidies, a special annual appropriation is granted to the Sámi Parliament for promoting the Sámi languages and culture. The Sámi Parliament is responsible for its channelling. Furthermore, the Government allocates a separate grant to the arts and cultural activities of *Sajos*, which functions as the cultural centre for the Sámi minority and as the headquarters of the Sámi Parliament and other Sámi institutes. In addition, in 2019 the Ministry of Education and Culture gives 160 000 euros to a project of the University of Oulu's *Giellagas* Institute which develops Sámi-language lexicography and language technology.

Revival programme of the Karelian Language

165. In its fourth report on Finland (paragraph 14), the Advisory Committee encouraged the authorities to advance their engagement with Karelian speakers and to address their requests as regards the enjoyment of minority rights, as well as to continue their flexible and inclusive approach.

166. The Ministry of Education and Culture granted 100 000 euros in 2017 and 200 000 euros in 2018 to the Karelian Language Association for launching a Karelian language revival programme. An appropriation of 200 000 euros has been reserved in the state budget 2019 for continuing the revival programme of the Karelian language. The objective of the revival programme is to strengthen and develop the Karelian language and culture, which, according to experts, are facing the risk of disappearing without active revival measures. A six-volume Karelian language dictionary was published between 1968 and 2005 in

³⁴ Action Plan for the Revival of the Sámi Language, Working group memoranda and reports of the Ministry of Education and Culture 2012:7,

<http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/75374/tr07.pdf?sequence=1&isAllowed=y>

cooperation between the Institute for the Languages of Finland and the Finno-Ugric Association. The Institute for the Languages of Finland updates the related online dictionary as necessary.

ARTICLE 6

1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

Attitudinal climate

167. In its fourth report (paragraph 52), the Advisory Committee encouraged the Finnish authorities to defuse the increasing climate of interethnic prejudice and tension by stepping up efforts to combat all forms of intolerance, racism, xenophobia and hate speech, in particular in social media. Appropriate measures that target the entire population include awareness-raising and tailored information campaigns, strengthening the provision of advisory services on hate speech, and enhancing human rights education at school, including to tackle bullying.

168. In its report to Parliament in 2018, the Non-Discrimination Ombudsman examines the attitudes towards national minorities³⁵. The Ombudsman notes that negative attitudes are visible in approaches to national linguistic minorities, such as Swedish-speaking Finns, Sámi and Roma. The status of Swedish as the second national language is challenged more strongly and Swedish-speaking Finns face actual harassment. The constitutional status of the Sámi as an indigenous people with the associated rights has been questioned, including by decision-makers. Measures have been taken to revive the Sámi languages but at the same time, the right of the Sámi to be consulted in decisions affecting them has been implemented inadequately. Prejudices towards the Roma are typically manifested in discriminatory treatment at shops and restaurants, for example.

Hate crimes reported to the police

169. In 2017, there was an 8 per cent increase in the number of hate crimes reported to the police as compared to the previous year. According to a study published by the Police University College³⁶ in November 2018, a total of 1 165 reports of an offence classified as suspected hate crimes were registered.

170. Even though the number of hate crimes reported to the police increased, it did not reach the level preceding the year 2016. The number of main offences decreased by 99; here

³⁵ https://www.eduskunta.fi/FI/vaski/Kertomus/Documents/K_6+2018.pdf

³⁶

https://www.polamk.fi/polamk_tiedottaa/1/0/viharikollisuuden_maara_tasoittunut_vuoden_2015_kasvuupiikin_jalkeen_76110

the main offence refers to the most serious offence towards the injured party who filed the report of an offence. All in all, the number of hate crimes can be concluded to have levelled off, while still remaining above the longer-term average following the immigration wave in 2015. Some of the hate crimes are hidden crimes. The police aims at reducing hidden crime, and crime victims are therefore encouraged to report crimes to the police.

171. As in previous years, most of the reports of hate crimes filed in 2017 included elements related to ethnic or national origin, and the most common offence was assault.

172. Last year the police registered 813 suspected hate crimes motivated by ethnic or national origin, which is 18 fewer than the year before. Hate crime monitoring was improved by adding a sub-category for monitoring hate crimes against the Roma. Last year 10 percent of all reports of an offence were motivated by ethnic or national origin, and 9.7 per cent of main offences were directed at a person of Roma origin. The most common incident among these 81 reports of an offence was discrimination.

173. The greatest change took place in the number of suspected hate crimes against religion or conviction, which increased in 2017 by 58 per cent as compared to the previous year. The police registered a total of 235 such hate crimes, of which 63 were targeted at the Islamic religion.

174. Hate crimes reported to the police have been monitored in Finland already for 20 years. Hate crimes are recorded on the basis of nationwide data on reports of an offence provided by the police.

175. Over the past few years, the police have intensified their actions to identify and combat hate crimes. According to the instructions of the National Police Board, the police should, upon recording reports of an offence, use the hate crime classification whenever they suspect that the case may involve elements of a hate crime. In 2017, the police used the classification in connection with 39 per cent of all hate crimes reported to the police, whereas in 2016 it was used in 23 per cent of cases. One important reason for the increase in the use of the classification is the development of special hate crime training for the police.

176. At the beginning of 2017, a national hate speech investigation team was established at the Police Department of Helsinki, with the task of addressing punishable hate speech appearing on the Internet. The increase in the number of reports of hate crimes in 2017 is, in fact, largely explained by the reports of an offence registered by this team. The offences included incitement against an ethnic group, defamation or unlawful threat.

Number of suspected hate crimes between 2011 and 2017							
	2011	2012	2013	2014	2015	2016	2017
Ethnic or national background	788	641	710	678	991	831	813
Religion or conviction	61	45	73	68	133	149	235
Sexual orientation, gender identity or gender	45	30	39	47	61	57	60

expression							
Disability	24	16	11	29	65	42	57
Total	918	732	833	822	1250	1079	1165

Antisemitism

177. The Jewish Community of Helsinki estimates that antisemitism has increased in Finland. According to a report published by the Police University College in November 2018³⁷, a total of ten incidents of suspected hate crimes against Judaism or Jews were recorded in 2016. Antisemitism appears especially on the Internet but also manifests itself as concrete insults and dirtying of the community's properties. The Finnish Ecumenical Council has suggested that the Jewish community faces an explicit threat from the extreme right, extreme left and extreme Islamists as well as discrimination and threat from immigrants originating from the Middle East region.

178. The Ministry of the Interior works in close cooperation with the Jewish community of Helsinki to monitor the security situation and address shortcomings. Since the beginning of 2015, the Helsinki Police District has provided protection for the Jewish community of Helsinki on a daily basis. The community has organised a campaign to collect funds for improving its safety.

Gender-related hate speech faced by minorities

179. According to the Gender Equality Barometer³⁸ published in 2017, women belonging to minorities experience inappropriate behaviour, i.e. sexual harassment, gender-related hate speech and underestimation or belittling behaviour, clearly more frequently than men.

180. Gender-related hate speech had been experienced by 27 per cent of women and 9 per cent of men who defined themselves as belonging to a minority. The fear of violence and hate speech also influenced behaviour: one fourth of the women and one fifth of the men had refrained from going out in the evening because of the fear of violence. The number of those who had changed their behaviour because of the fear of hate speech was nearly equal to the number of those who had faced hate speech.

Training on combating hate crimes

181. In its fourth report (paragraph 57), the Advisory Committee encouraged the authorities to intensify their efforts to raise public awareness of the legal remedies available against hate crime to further improve training of law enforcement agents to detect, investigate and sanction hate speech and hate-motivated offences, and to enhance trust of persons belonging to minorities in the police and judicial systems for reporting and bringing

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https://www.polamk.fi/polamk_tiedottaa/1/0/viharikollisuuden_maara_tasoittunut_vuoden_2015_kasvuupiikin_jalkeen_76110kuntien

³⁸ Publications of the Ministry of Social Affairs and Health 8/2018: https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/160920/STM_08_2018_Tasa-arvobarometri%202017_net.pdf?sequence=4&isAllowed=y

cases to justice, including via increasing the presence of persons belonging to minorities in the police.

182. Combating hate crimes has been discussed in training events organised by the Ministry of Justice for general courts, targeted at judges and rapporteurs. A training event on topical issues in criminal law was organised on 22 November 2017. In addition, the Office of the Prosecutor General organised training on racist and hate crimes on 14 and 15 May 2018, targeted at the prosecutors from different prosecution offices participating in the training programme on discrimination and equality. The following themes included in the training programme are related to hate speech: discrimination and hate speech issues at the Office of the Non-Discrimination Ombudsman, hate crimes and hate speech, and hate crime cases handled by courts.

183. In spring 2019, tripartite training involving the police, prosecutors and judges will be organised in five localities as part of the *Against Hate* project.

Tolerance and inter-cultural dialogue

184. Based on the Action Plan on Democracy Policy 2017-2019, the National Action Plan on Fundamental and Human Rights 2017-2019 and the National Action Plan on Youth Work and Policy 2017-2019, the Ministry of Justice launched in April 2018 a project to coordinate the measures outlined by the Government for developing democracy and human rights education and promoting social inclusion of young people. The project will be implemented between 2018 and 2019 in cooperation with, for example, the Ministry of Education and Culture, the Finnish National Agency for Education, universities, Government Youth Council, centres of excellence for youth work, and youth organisations.

185. In connection with the project, the University of Helsinki will collect and select existing learning material on democracy and human rights education in a database widely used by teachers at comprehensive schools and general upper secondary schools in Finland. An online course on democracy and human rights education will be drafted for teachers and piloted in close cooperation with the national university network. The project activities will be governed by the Human Rights Centre, the Ministry of Justice and the person in charge of the Unesco's professorship in human rights education awarded to the University of Helsinki in 2017 (*UNESCO Chair in Values, Dialogue and Human Rights in Education*).

186. In addition, the Ministry of Justice will award an annual democracy prize. In 2018 the theme of the prize was democracy and human rights education. This prize of 10 000 euros can be awarded to civil society actors. The democracy prize of 2018 aims at highlighting and sharing good practices of the civil society in the promotion of democracy and human rights education. At the same time, its purpose is to acknowledge the work of actors involved in democracy and human rights education. The democracy prize was now awarded for the fifth time.

Expert group against hate speech and cyberbullying

187. Actions against hate speech and cyberbullying will be intensified by means of cooperation between an expert group and officials. In November 2018, the Ministry of the Interior, the Ministry of Justice and the Ministry of Education and Culture launched a project with the task of drafting proposals for more efficient eradication of hate speech punishable

under criminal law and harassment prohibited by law and for promoting a debating culture where other people are taken into account.

188. Over the recent years, humiliation, threatening and insulting, for example, have become more common in online discussions. In its extreme case, this development will result in the increase of the sense of insecurity and in a situation where people can no longer use their freedom of expression enshrined in the Constitution as they are afraid of becoming targets of hate speech or hate campaigns.

189. In this project, hate speech refers to all forms of expression which spread, incite, promote or justify ethnic hatred, xenophobia, antisemitism or other hatred based on intolerance. Other forms of influence, such as disinformation and false news, are also associated with hate speech.

190. The working group is assigned to gather ongoing actions against hate speech and make recommendations for new measures, both in the short and in the long term. The working group has to ensure that the actions implemented by the authorities and civil society against hate speech and cyberbullying, as well as exchange of information will be coordinated and harmonised better in the future.

191. The working group will also draft proposals for promoting a debating culture where other people are respected and taken into account. This needs to include measures to disseminate information on hate speech and cyberbullying as well as on their effects and consequences among citizens.

Åland's Non-Discrimination Ombudsman

192. Åland is a Swedish-speaking county of Finland, consisting of over 6 500 islands. The status of the Swedish language, the extensive autonomy and the competence of the Åland legislative assembly are provided for in a specific Act on the Autonomy of Åland (1144/1991). The islands have approximately 29 000 residents.

193. The special status of the Åland Islands is based on a decision given by the League of Nations in 1921. Finland has an obligation to guarantee the residents of Åland a right to preserve the Swedish language, their own culture and their local customs. An international treaty on the Åland Islands was also concluded at the same time, under which Åland is a neutral and demilitarised zone. One seat in Finnish Parliament is reserved for the representative of Åland.

194. A protocol on the Åland Islands (Protocol No 2) was attached to the Act of Accession of Finland into the EU. The Protocol recognises the special status that the Åland Islands enjoy under international law as well as the right of domicile on Åland.

195. According to the Act on the Autonomy of Åland, Swedish is the only official language on Åland. Section 7 of the Language Act explicitly excludes Åland from its scope of application. Language provisions concerning Åland are included in the Act on the Autonomy of Åland. However, according to the Act on the Autonomy of Åland, in a matter concerning himself/herself a citizen of Finland shall have the right to use Finnish before a court and with other State officials in Åland.

196. Since 2000, the composition of Åland's population has started to change. This development can be tracked in detail through annual reports drafted by the Statistics and Research Åland (ÅSUB) on the composition of the population according to, for example, the

place of birth, nationality and mother tongue. After 2000, the share of Swedish-speaking population on Åland has decreased from 94 to 87 per cent. During the same period, the share of Finnish-speakers has remained around 5 per cent. More than 60 languages and approximately 75 nationalities are represented on Åland.

197. The Åland Non-Discrimination Ombudsman acts within the county's jurisdiction to combat and prevent discrimination based on an ethnic group, religion or other conviction, disability, age or sexual orientation. In addition, the Non-Discrimination Ombudsman combats and prevents discrimination based on gender, gender identity and gender expression.

198. During 2015 to 2017, the Non-Discrimination Ombudsman primarily gave advice to persons living on the Åland Islands as well as to municipalities and other authorities. The Ombudsman handled a total of 154 cases where advice was requested. In three of these cases the Ombudsman concluded that discrimination had taken place on the ground of belonging to an ethnic group. During the first half of 2018, the Non-Discrimination Ombudsman handled a total of 31 cases related to advice provision, three of which concerned discrimination experienced on the ground of belonging to an ethnic group.

199. The provincial act enacted to prevent discrimination on Åland does not mention language as a ground for discrimination but it should be noted that according to a study (ÅSUB 2014:9), language was found as the most common ground for discrimination faced by people who had moved to the Åland Islands from outside the Nordic Countries. This issue is being dealt with in connection with the reform of the Basic Education Act of Åland and the drafting of the new curriculum for comprehensive school, which allow for strengthening the rights of people living on the Åland Islands whose mother tongue is not Swedish. According to the reform, the right to instruction in one's mother tongue at comprehensive school would be laid down by an act.

Health and medical care in Åland

200. According to the Provincial Government of Åland, it is problematic in the area of health and medical care that the Current Care guidelines and the *Pharmaca Fennica* medicine guidebook are available only in Finnish.

201. In December 2014, the Provincial Government of Åland filed a complaint with the Parliamentary Ombudsman concerning the fact that the Ministry of Social Affairs and Health had not provided information corresponding to the content of the Current Care guidelines and *Pharmaca Fennica* in Swedish.

202. The Parliamentary Ombudsman made a decision on the matter in December 2015, concluding that the public authorities should have had the Current Care guidelines translated into Swedish since patient safety is related to fundamental rights concerning life, safety and adequate health and medical care services.

203. The Parliamentary Ombudsman also considered that the Ministry of Social Affairs and Health and the other state authorities involved should discuss with the authorities of Åland how to ensure that doctors who do not understand Finnish have access to the information provided in the summaries of the product characteristics of medicines (included in *Pharmaca Fennica*) that is necessary for safe prescription of medicines.

Åland Police Authority

204. The Åland police authority is an independent authority operating under the Provincial Government of Åland. The Åland police authority carries out the tasks on the Åland Islands that are the responsibility of the local police in the country. The Police Academy of Finland in Tampere is responsible, also for Åland, for the recruitment to the police academy and admissions for undergraduate education and management training, for the training at the educational institution as well as for research and development in the police field.

205. Nowadays the new information systems of the Åland police function also in Swedish. The working groups working with the information systems are Finnish speakers, but the Åland police authority has occasionally been invited to participate in the operation of different working groups. Now the police administration pays more attention to Åland in the preparation of matters and development of systems.

Police education provided in Swedish

206. The Åland Government points out that the basic police education provided in Swedish functions fairly well but the further education rather poorly because very few courses are taught in Swedish. Because of the insufficient availability of further education in Swedish, the police in Åland will, in the long term, have poorer opportunities than their counterpart in the mainland Finland to maintain their know-how and to ensure a modern and legally certain police administration. A common problem for all education in Swedish is that it is organised so infrequently at different levels – basic, senior officer and commanding officer level. That is why career advancement is considerably slower for policemen taking their degree in Swedish than for those who can study in Finnish.

207. The basic police education provided in Swedish continues to function fairly well even though it has not always been possible to start courses as planned. The reason for the cancellations is that the Police University College has not managed to recruit sufficient numbers of applicants and that the application periods have therefore been prolonged. What is positive is that a commanding officer course was started in 2017. However, there are still long intervals between senior officer courses and commanding officer courses taught in Swedish. This is because of the lack of Swedish-speaking resources in the Police University College: those few employees of the College who are still working on education in Swedish can no longer teach parallel courses.

208. In web-based education, the developments have been somewhat more positive. Of all twelve web courses that have been organised, eight are being taught in Swedish. Still, it would be important to provide all web-based education in Swedish, not only for the needs of Åland but also for those policemen working in the mainland Finland who speak Swedish as their mother tongue.

209. The Åland Government further states that Finnish authorities should pay more attention to ensuring sufficient training of emergency response centre operators in Swedish. This applies to both Åland and the mainland Finland.

Regulations and instructions

210. In recent years, significant progress has taken place in the regulations and instructions issued by the police administration as now they are in most cases issued both in Finnish and Swedish at the same time.

Tackling bullying and promoting wellbeing at schools

211. A working group appointed by the Ministry of Culture and Education has examined ways to prevent and tackle bullying and to promote school peace. Its assignment covered early childhood education and care, pre-primary and primary education and secondary education. The working group completed its work in March 2018 and presented a proposal containing 24 suggested measures. The objective of the working group's proposals is to ensure the safety and wellbeing of each and every child and young person when they participate in early childhood education and care, instruction or education.

212. The working group proposed, for example, that a provision laying down that a child must be protected from bullying, violence and other forms of harassment should be included in the Act on Early Childhood Education and Care. In addition, the working group proposed launching a development and research project to support socioemotional development of children and to prevent bullying in early childhood education and care. According to its proposal, a national assessment body should be established in Finland for assessing methods which prevent bullying and contribute to wellbeing and peace at workplace. This body would also disseminate information on effective methods and gather reliable, up-to-date and practical information for educators and education and training providers on methods for promoting wellbeing and peace at workplace. Preventing bullying and promoting peace at workplace in early childhood education and care, schools and educational institutions are primarily associated with the development of operating culture.

213. Wellbeing at schools is also supported by promoting security culture. In spring 2018, the Ministry of Education and Culture launched an action plan to improve the security culture of learning communities in early childhood education and care, in pre-primary and primary education, at secondary education establishments and at universities. The action plan also deals with the prevention of harassment and bullying since security covers the physical, psychological and social security of learning environments. An appropriation of 5 million euros is reserved for implementing the action plan. The action plan includes planning in-service training for teachers in cooperation between the Ministry of Education and Culture, the Finnish National Agency for Education and the National Police Board.

214. In vocational education and training, the improvement of security culture is an integral part of the implementation of the vocational education reform. The intention is that a broad-based working group will prepare a proposal for a security strategy in vocational education for early spring 2019. The strategy's implementation will include collecting, disseminating and awarding best practices for promoting security culture.

215. In autumn 2017, Minister for Education *Sanni Grahn-Laasonen* set a National Literacy Forum to challenge the declining literacy and people's willingness to read. The Forum is tasked to draft guidelines to develop children's literacy and interest in reading. The guidelines comprise proposals for correcting aversive developments in the development of the interest in reading and literacy and for ensuring that all children and young people have a sufficient literacy for continuous learning and active life. The scope of literacy has

expanded to cover multi-literacy skills, including the skills to assess messages critically and analytically in different contexts. Multi-literacy skills are also needed in tackling hate speech.

Support by the Association of Finnish Local and Regional Authorities to municipalities

216. The Non-Discrimination Act (7/2015) obligates municipalities to promote equality and prevent discrimination in respect of 13 grounds for discrimination in their capacity as employers, authorities and education providers. The Act applies to all municipal entities, including joint municipal authorities.

217. The Association of Finnish Local and Regional Authorities supports equality planning in municipalities as part of the Ministry of Justice's Rainbow Rights project and, for example, by means of a guidebook for municipalities published by the Association in connection with the project. The part of the project the Association is responsible for deals with all 13 grounds for discrimination laid down in the Non-Discrimination Act, including ethnic minorities and the rights of LGBTI persons. One pilot municipality was Utsjoki, where attention was also paid to multiple discrimination of minority groups and gender and sexual minorities.

218. Both the Association of Finnish Local and Regional Authorities and the Local Government Employers have published circulars for their members on the Non-Discrimination Act. The Association of Finnish Local and Regional Authorities encourages municipalities to promote gender equality in respect of the European Charter for Equality of Women and Men in local administration. The Charter also emphasises the prevention of multiple discrimination and addressing the position of disadvantaged persons, also in respect of ethnic groups. The significance of the Charter was stressed as the Association's act for equality in the 100 acts for gender equality campaign in connection with Finland 100 years celebrations. Circular No. 2/2015 issued by the Local Government Employers concerns the application of the Non-Discrimination Act.

Bullying of children belonging to minority groups at schools

219. According to a school health survey³⁹, children and young people belonging to minority groups are at a higher risk of being exposed to bullying at school and elsewhere. The status of belonging to a national minority was not separately recorded in the school health survey, but the results otherwise indicate that minority children and young people face more bullying. According to the survey, 19 per cent of primary pupils, 24 per cent of secondary pupils, 11 per cent of general upper secondary school pupils and 13 per cent of vocational students had faced discriminatory bullying on the ground of appearance, gender, skin colour or language, disability, family background or religion at school or in leisure time. More than 40 per cent of young people who are placed outside home, have a disability and were born abroad experience discriminatory bullying.

220. Roma children and young Roma interviewed for a survey⁴⁰ conducted by the Office of the Ombudsman for Children had experienced considerably more bullying at school than children and young people on average. Roma children and young Roma who had repeatedly faced serious bullying disclosed that it was not until after a long time that they dared to tell

³⁹ The National Institute for Health and Welfare (2017).

⁴⁰ Pekka Junkkala and Sanna Tawah: *Enemmän kuin erilaisia - Romanilasten ja -nuorten hyvinvointi ja heidän oikeuksiensa toteutuminen Suomessa, 2009 (Beyond different - Wellbeing of Roma Children and Young Roma and the Realisation of Their Rights in Finland, 2009).*

about the bullying either to teachers or parents. The threshold for what they regard as bullying is high among Roma children and young Roma.

Project to test a tool for assessing the participation rights of children and young people

221. The Ministry of Justice has launched a project to test a tool for assessing the participation rights of children and young people. The pilot project assesses the realisation of children's and young people's participation rights in Finland using the assessment tool developed by the Council of Europe. It will explore in 2019 how well the rights of children and young people to express their views and participate in matters affecting them are realised in Finland. The assessment will consider, for example, national legislation, structures and systems for safeguarding the participation of children and young people. In addition, it will be explored how well children and young people are themselves aware of their rights and whether they find the participation channels functional. The project will be implemented together with authorities and non-governmental organisations working with children. The tool consists of ten indicators.

ARTICLE 7

The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion.

Proposal for the amendment of the Assembly Act

222. Under the Constitution, everyone has the right to arrange meetings and demonstrations without a permit, as well as the right to participate in them. More detailed provisions on the exercise of the freedom of assembly are laid down in the Assembly Act (530/1999).

223. The objective of the Act is to guarantee the exercise of the freedom of assembly, as provided in the Constitution of Finland, as well as to lay down the necessary regulatory provisions on the arrangement of public meetings and public events. The Assembly Act applies both to public meetings and public events. It does not apply to official events arranged by public corporations, nor to the characteristic events of religious communities where these are arranged for the purpose of public worship in the community's own premises or in a comparable place.

224. According to section 7 of the Assembly Act, when a public meeting is to be arranged outdoors in a public place, the arranger shall notify the local police of the same orally or in writing at least six hours before the beginning of the meeting. Also a later notification may be considered valid under the Act, if the arrangement of the meeting does not cause significant disruption to public order. The purpose of the time limit is to give the police sufficient time for preparing for performing its statutory tasks related to a meeting.

225. The Government proposal in preparation suggests amending the Assembly Act such that the local police should be notified of a meeting arranged outdoors in a public place at least 24 hours before the beginning of the meeting. The purpose of extending the period of notification is to provide the police with better possibilities of guaranteeing the exercise of the freedom of assembly and performing their other tasks associated with public meetings.

Working group on religious and cultural dialogue

226. For promoting good relations and dialogue between population groups, the Advisory Board for Ethnic Relations (ETNO) appointed a working group on religious and cultural dialogue for a third successive term on 9 March 2018. The task of the expert working group operating until 30 April 2019 is to propose measures for promoting the sense of togetherness among multi-cultural young people in Finnish society. The participants of the working group include religious communities, organisations and research institutes.

ARTICLE 8

The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.

Instruction of small religions

227. According to the new core curricula, pupils in basic education are guided to identify and appreciate cultural meanings of the environment and to build their own cultural identity and a positive relationship with the environment. Pupils learn to know and appreciate their living environment and its cultural heritage as well as their own social, cultural, religious, belief-based and linguistic roots.

228. Instruction of small religions will be organised if there are a minimum of three participants. At the parents' wish, a child belonging to a minority religion may alternatively participate in life philosophy instruction, which must also be organised if there are a minimum of three participants. However, it is often difficult to organise instruction of small religions because of, for example, a poor availability of competent teachers and learning materials. Pupils may have to move to another building for religion instruction or instruction takes place after the normal school day.⁴¹ The number of teachers with the required qualifications is considerably lower than on average. The realisation of equality often also depends on the child's place of residence.

229. In January 2019, the Government's analysis, assessment and research unit published a report⁴² on the situation of instruction in minority languages and religions and in Finnish and Swedish as the second national language at different education levels, which was drafted by the University of Helsinki. The report gives several recommendations for, for example, increasing the teachers' competence level.

⁴¹ The Ombudsman for Children expressed its opinion on the issue e.g. on its website on 16 June 2015: <http://lapsiasia.fi/tata-mielta/lausunnot-2/lausunnot-2014/lapsiasiavaltuutetun-lausunto-muiden-uskontojen-kuin-evankelisluterilaisten-ja-ortodoksisen-uskonnon-opetusperusteiden-tiukennuksesta-perusopetuksessa-ja-lukiokoulutuksessa/>

⁴² Communication by the Council of State and link to the report: https://vnk.fi/artikkeli/-/asset_publisher/selvitys-omien-aidinkielten-ja-uskontojen-opetus-osaaviin-kasiin

Support by the Orthodox Church of Finland to the Sámi Homeland

230. The Orthodox Church of Finland has sought to support activities in the Sámi Homeland especially because most of the Skolt Sámi are its members. The church has provided financial assistance from its central fund to the recruitment of a priest and a cantor with the knowledge of the Sámi language for the Sámi Homeland. The Orthodox Church of Finland has also played an important role in the development of Skolt Sámi and worked for the translation of religious texts into Skolt Sámi. Efforts have been made to enhance the use of Skolt Sámi in the area, including the recently initiated production of Orthodox religious programmes in the Sámi language.

Non-medical circumcision of boys

231. Non-medical circumcision of boys is a tradition followed especially by Finland's Jewish community and Islamic Tatar minority. Along with immigration, the number of Muslims following the tradition has increased in Finland.

232. Finland has no legislation allowing or prohibiting non-medical circumcision of boys. The Supreme Court outlined in 2008 that religious circumcision does not constitute an offence if it is performed appropriately. On the other hand, female genital mutilation as well as its preparation, attempt and aiding and abetting are punishable under current legislation. The act is punishable as aggravated assault, for which a maximum penalty of 10 years may be sentenced. This is also the case even if the act were committed outside Finland.

233. According to a survey by the Ministry of Social Affairs and Health, religious circumcisions are annually performed on approximately 400 boys. In 2015 the Ministry issued instructions on non-medical circumcision⁴³, requiring, for example, that the procedure be performed in appropriate circumstances using pain relief and with the permission of both parents. However, charges for assault have also been pressed in Finland, and cases with problems or complications have been brought to the court. Afterwards the Supreme Court concluded in its decision (KKO:2016:25) that the instructions issued by the Ministry are not sufficient and the matter should be regulated by law.

234. According to the opinion of the Ombudsman for Children, non-medical circumcision of boys violates the right of minority children to equal physical integrity and the right of self-determination. The Ombudsman states that the procedure should not be allowed until a boy is mature enough to give his informed consent to it and that the matter should be regulated by law.⁴⁴

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<https://stm.fi/documents/1271139/1367411/Ohje+poikien+ei+l%C3%A4%C3%A4ketieteellisest%C3%A4+ymp%C3%A4rileikkauksesta.pdf/80fa20c0-1917-4dc0-912d-16cc5fb380eb>

⁴⁴ In 2013, Nordic Ombudsmen for Children submitted a joint resolution on the issue, with the same main message, available online at http://lapsiasia.ssthosting.fi/?page_id=1238. The Ombudsman for Children arranged a comprehensive round-table discussion on circumcision of girls and boys in 2015, the material is available online at <http://lapsiasia.fi/aineistot/pyorean-poydan-keskustelut/tyttojen-ymparileikkaus-ja-poikien-ei-laaketieteellinen-ymparileikkaus/>

ARTICLE 9

1. *The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.*
2. *Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.*
3. *The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.*
4. *In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.*

Media Policy Programme

235. The Government made a resolution to adopt a Media Policy Programme on 5 July 2018⁴⁵. The objectives and measures of the resolution aim at ensuring the diversity of Finnish media and conditions for producing Finnish journalism. The measures improve the citizens' opportunities to receive reliable information in their own language.

National minority-language newspapers and electronic publications

236. Discretionary government grants are allocated annually to support newspapers and online publications published in Swedish, Sámi, Karelian and Romani and in the sign language, the production and publication of material in Sámi and Karelian in connection with newspapers published in Finnish or Swedish, as well as Swedish-language news service. Before decisions are made, the Swedish Assembly of Finland and the Sámi Parliament are consulted. The appropriation for 2018 was 500 000 euros.

Swedish-language media

237. Along with a channel reform, the Swedish channel Yle Fem was merged in spring 2017 with the Finnish channel Yle Teema. Even though the number of Swedish-language programmes broadcast on Yle's television channels has slightly decreased since the reform, the share of Swedish-language broadcasts has increased in digital services (Yle Areena).

Russian speakers as media users

238. A project⁴⁶ called *Finland's Russian Speakers as Media Users*, funded by the Government's analysis, assessment and research unit, studied how Russian speakers in Finland use media. The study included 25 interviews focusing on changes in the media usage by the target group, current media usage and comparison of media landscapes in Finland

⁴⁵ <https://valtioneuvosto.fi/hanke?tunnus=LVM052:00/2017>

⁴⁶ <https://tietokayttoon.fi/julkaisu?pubid=14701>

and Russia. Furthermore, expert interviews were carried out to analyse the state and prospects of Russian-language media in Finland.

239. The first key observation of the report published in October 2016 was that the media landscapes of Russian speakers extend across borders. On average, their media usage is highly versatile and has varying motives. Second, the Russian speakers' own media in Finland are rather extensive, albeit scattered. The third key observation was that the Russian television, strictly governed by the state, produces an image of the world and different events that serves the objectives of the rulers.

Karelian-language media

240. The coverage of Karelian-language news was extended from regional into national on 7 April 2018 when Karelian-language news was included in the programme palette of Yle Radio 1. A four-minute news programme called *Yle uudizet karjalakse* is broadcast on Saturdays. The news release covers the most important national affairs, including also news on the Karelian language and culture. The Karelian-language news service is implemented in cooperation with the Karelian Language Association.

ARTICLE 10

1. The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.

2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

3. The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.

Recommendation - first language access to social welfare and health care services, in particular in Swedish and Sámi

Intensify efforts to ensure that first language access to social welfare and health services is adequately available, in particular in Swedish and Sámi, and that any administrative reforms guarantee the linguistic rights of persons belonging to minorities.

Report on the application of language legislation 2017

241. A report of the Government on the application of language legislation (language report)⁴⁷ is submitted to Parliament once every government term, i.e. every four years. The language report addresses, in addition to Finnish and Swedish, at least Sámi, Romani and the sign language and, where necessary, the linguistic conditions in the country in more general

⁴⁷ Report of the Government on the Application of Language Legislation 2017, Government publications 10/2017, 31 January 2018,

http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/160561/VNK_H1017_Report%20of%20the%20Government%20on%20the%20Application%20of%20Language%20Legislation%202017_net_3.pdf?sequence=1&isAllowed=y

terms. The report must discuss the application of language legislation, the realisation of linguistic rights, the language relations in the country, as well as the development of Finnish and Swedish.

242. The Report of the Government on the Application of Language Legislation 2017⁴⁸ was submitted to Parliament on 14 December 2017. It is attached to this periodic report. The central themes in the language report of 2017 were the climate of attitudes related to languages, the realisation of linguistic rights in social and health care and in state-owned companies as well as issues related to integration and digitalisation as future challenges. The report discusses key observations related to each theme, giving proposals for development and identifying essential challenges related to the theme. The language report includes proposals for measures for promoting the current linguistic conditions in Finland and for increasing awareness of various language and population groups.

243. Parliament completed the discussion on the language report in June 2018. In its report (2/2018), the Constitutional Law Committee called for measures to promote the linguistic climate and, in particular, to increase awareness of the diversity of linguistic conditions.

244. The Ministry of Justice will start, in cooperation with the Government, to plan measures for implementing the key observations brought up in the language report. The report includes the following key observations aiming at creating a positive linguistic climate and increasing awareness of linguistic rights:

245. *Consideration of language groups by the authorities:* Positive attitudes towards different language and population groups should be promoted. The authorities should consider more closely how client service situations are experienced by each language group. Authorities should give information on the rights of language groups and encourage different language groups to use their own language actively. When an official tries to speak the client's language, even if non-fluently, this contributes to a positive atmosphere.

246. *The Report of the Government on the Application of Language Legislation* pays particular attention to the realisation of linguistic rights in social welfare and health care. The Government made the following key observations on the realisation of linguistic rights in social welfare and health care:

247. *Measuring client satisfaction:* Health care districts should be more efficient and active in following whether clients have received services in the language they wish to use.

248. *Availability of personnel:* Both municipalities and health care districts reported that the main problem is the shortage of personnel with adequate language skills. In particular, it is difficult to recruit personnel with a knowledge of Swedish. Several parties have realised this but no overall solution has been found. New measures should be developed to improve the personnel's knowledge of languages and recruit personnel with good language skills. Language skills should be more strongly seen as part of the personnel's professional skills. Service in the client's language is part of high-quality care.

249. *Concentration of services:* Linguistic rights are realised poorly in areas where the proportionate share of linguistic minority is small. Based on examples, concentration of services according to language could be one solution to guaranteeing services in the person's own language.

⁴⁸The Ministry of Education and Culture has granted funding to the municipality of Utsjoki for a project to develop distance teaching of the Sámi language.

250. *Functioning of information systems:* Information systems are essential in checking the patient's language and producing written documents. Information systems may either support or hinder the realisation of linguistic rights, depending on their implementation.

251. *Availability of Sámi-language services:* Availability of high-quality and client-oriented social welfare and health care services in all three Sámi languages should be improved. This could be achieved, for example, by developing the practices in recruitment and filling of public posts as well as the professionals' knowledge of the Sámi language. In addition, the personnel's awareness of the Sámi culture and linguistic rights should be increased. Cross-border cooperation could in some respects improve the availability and fluency of services in Northern Sámi.

252. *Interpreting services for Sámi speakers:* It is necessary to ensure the quality and availability of interpreting services in the Sámi language. It should further be investigated how tele-interpretation could be used to a greater extent in social welfare and health care services. The realisation of the linguistic rights of the Sámi, both in the Homeland and outside it, could also be promoted by developing remote access to Sámi-language services.

253. *Information provision on services:* Information provision on the availability of Sámi-language social welfare and health care services should be improved.

254. *Swedish-language child welfare:* Information should be produced both on Swedish-language child welfare and Swedish-speaking child welfare clients as this would allow for developing a service network safeguarding the linguistic and cultural rights. The same also applies to other minority language groups in Finland.

Decisions by the Chancellor of Justice on complaints concerning the Swedish language

255. Decision No. OKV/210/1/2017 concerned the availability of child welfare services in Swedish. A city had problems with organising 24-hour services in Swedish in urgent situations. In other respects, the services could also be provided in Swedish. The city referred to the low number of Swedish-speaking clients and to difficulties in recruiting Swedish-speaking employees. The Deputy Chancellor of Justice stated that the right to use one's own language, Finnish or Swedish, is a subjective right and its realisation must be safeguarded by the authorities in different situations. Consequently, the authorities need to organise their activities so as to ensure the realisation of linguistic rights to the maximum extent possible in every situation. The Deputy Chancellor of Justice communicated his opinion on the right of child welfare clients to receive service in their own language to the city's social welfare and health care services

256. In case No. OKV/1201/1/2016 the complainant criticised the fact that he could not receive fire officer training in Swedish at a university of applied sciences which organised the training in cooperation with the Emergency Services College. According to its licence to provide education, the university of applied sciences in question was monolingual (Finnish) and could thus not be considered to have violated the law. However, while the complaint was pending, the legislation was amended and the responsibility for fire officer training was transferred from the Emergency Services College to the bilingual Police University College. In its report, the Police University College considered that fire officer training should be organised in Swedish, but also pointed out that the Ministry of the Interior decides on the appropriations for education in rescue services. The substitute for the Deputy Chancellor of Justice reminded the Police University College and the Ministry of the Interior on the provision laid down in section 17 of the Constitution that the public authorities shall provide

for the cultural and societal needs of the Finnish-speaking and Swedish-speaking populations of the country on an equal basis.

257. In case No. OKV/376/1/2017 the complainant criticised the Board of the Finnish Bar Association for the fact that the literature required for the written exam included in the bar examination was available only in Finnish. The Deputy Chancellor of Justice considered that in principle, the decision by the Board of the Finnish Bar Association to select only Finnish works for the literature requirements of the bar examination treats, from the perspective of the Constitution and the Non-Discrimination Act, unequally the persons who want to prepare for the written exam of the bar examination in their Swedish mother tongue. The Deputy Chancellor of Justice noted that it is difficult to rectify the shortcoming in the requirements of the written exam of the bar examination as, according to an enquiry, no up-to-date Swedish literature is available on litigation law. According to the opinion of the Deputy Chancellor of Justice, the Board of the Finnish Bar Association should, however, promote the equality of the participants in the written exam by having at least the commentary on the instructions of good professional conduct of attorneys-at-law, drafted by a working group set by the Board of the Finnish Bar Association, translated into Swedish. The Deputy Chancellor of Justice communicated his opinion to the Board and Examination Board of the Finnish Bar Association and requested the Board of the Finnish Bar Association to provide information on the measures it will take on account of the Deputy Chancellor of Justice's decision.

258. Decision No. OKV/124/1/2017 concerned the application of the Language Act in social media. A question related to the administrative branch of the Ministry of Justice had been posted on its Twitter account. The Ministry of Justice had replied to the question in Finnish. According to the enquiry by the Ministry of Justice, this was a human mistake and the person who had posted the question was shortly also given a reply in Swedish. According to the Language Act, bilingual authorities are obliged to issue information intended to the citizens in Finnish and Swedish. The substitute for the Deputy Chancellor of Justice noted that the obligation applies to all methods of communication, including the authority's Twitter account. Accordingly, the authority has to seek to treat bilingual persons in an equal manner and in principle answer questions addressed to it in the language of the question. The substitute for the Deputy Chancellor of Justice brought the above to the attention of the Ministry of Justice.

259. Decision No. OKV/1327/1/2016 concerned the realisation of linguistic rights in the national archive of health information known as the *Kanta* service. The complainant considered that Kanta service does not implement the patients' right to access the documents in their own language. Patient documents are saved in the archive in the language in which they have been drafted at a health care unit. Under the Language Act, a bilingual authority should serve its clients in Finnish and Swedish. The Deputy Chancellor of Justice considered that clients should be treated linguistically equally regardless of whether the service concerned is electronic or conventional. The provision of a certain service in a different form in the second national language is not totally ruled out. However, the quality of service may not be compromised because of the language used by the client. The Deputy Chancellor of Justice also considered that the appropriate service referred to in the Administrative Procedure Act (434/2003) means, for example, that Swedish-speaking clients can use their mother tongue and interact in this language. According to the Act on the Status and Rights of Patients, every person is without discrimination entitled to health and medical care required by his state of health within the resources available to health care at the time

in question. The language of patient documents may affect the quality of health and medical care through the patient's possibility of influence and the health care personnel's operating conditions. According to the Deputy Chancellor of Justice, the patient's rights must be guaranteed by providing appropriate interpretation and translation services, but he did not find it justified from the perspective of ensuring adequate health services that the resources available for health care should be used to regularly translate all patient documents into the patient's language. The Deputy Chancellor of Justice brought these perspectives concerning the language of patient documents to the attention of the Ministry of Social Affairs and Health.

Decisions of the Chancellor of Justice on language issues in legislative drafting

260. Decision No. OKV/178/1/2017 concerned language issues in legislative drafting. The complainant criticised the drafting of a legislative proposal on boat tax at the Ministry of Finance. The legislative proposal had been submitted to consultation only in Finnish in December 2016. The time limit for the Government of Åland for submitting its statement had been extended to 27 January 2017, but this did not solve the question of how Swedish-speaking parties and citizens elsewhere in the country could exercise their right to express their views. According to an investigation by the Ministry of Finance, the legislative text included in the government proposal and the proposal's main content had been published in Swedish on the Ministry's website on 9 January 2017, when the request to submit statements was sent to Swedish-speaking statement providers. The government proposal had been translated in its entirety and published on the website on 19 January 2017, when the entire text was also submitted to Swedish-speaking statement providers. Swedish-speaking statement providers had been informed of the matter before the beginning of the Finnish consultation round.

261. The Chancellor of Justice considered that the provisions and instructions concerning language issues in legislative drafting are subject to interpretation and do not provide unambiguous answers as to when government proposals should be translated into Swedish in their entirety and whether the publication of legislative proposals and consultation rounds should strictly coincide in both national languages. The purpose of the provisions of the Language Act (423/2003) and the Act on the Autonomy of Åland (1144/1991) concerning the publication, translation and statement requests in connection with legislative drafting is to ensure that different stakeholders and the general public have the opportunity to participate in legislative drafting. The instructions on consultation in connection with legislative drafting also seek to ensure that different parties are genuinely heard and that consultations have a real significance in the drafting process.

262. The Chancellor of Justice considered that the Ministry of Finance had not acted contrary to law or otherwise erroneously in respect of consulting the Government of Åland and state agencies.

263. However, the Chancellor of Justice was of the opinion that the procedure adopted in the matter did not comply with the requirements of the Language Act and good legislative drafting in respect of the opportunities of Swedish speakers to familiarise themselves with the legislative proposal. The minimum requirements of the Language Act would have been fulfilled best by a procedure where the text of the legislative proposal and its adequate summary had been published in Swedish simultaneously with the Finnish government proposal.

264. The Chancellor of Justice further concluded that the linguistic fundamental rights guaranteed in the Constitution and specified in the Language Act may not be compromised by timetable targets set for political reasons.

265. The Chancellor of Justice brought the above-mentioned instructions on good legislative drafting and what was stated about compliance with the Language Act and the requirements of good legislative drafting to the attention of the Ministry of Finance for future reference, considering that the drafting of the act on boat tax was later discontinued.

266. The Chancellor of Justice submitted the decision to the Ministry of Justice for information and possible actions, especially on account of what the decision states about the ambiguity of the provisions and instructions concerning language issues in legislative drafting.

Decisions on minority languages by the Parliamentary Ombudsman

267. The status of minorities has come up in complaints to the Parliamentary Ombudsman in matters concerning language, for example. Most of these complaints have concerned the right to use one's own language, either Finnish or Swedish, and the obligation of the public authorities to provide for the cultural and societal needs of the Finnish-speaking and Swedish-speaking populations of the country on an equal basis. In 2017, for example, 54 language matters were presented to the Office of the Parliamentary Ombudsman and 60 such matters were resolved. As in previous years, most of the decisions concerned the right to receive service in Swedish. Five decisions related to the right to use Finnish or more generally to the status of the Finnish language, and one decision concerned the sign language. Decisions on language matters in 2017 are described in the annual report available on the Parliamentary Ombudsman's website⁴⁹, pp. 285-289 in the Finnish version.

268. One case (EOAK/3592/2017) which was decided in 2018 and resulted in the issuing of a reminder concerned the realisation of the rights of the Sámi. The complainants criticised the procedures of the Population Register Centre because it was not possible to enter all Sámi-language fonts in the population information system. Since the name of the complainant's daughter had not been entered correctly into the population information system, the name could not be printed correctly on official documents, such as the passport and health insurance card. The Deputy Parliamentary Ombudsman issued a reminder of unlawful procedure to the Population Register Centre.

Linguistic rights in health and social services

269. Municipalities and joint municipal authorities formed by municipalities organise social welfare and health care services. The services are provided in the municipality's language, either in Finnish or in Swedish. Bilingual municipalities or joint municipal authorities must provide health and medical care and social welfare in Finnish and in Swedish. In this case, it must be ensured that clients receive the services in the language of their choice.

270. The organisation of services in Finnish or Swedish means that the person providing service speaks the client's language, either Finnish or Swedish. In this case, no interpreter is used in a client service situation. The clients' right to use Finnish or Swedish is not dependent on their other language skills.

⁴⁹ www.oikeusasiamies.fi

271. Service-related documents, such as patient documents, are drafted in the municipality's language. Bilingual municipalities and joint municipal authorities will draft them in the majority language. If patient documents are drafted in a language other than the clients' own language, they must be translated into Finnish or Swedish to the extent necessary to provide the clients with sufficient information on their treatment.

272. A monolingual municipality (and joint municipal authority) organises services in the municipality's language. Nevertheless, the client's and patient's mother tongue must be taken into account where possible. A person speaking Finnish or Swedish must, however, always have the right to use his or her own language. If necessary, the service provider must arrange an interpreter.

273. According to the Act on the Status and Rights of Social Welfare Clients (812/2000, hereinafter the Client Act) and the Act of the Status and Rights of Patients (785/1992, hereinafter the Patient Act), if the social welfare or health care professional does not know the language used by the client or if the client because of a sensory or speech impairment or for another reason cannot be understood, it is necessary, as far as possible, to organise interpretation and provide an interpreter. Accordingly, in situations where the client or patient and the personnel do not have a common language, it must be ensured that the persons are adequately informed of their issue and its significance and that they can express their opinion. If it is not possible to obtain an interpreter, understanding must be achieved by other means. The provision also applies to other languages than Finnish or Swedish.

274. The Regional State Administrative Agency of Lapland has enhanced its efforts to ensure that social welfare and health care services are adequately available in the first language of every citizen, in particular in Swedish and in Sámi, and that the linguistic rights of persons belonging to minorities are also guaranteed in the context of administrative reforms.

Language Barometer 2016

275. According to the Language Barometer (2016), Swedish speakers think more negatively about the language atmosphere than Finnish speakers. Swedish speakers find that the attitudes towards people speaking a different language have become more negative and that the relations between Finnish speakers and Swedish speakers have deteriorated in their home municipalities. In addition, they have more frequently faced harassment or discrimination in daily life because of their language.

276. According to the Language Barometer, Swedish speakers consider that the availability of municipal services in their own language is better than that of government services. The average grade given by Swedish speakers to the functioning of government services was 7.6, while Finnish speakers graded them with 9. The average grade given by Swedish speakers to the functioning of municipal services was 7.8, while Finnish speakers graded them with 8.7.

Sámi Barometer 2016

277. The Sámi Barometer 2016 describes the realisation of the linguistic rights of Sámi speakers in the Sámi Homeland⁵⁰. In spring and summer 2016, the Ministry of Justice carried out a survey of the services provided in Sámi together with the *Giellagas* Institute at the University of Oulu. The purpose of the survey was to study the realisation of the Sámi

⁵⁰ <http://julkaisut.valtioneuvosto.fi/handle/10024/78941>

Language Act from the citizens' perspective: what do Sámi speakers of different ages living in different municipalities of the Sámi Homeland think of the significance and availability of services in their own language. The emphasis was on social welfare and health care services. The survey was carried out as telephone interviews with eighty persons aged between 20 and 80 years who had Sámi recorded as their mother tongue in the Population Register. The respondents lived in the Sámi Homeland municipalities, i.e. Utsjoki, Inari, Sodankylä and Enontekiö. Half of the respondents were women and half men, with an average age of 59 years. Out of the 80 persons, 11 speak Inari Sámi, 11 Skolt Sámi and 58 Northern Sámi as their mother tongue.

278. The survey shows that the rights of Sámi speakers to services provided in their own language are, in general, realised poorly. The situation was best among the speakers of Northern Sámi in the municipality of Utsjoki, while the residents of Sodankylä and the speakers of Inari and Skolt Sámi faced the poorest situation. Only a very small proportion of the respondents had received essential social welfare and health care services in one of the Sámi languages, and these few services depended on a small number of employees. On average, the respondents were more satisfied with social welfare services than with health care services. The respondents particularly criticized the shortcomings in the services for Sámi-speaking older persons and children. On the other hand, they were in general satisfied with the services available in the Sámi languages and considered that the availability of services had slightly improved in recent years. The majority of respondents regarded the right to services provided in Sámi as important but not everybody found it natural to use services in that language because of, for example, their insufficient literacy skills in Sámi. The solutions suggested for addressing the shortcomings in services provided in Sámi included increasing the instruction of Sámi languages in adult education and enhancing recruitment of Sámi-speaking employees.

279. The survey indicates that awareness of the Sámi Language Act and the linguistic rights of the Sámi is insufficient at all levels: among municipal and government employees, Finnish-speaking residents and also Sámi speakers.

Social welfare and health care services for Sámi speakers

280. Municipalities have the main responsibility for producing services in the Sámi language. Some services are also produced by organisations as purchased services. In addition, the joint municipal authority of the Lapland Hospital District is responsible for providing specialised health care services, and the joint municipal authority of Kolpene service centre is responsible for special care of persons with intellectual disabilities.

281. The Sámi have the right to use their own language in the Sámi Homeland, i.e. Northern, Inari or Skolt Sámi. The majority of Homeland residents speak Finnish as their mother tongue. Even though Sámi-speaking professionals are employed by the municipality, social welfare and health care services in Sámi are inadequate and professionals with good language skills are not always available or professionals have inadequate language skills. It is therefore often necessary to use an interpreter in service situations (if one is available), or Finnish is used instead.

282. In so far as a joint municipal authority with a member municipality belonging to the Sámi Homeland is responsible for providing social welfare and health care services, the client and patient have the right to use the Sámi language in the services provided by such joint municipal authorities, even when the service is provided outside the Homeland. These joint

municipal authorities are the Lapland Hospital District and the Kolpene joint municipal authority. In this case, it is also possible to use an interpreter.

283. The Ombudsman for Children has expressed his concern over the fact brought to his attention that maternity and child health care services have not always been available for Sámi-speaking children and families in their own mother tongue.

Discretionary government grant

284. Since 2002, the state budget has allocated a discretionary government grant to ensure the availability of social welfare and health care services in the Sámi language in the Sámi Homeland. The discretionary government grant is intended for the costs of social welfare and health care services produced in all Sámi languages. It is allocated to the municipalities in the Sámi Homeland as agreed between the Sámi Parliament and the municipalities. The amount of the discretionary government grant for ensuring social welfare and health care services in the Sámi language was 480 000 euros in the state budget 2018. The amount has remained approximately the same in euro since 2013.

Health care services for the Roma

285. A survey into Roma wellbeing⁵¹ will study the health and wellbeing of the Finnish Roma and their use of social welfare and health care services in Finland between 2017 and 2018. The survey collects information from persons belonging to Finland's Roma minority who are at least 18 years old. It includes a structured individual interview and a health survey. Research assistants, who themselves are also Roma, will present the survey to Roma communities and individual Roma and invite them to participate in it. The study will be carried out by the National Institute for Health and Welfare.

Realisation of linguistic rights in purchases

286. The Association of Finnish Local and Regional Authorities has in various contexts, such as in the model for administrative regulations for municipalities and joint municipal authorities, devoted attention to the realisation of linguistic rights in purchases. Attention has been drawn to the fact that, as part of procurement processes and contract monitoring, the realisation of linguistic rights should also be ensured in the context of purchased services and outsourcing.

ARTICLE 11

1. The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.

2. The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.

3. In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate,

⁵¹ Roma wellbeing pilot survey. Final report. National Institute for Health and Welfare 2014, http://www.julkari.fi/bitstream/handle/10024/116031/URN_ISBN_978-952-302-186-0.pdf?sequence=1&isAllowed=y

agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.

Recommendation - expression of multiple identity and language affiliations in the population information system

Facilitate the expression of multiple identity and language affiliations in population registries; collect disaggregated equality data as a means of adopting and implementing effective minority protection and equality promotion policies; take the steps necessary to guarantee the registration of Sámi names respecting the language diacritic signs in public registries, passports and other public documents.

Multiple identity in the population information system

287. The Statistics Finland receives population data from the population information system of the Population Register Centre, on the basis of which population can be divided according to nationality, language and the person's own and his or her parents' country of birth. These data can be used for sample surveys and register-based follow-up.

288. The situation of people belonging to the Russian-speaking minority has been followed, for example, from the perspective of labour market, health and wellbeing (e.g. a study on the employment and wellbeing of persons of foreign origin⁵²). Register-based data are also adequately available on the living conditions of the Swedish-speaking population. In respect of the other minority groups discussed in this report (e.g. the Sámi and the Roma), it is challenging to produce representative data on the target groups as the population information system does not allow for distinguishing these groups. On the other hand, persons with Sámi as their mother tongue in the population register can be distinguished in the statistics. However, the real size of the Sámi population has been estimated to be a lot larger than what appears from the language data.

289. In principle, the person's ethnic and linguistic identity could be inquired in large population surveys but such surveys have no longer been conducted for years because statistics are based on register data. If such surveys were conducted, the number of respondents selected from small minorities (such as the Tatars, Sámi and Roma) would be so small in samples representing the whole population that the results on these groups would involve a lot of uncertainty. On the other hand, targeted surveys are difficult because the target groups cannot be separated from the population information system due to lacking data. Since random sampling is not possible, respondents often need to be recruited via cultural associations, etc. (known as convenience sampling), to meet the information needs, but the results of surveys conducted this way cannot be regarded as reliably representative of the target group.

290. Any improvement to the population information system in respect of, for example, language community affiliation, would help in following the living conditions of these population groups.

⁵² Employment and wellbeing of persons of foreign origin in Finland 2014, https://www.stat.fi/tup/julkaisut/tiedostot/julkaisuluettelo/yyti_uso_201500_2015_16163_net.pdf

291. The Report of the Government on the Application of Language Legislation 2017⁵³ draws attention to the fact that, especially in the case of bi- or multi-lingual persons, the language recorded in the population register does not give a correct picture of the person's language skills and of the languages he or she uses.

292. For example, there are great variations in the statistics on the Sámi languages spoken in Finland because many Sámi people have not registered Sámi (Inari, Skolt or Northern Sámi) as their mother tongue.

293. According to the report, it should be considered whether the population information system could be amended by allowing the entry of more than one mother tongue per person. This survey should consider which benefits the entry of more than one mother tongue in the population information system would bring for individuals. In addition, impacts on the authorities' actions, such as service planning, should be assessed.

294. The report also pays attention to the challenges brought up by digitalisation in the authorities' activities. It highlights, for example, the fact that fonts included in certain languages, such as Sámi languages, are excluded from the authorities' information systems.

295. The Elämä ja Valo association representing the Roma has drawn attention to the fact that people belonging to the Romani population group cannot register themselves as Romani speakers in the population information system.

Problems with characters of names in information systems

296. Problems related to the recording of Sámi names in public documents have continued for long. The number of foreign language speakers is increasing in Finland, primarily along with immigration, and the names used are also changing. Situations where characters not belonging to the Finnish writing system are needed for writing names have become more common. The Institute for the Languages of Finland considers it necessary that names can be presented in their ordinary spelling in information systems and that an adequate number of special characters are available.

Reminder by the Deputy Parliamentary Ombudsman to the Population Register Centre

297. The Deputy Parliamentary Ombudsman has issued a reminder to the Population Register Centre concerning its procedure where it did not allow entering all Sámi-language diacritics into the population information system. According to the decision, the Deputy Parliamentary Ombudsman will oversee that the Population Register Centre will introduce new characters in accordance with its announcement without undue delay.⁵⁴

⁵³ Report of the Government on the Application of Language Legislation 2017, Government publications 10/2017, http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/160561/VNK_H1017_Report%20of%20the%20Government%20on%20the%20Application%20of%20Language%20Legislation%202017_net_3.pdf?sequence=1&isAllowed=y

⁵⁴ EOAK/3592/2017, 23 May 2018.

ARTICLE 12

1. *The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.*
2. *In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.*
3. *The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.*

Recommendation - decentralisation of education, ethnic diversity of curricula and training of teachers in accommodating diversity

Ensure that, while respecting the decentralisation of education, the newly developed curricula at local level and the textbooks reflect appropriately ethnic diversity and the historical presence of all minorities in Finland; and that teachers are effectively trained in accommodating diversity and promoting intercultural respect in the classroom.

National core curricula

298. New national core curricula for basic education and general upper secondary education were introduced in autumn 2016. Respect for human rights constitutes part of the value base of basic education. The objective of instruction is to educate pupils into active cosmopolites able to recognise and uphold human rights. The premises of instruction also include respect for life and inviolability of human dignity.

299. The human rights conception in basic education is based on the UN Universal Declaration of Human Rights. Instruction will particularly highlight the content of the UN Convention on the Rights of the Child. Instruction promotes inclusion and a sustainable life style as well as growth into a member of democratic society.

300. The national target of the core curriculum for basic education is to educate ethically responsible members of society who understand the inviolability of human dignity and the importance of respecting human rights. The core curriculum for basic education also provides several opportunities for dealing with human rights in different subjects, especially through broad-based competence modules.

301. The purpose of the module *Cultural competence, interaction and self-expression* is to strengthen cultural competence, guide pupils to form and express opinions, teach respectful interaction and increase awareness of human rights. Pupils are guided to see multiculturalism as richness and to show respect for all groups of people.

302. The core curriculum for basic education⁵⁵ discusses ethnic diversity in Finland at several points. Chapter 9, which deals with special questions related to language and culture, states that the pupils' linguistic abilities and cultural background are considered in basic education. In addition, every pupil's linguistic and cultural identity is supported in various ways. Paragraph 9.1 of the same chapter deals with the Sámi and Sámi speakers, paragraph 9.2 with the Roma, and paragraph 9.3 with sign language users. Paragraph 9.4,

⁵⁵ Finnish National Agency for Education 2014:96.

other multi-lingual pupils, deals with the pupils' identity, knowledge of languages and cultures and cultural heritage.

303. Objectives of history instruction at general upper secondary school include the following: the student can form a world view respecting human rights, equality and democracy and act as a responsible citizen for their promotion; the student must also be able to analyse historical phenomena and people's actions from several perspectives, considering the premises of each era.

304. The course *International relations*, which is compulsory for everyone, focuses on human rights issues, holocaust and other genocides as well as introduces UN activities and other international peacebuilders.

305. The value base of social studies at general upper secondary school emphasises the premises of democracy, such as equality, social responsibility, respect for human rights, freedom of opinion and active citizenship. The key perspectives dealt with in the course *Finnish society*, which is compulsory for everyone, include democracy, development of social basic structures, power and influence, with an emphasis on active and participatory citizenship.

306. The themes of the course *Finland, Europe and changing world* include the promotion of international understanding and Finland, as well as globalisation, environment, population and sustainable future.

307. Textbooks are produced by commercial publishers and have self-contained contents. It is, however, presumable that they comply with the national core curricula (basic education and general upper secondary education). Teachers participate in the drafting of textbooks. Teachers and schools can autonomously choose the teaching materials they use.

308. The Sámi language and literature, the Romani language and literature and the sign language and literature are separate syllabi within the subject of mother tongue and literature. Municipalities can obtain discretionary government grants for teaching Sámi, Romani and the pupil's own mother tongue as subjects complementary to basic education.

In-service training for teachers

309. A publication called *Hyvän lähteillä* (At the Sources of Goodness) has been published in connection with a human rights and democracy education project in teacher training at universities and universities of applied sciences, funded by the Ministry of Education and Culture. It is intended to be used in basic and in-service training of teachers. The publication describes good practices in democracy and human rights education and supports teacher training in terms of content and methods.

310. In autumn 2018, the University of Jyväskylä published a publication called *Kohti parempaa demokratiaa* (Towards better democracy)⁵⁶ for the national application of the Framework of Competence for Democratic Culture of the Council of Europe, intended particularly for teachers and educators. The publication will also be translated into English. The framework is an essential tool of the Council of Europe for strengthening human rights and democracy education.

⁵⁶ <https://jyx.jyu.fi/handle/123456789/60058>

311. A training and development project called *Toimintaa ja kohtaamisia* (Actions and Encounters) has been launched in vocational teacher training under special funding of the Ministry of Education and Culture. It runs for three years and aims at developing and rooting human rights-based practices in the implementation and culture of vocational teacher training. The project strengthens the human rights-based approach in curricula and develops practices for human right-based instruction and guidance as well as materials for vocational teacher training. All five universities of applied sciences that provide vocational teacher training participate in the project.

Rainbow Rights project

312. In spring 2017, the Ministry of Justice launched a Rainbow Rights project⁵⁷ with the objective of supporting the implementation of equality legislation. The project aims at promoting the equality of sexual and gender minorities both on the local level in Finland and in the Baltic countries. A survey has been carried out in connection with the project on multiple discrimination within different population groups. The survey covers, for example, the Roma, Finnish Swedes and persons of Russian origin. The project also includes producing a training package on equality, including multiple discrimination, for the education sector with a large variety of materials for training teachers, principals and student counsellors. The training materials have been tested with different education sectors, and the intention is to put them into practice through the education sector's training structures. The Rainbow Rights project has received funding from the *Rights, Equality and Citizenship Programme* of the European Union. The part of the Rainbow Rights project the Association of Finnish Local and Regional Authorities was responsible for has supported municipalities in equality planning and in its implementation by means of, for example, a guidebook to be published in spring 2019. This part of the project dealt with all 13 discrimination grounds laid down in the Non-Discrimination Act, including ethnic minorities. Discrimination against gender and sexual minorities was brought up, for example, in the replies to a survey carried out among residents of the municipality of Utsjoki in connection with its equality planning.

Project to develop distance teaching of the Sámi language

313. The Ministry of Education and Culture has awarded funding to the municipality of Utsjoki for a project to develop distance teaching of the Sámi language. The objective of the pilot project is to improve the accessibility of Sámi instruction and allow more Sámi pupils to participate in the teaching of the Sámi language via remote access.

314. The project includes:

- 1) charting the need for teaching of the Sámi languages and the situation in municipalities outside the Sámi Homeland,
- 2) developing pedagogical and technical solutions for distance teaching of the Sámi languages,
- 3) developing a curriculum which accommodates the linguistic heterogeneity of pupil groups, e.g. the fact that the teaching often needs to start from the basics, even if pupils had already attended comprehensive school for a few years,

⁵⁷ Rainbow Rights – Promoting LGBTI Equality in Europe, OM006:00/2017, Ministry of Justice, 12 April 2017.

4) launching distance teaching where the municipality of Utsjoki, in cooperation with other municipalities in the Sámi Homeland, organises teaching of the Sámi languages as complementary to basic and general upper secondary education outside the municipalities belonging to the Sámi Homeland,

5) giving Sámi instruction to pupils and students in basic education and general upper secondary education two (2) hours per week per group throughout the school year,

6) organising the teaching groups of Sámi languages on the national level so that teaching can be given in a pedagogically sound manner; creating online teaching groups for different Sámi languages as the mother tongue and as a second language/foreign language and providing them with adequate support.

Production of learning materials in the Sámi language

315. The Sámi Parliament is the only producer of Sámi-language learning materials in Finland. Nowadays it receives an annual appropriation of 500 000 euros from the Government for developing learning materials. The results from the development of materials in Inari Sámi and Skolt Sámi have been promising. More and more attention is paid to the development of digital resources for use in classroom and independently at home but, according to the information obtained, it is difficult to find competent persons for producing the materials.

316. An e-ABC-book, e-grammar and e-workbook in Northern Sámi are now available for Sámi language teachers as the appropriation granted by the Government was used to buy user rights to these materials.

317. The University of Tromsø in Norway is, in cooperation with the Sámi Parliament, currently carrying out a project funded by the Finnish Kone Foundation for producing a translation program, digital dictionary and spellchecker for Inari Sámi.

ARTICLE 13

1. Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.

2. The exercise of this right shall not entail any financial obligation for the Parties.

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

ARTICLE 14

1. The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.

2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.

3. Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.

Recommendation - access to education in the Sámi languages in the Sámi Homeland and in the rest of the country

Continue to support effective access to education in the Sámi languages in the Homeland, and develop additional opportunities in the rest of the country's territory where Sámi children are present in substantial numbers and if there is sufficient demand.

Sámi language nest activities

319. Efforts have been made to revive all three Sámi languages spoken in Finland through language nest activities funded by the Ministry of Education and Culture. Language nest activities have expanded considerably over the past ten years, along with an increase in the appropriations available for supporting them.

320. Language nests resemble day care centres, and the purpose is to teach, using the method of language immersion, small children and make them accustomed to a language and culture which would otherwise often be at the risk of disappearing. In a language nest, adults mastering the language make children accustomed to using it. Language nest activities are probably the most efficient way of reviving languages at the risk of disappearing. Most of the children participating in language nests come from families where parents have lost the connection with the language traditionally spoken in the greater family, i.e. a language shift has taken place.

321. Regular support for language nest activities was included in the Government's first child and youth policy programme, and a separate appropriation for supporting language nests was added to the state budget in 2011. There is no legislation governing the language nests, which makes their activities and funding flexible.

322. Funding is implemented as follows: the Ministry of Education and Culture grants an annual appropriation to the Sámi Parliament, which decides how the funds designated for the common use of the Sámi shall be allocated (Act on the Sámi Parliament, section 8). In 2018, the amount available for this purpose was 1 200 000 euros.

323. Some of the language nests are maintained by municipalities, while others are maintained by associations. New language nests have often been established at the initiative of and by Sámi communities, especially in respect of Inari Sámi language nests.

324. The Sámi Homeland consists of Finland's three northernmost municipalities (Utsjoki, Inari and Enontekiö) and of the northern part of the municipality of Sodankylä. Language nest activities were initiated in the Sámi Homeland in the municipalities of Inari and Utsjoki. Since then the activities have expanded to Enontekiö and Sodankylä. Now there are nine language nests operating in the Sámi Homeland.

325. As a result of long preparation work, language nest activities have in recent years expanded outside the Sámi Homeland to three municipalities as follows: Helsinki (2013), Oulu (2015) and Rovaniemi (2015).

Table 1. Number of children per language nest in 2016 and 2017, including language nests by municipalities in autumn 2017.

	(31 March 2016)	(28 February 2017)	(31 August 2017)	Number of employees
Language nest activities	Spring 2016	Spring 2017	Autumn 2017	
<u>Inari Sámi activities:</u>				
Language nest I, Inari*, Anarâškielâservi association	8	8	4	1 + 2
Language nest II, Ivalo, Anarâškielâservi association	5	9	7	2
Language nest III, Inari, Anarâškielâservi association	11	11	10	2
<u>Skolt Sámi activities:</u>				
Language nest, Ivalo, Municipality of Inari	8	7	6	2
Language nest, Sevettijärvi, Municipality of Inari	5	4	3	1
<u>Northern Sámi activities:</u>				
Language nest, Vuotso, Municipality of Sodankylä**	9	7	9	2+1
Language nest group, Utsjoki, Municipality of Utsjoki	5	4	4	1
Language nest group, Karigasniemi, Municipality of Utsjoki	4	4	2	1
Language nest, Helsinki, City Sámit association	10	10	10	2
Language nest, Oulu, City of Oulu	3	5	5	1
Language nest, Rovaniemi, City of Rovaniemi	5	9	10	2
Language nest, Sodankylä, Municipality of Sodankylä		7	11	3
THE TOTAL NUMBER OF REGISTERED CHILDREN	73	85	81	

*A group for mother tongue speakers started in Inari Sámi language nest I on 1 August 2017, when half of the children moved to this group. The mother tongue group and the language nest operate in the same building. One employee is responsible for language nest activities. Other employees are available, if necessary.

**A third employee is responsible for the kitchen and evening care

Basic education in the Sámi language

326. Eight graders started their studies according to the new curriculum for basic education on 1 August 2018. A particular objective in the education of the Sámi is to support the pupils' growth into their language, culture and community and to give them the opportunity to adopt the Sámi cultural heritage. The objective is to enhance the pupils' capacities to function in a Sámi-language environment and to learn the Sámi language and in the Sámi language.

327. Pupils with the knowledge of Sámi living in the Sámi Homeland should be primarily taught in the Sámi language. When basic education is given in Sámi, its particular objective is to strengthen the knowledge and use of the Sámi language. Instruction is based on a

communal perception of language. Community membership and inclusion are strengthened when pupils learn to use the language in the way characteristic of the community.

328. The instruction of Sámi language and literature accommodates different Sámi languages and their dialects as well as the cultural knowledge contained in language. Pupils are guided to understand the meanings of linguistic choices and their impacts on their environment as well as the importance of building a positive communication climate as part of their own life management and linguistic conduct. As linguistic skills improve, pupils will acquire capacities to participate in and influence common affairs and decision-making. Instruction increases the pupil's understanding and appreciation of the significance of their own linguistic and cultural background for themselves, for the community and society, as well as for other indigenous peoples. Pupils are also guided to understand and appreciate other languages and cultures.

Sámi-language schools

329. A Sámi-language class started at the school of Pasila in Helsinki in autumn 2018. In addition to language, the school teaches the Sámi culture, which allows also the Sámi living in the city to build a connection with the indigenous culture. Sámi is also used more frequently as the instruction language at schools in the Homeland, for example in the municipality of Ivalo. Ivalo has organised pre-primary and primary education in Northern Sámi earlier than before, and this autumn pupils could start their school in a Northern Sámi language immersion class.

Distance teaching of the Sámi language

330. The Action Plan of the Ministry of Education and Language for the Revival of the Sámi Language contains proposals for promoting the teaching of and in the Sámi language across the country. The Government resolution of 3 July 2014 on an action plan for the revival of the Sámi language also mentions the development of distance teaching to safeguard the teaching of the Sámi language outside the Sámi Homeland.

331. In addition, the Ministry of Education and Culture has, together with the Sámi Parliament, considered various possibilities of finding a functioning model for using distance teaching for developing complementary teaching outside the Sámi Homeland. The pilot project seeks to map approaches and practical experiences that can be used as a basis for a more sustainable solution.

332. In May, the Ministry of Education and Culture granted funding to the municipality of Utsjoki for a pilot project for distance teaching of the Sámi languages. In practice, distance teaching organised under the project starts during autumn term 2018-2019, by which time the third partner for the project will also have been selected.

333. The support and infrastructure services necessary for remote access will be funded by a special government grant. The grant has also allowed for employing a project worker for coordinating and planning the teaching and for providing information on it.

334. During the autumn term, temporary technical support and online services will be purchased from the virtual school of the Sámi Education Institute. The Sámi Parliament will continue the pupil survey carried out in spring 2018, aiming to have as many Sámi pupils as possible to participate in the teaching across the country.

Subject teacher training for subject teaching of and in the Sámi languages

335. In autumn 2018, a three-year subject teacher training for subject teaching of and in the Sámi languages was launched at the University of Oulu with special funding of the Ministry of Education and Culture. The training aims at providing teacher qualification both for unqualified acting teachers and for new students. All three Sámi languages have been accommodated in the training.

Sámi-language kindergarten teacher training

336. The University of Oulu launched Sámi-language kindergarten teacher training in 2016. All three Sámi languages have been accommodated in the training. One of the greatest challenges in Sámi-language early childhood education and care is the shortage of qualified Sámi-speaking personnel as approximately half of the employees lack a formal qualification. The training aims at addressing the shortage of kindergarten teachers, while also providing one measure for reviving the language and culture.

337. The training devotes special attention to the pedagogical practices and methods of Sámi education, traditional knowledge and language learning. Students who have completed the training will graduate as Bachelors of Education Science, and the degree qualifies them as kindergarten teachers. The training is implemented as multimode training using evenings and weekends, the summer term, online teaching, and contact sessions in Inari. The training takes two to three years. The need for a new corresponding training course will be assessed towards the end of the ongoing training.

Vocational education and training in Sámi

338. In the context of vocational education and training provided for Sámi speakers, some of the instructions and regulations issued by the Finnish National Agency for Education are translated into three Sámi languages: Northern Sámi, Inari Sámi and Skolt Sámi. In 2018 Europe, including Finland, celebrated the Year of European Cultural Heritage. The Finnish National Agency for Education celebrated the thematic year from the perspective of Sámi culture. Various events and seminars were organised at schools with the support of the Finnish National Agency for Education.

Organising teaching in the Sámi language

339. The funding available since the beginning of 1999 has allowed for establishing and developing Sámi instruction in the Homeland municipalities, which has resulted in a significant increase in the teaching of and in the Sámi language since 2015.

340. At the moment, there are Sámi people living in approximately 240 municipalities in Finland.

341. The state budget annually allocates a discretionary government grant for providing complementary teaching of the Sámi language outside the Homeland. It was proposed that the state budget 2018 allocate 75 000 euros to the government grants under section 45(2) of the Act on the Financing of Education and Culture for organising mother tongue instruction for Sámi- and Romani-speaking pupils.

342. The Regional State Administrative Agency of Lapland has both in 2017 and 2018 granted a discretionary government grant of approximately 2.3 million euros to the

provision of teaching of and in the Sámi language in the Sámi Homeland. This investment has slightly increased the volume of teaching provided and the number of instruction hours as compared to previous years.

343. The state budget of 2018 also allocated a discretionary government grant of 240 000 euros to implementing Sámi-language early childhood education and care. In 2018 the amount was twice as high as in the previous year. The situation in the Homeland municipalities can be considered good in respect of funding. On the other hand, outside the Homeland, where a significant number of the Sámi now live, there is no similar opportunity to learn Sámi languages in basic and general upper secondary education.

344. At the moment, the main problem of Sámi-language instruction is the difficulty in recruiting qualified teachers. The situation of Northern Sámi, the most commonly spoken Sámi language, is better than that of the other Sámi languages.

345. The State Regional Administrative Agency of Lapland has given in-service training to teachers in the region in accommodating diversity and promoting mutual respect between cultures at educational establishments. The University of Lapland has also taken the Sámi culture into account in the basic and in-service training of teachers.

346. The Sámi Education Institute has also been granted a licence to provide education for the general upper secondary syllabus and a vocational qualification in media. Sámi-language media need qualified employees.

347. The instruction languages of the Sámi Education Institute are still Finnish and Sámi. An education provider may decide itself how much vocational education and training it provides under its licence in each instruction language according to the education needs.

348. The Sámi Education Institute is obligated to award qualifications and provide education to meet primarily the skills and education needs in the county of Lapland but it may also award qualifications and provide education elsewhere in Finland, excluding the county of Åland. The Sámi Education Institute is also permitted to provide labour market training.

349. In the context of vocational education and training, the following qualifications and competence areas are completed in the Sámi language: vocational upper secondary qualification in arts and crafts (since 1 August 2018), vocational qualification in Sámi crafts, special vocational qualification in Sámi crafts, vocational upper secondary qualification in nature-based services and environmental protection, and vocational upper secondary qualification in reindeer farming.

Ensuring knowledge of Swedish in the implementation of the national languages strategy

350. The Government of Finland decided in spring 2018 that as of 1 January 2020, the instruction of the first foreign language (A1 language, i.e. Swedish) will be advanced and start in the spring term of the first grade at the latest. Along with this amendment, it was proposed that instruction in the first foreign language be increased by two hours a week for grades 1 and 2.

Communication and interaction in mother tongue in vocational upper secondary qualifications

351. The amended common qualification modules included in the vocational upper secondary qualifications in force as of 1 August 2018 include a module called *Communication and interaction in mother tongue*⁵⁸, where instruction is provided either in Finnish, Swedish or Sámi as the mother tongue in accordance with the education provider's language of instruction and qualifications.

352. The module *Communication and Interaction in mother tongue* can, according to the pupil's choice, be also completed and taught in Finnish or Swedish as the student's second language, in the Romani language, sign language or other mother tongue if the education provider offers this possibility. The curricula also allow for studying the Sámi language as an optional qualification module or as optional units included in the common qualification modules. This allows for strengthening further the knowledge of Sámi in the Sámi Homeland if the student so wishes and the education provider uses this opportunity.

Swedish-language teaching in vocational education and training

353. In 2009, Swedish-language teaching in vocational education and training was considered inadequate according to the Report of the Government on the Application of Language Legislation. In 2017, the Ministry of Education and Culture and the Finnish National Agency for Education launched a campaign to improve the pupils' motivation to learn Swedish. The campaign provides information on the advantages of Swedish language skills in the labour market.

354. The campaign was continued in 2018, and it sought to find new ways of increasing the motivation to learn Swedish. According to the information obtained, the general trend seems to be that the interest for the Swedish language is growing. The Ministry of Education and Culture regards the set objective as important and seeks to further improve the motivation to study Swedish.

355. Vocational education and training is competence-based, which means that instead of instruction hours, attention is paid to the accumulation of the student's competences. If students have fulfilled the competence requirements based on the national core curricula in respect of Swedish skills, for example, they may demonstrate their competence in competence demonstrations. If necessary, students have to acquire more competence to reach the competence level required in the core curricula.

356. The common qualification modules included in upper secondary vocational qualifications, including communication and interaction in the second national language, have been amended to ensure that all students for an upper secondary vocational qualification are able to use the second national language in their work and in work-related interaction.

Legislative translation training in Swedish

357. The Ministry of Education and Culture has allocated funding to the University of Helsinki for legislative translation training in Swedish so as to avoid a shortage of Swedish legislative translators when current translators retire.

⁵⁸ OKM/128/050/2018 2 (14)

ARTICLE 15

The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

Recommendation - opportunity to participate in public affairs and for recruitment into public service

Enhance the opportunities for persons belonging to national minorities to participate in public affairs as well as for their recruitment into public service, in particular law enforcement and the judiciary at central and local levels, so as to send a clear message that diversity is valued in Finnish society; strive to eliminate discrimination in the labour market against persons belonging to national minorities, including Russians.

Labour discrimination monitoring

358. Labour discrimination monitoring was amended in certain respects along with the entry into force of the Non-Discrimination Act (1325/2014) at the beginning of 2015. The case-by-case monitoring of the Occupational Safety and Health Authority was complemented by a provision laying down that it is the duty of the Non-Discrimination Ombudsman to promote settlement in individual cases and to provide assistance to victims of labour discrimination.

359. An obligation was imposed on the Occupational Safety and Health Authority to inform the person who has filed a discrimination complaint of the duty of the Non-Discrimination Ombudsman to provide assistance to victims of discrimination. Provisions were also laid down on the right of the Occupational Safety and Health Authority to request a statement on the interpretation and application of the Non-Discrimination Act from the Non-Discrimination Ombudsman or the Non-Discrimination and Equality Tribunal. The extended administrative powers of the Occupational Safety and Health Authority do not prevent it from reporting a suspected incident of work discrimination (Criminal Code of Finland, chapter 47, section 3) or of extortionate work discrimination (Criminal Code of Finland, chapter 47, section 3a) to the police for pre-trial investigation. This means that a matter may be simultaneously pending in an administrative procedure of the Occupational Safety and Health Authority and in a criminal procedure.

360. The instructions of the Occupational Safety and Health Authority on discrimination monitoring describe how compliance with the Non-Discrimination Act is supervised at the client's initiative or in connection with authority-initiated workplace inspections. The instructions also describe cooperation of the Occupational Safety and Health Authority with the Non-Discrimination Ombudsman and the Ombudsman for Equality. Contacting the Occupational Safety and Health Authority was facilitated by establishing a national help line in 2016. Clients reported in writing a total of 21 discrimination cases with a reference to origin, nationality or language, falling within the responsibilities of the Occupational Safety and Health Authority.

361. If, based on the information submitted by the client, it is suspected that an employer has acted contrary to the Non-Discrimination Act, the inspector will take monitoring measures. In 2017, the employer was considered to have acted contrary to the prohibition

of discrimination in four inspections carried out at the client's initiative, usually based on documents, and the employers were issued instructions or a request to comply with the prohibition of discrimination in respect of origin, nationality or language. Instructions (64) and requests (11) concerning the prohibition of discrimination were also issued in a total of 75 authority-initiated inspections.

362. Legislation imposes an obligation on the Occupational Safety and Health Authority to inform the police if the monitoring gives reasonable grounds to suspect a work discrimination offence. During 2017, 10 pre-trial investigation requests were submitted to the police in connection with authority-initiated monitoring where there were reasonable grounds to suspect that the elements of a work discrimination offence under chapter 47, section 3 of the Criminal Code of Finland would be satisfied in respect of origin, nationality or language. In 2017, there were no similar cases initiated by clients.

Russian citizens and Russian speakers in the Finnish labour market

363. A large number of Russian citizens live in Finland, and the number of Russian speakers employed in the Finnish labour market is relatively high. Discrimination may take place in the labour market on the grounds of, for example, nationality, language or ethnic origin but, according to the Government's understanding, this mainly concerns individual cases and is not systematically directed at Russian speakers in particular. The number of discrimination cases has not been exceptionally high in proportion to the group's size to justify citing Russians, particularly or exclusively, as an example of discrimination against a national minority.

364. The Cultura Foundation, founded in 2013 to support the identity and integration of Russian-speaking population and enhance interaction between different population groups in Finland, published a study titled *Suomen venäjänkieliset: tässä ja nyt* (Russian speakers in Finland: here and now)⁵⁹ in February 2018. According to the study, Russian speakers in Finland constitute a large but an invisible group. Russian speakers living in Finland experience discrimination, but on the other hand, they feel that their quality of life is good. Russian speakers face discrimination rather often: approximately four out of ten respondents reported that they had perceived discrimination. Discrimination is experienced in job seeking, for example.

Public employment services

365. Public employment services are governed by the Act on Public Employment Services (1295/2002). Public employment services and business services, TE services, are offered to individuals, companies and entities by TE Offices in order to promote the functioning of the labour market by securing the availability of skilled labour, job seekers' employment and the development of citizens' employment capabilities.

366. The website www.te-palvelut.fi provides information in Finnish and in Swedish for job seekers and employers. Information is also available in the Sámi language. Job seekers are given information on employment-related matters, and a link is provided to Finland's entire labour legislation on the website of the Ministry of Economic Affairs and Employment. It is further stated that in the case of problems with an employment relationship, the clients can

⁵⁹ https://culturas.fi/wp-content/uploads/2018/05/Suomen_venajankieliset_tassa_ja_nyt_A4_WEB_002.pdf

contact the Occupational Safety and Health Administration via the link provided. In practice, problems may concern discrimination, for example.

367. Employers are given instructions on the equal treatment of job applicants as follows: *“When reporting a job advertisement, it is necessary to note that discrimination is prohibited in recruitment on the grounds of age, ethnic or national origin, nationality, language (Non-Discrimination Act 1325/2014) or gender (Equality Act 1986/609).”* Provisions on refusal to accept an announcement for a vacant position and removal of the announcement are laid down in the Act on Public Employment and Business Service (chapter 3, section 3) and in the instructions issued by virtue of the Act⁶⁰.

Advisory Board for Ethnic Relations

368. In its fourth report on Finland (paragraph 97), the Advisory Committee reiterates its call on the authorities to ensure that the composition of the existing consultation mechanisms (e.g. ETNO and Advisory Language Board) is adjusted so as to include all minorities, in particular the Russian, Karelian, and Estonian communities, so as to guarantee an effective and inclusive channel of communication, consultation and influence on the decision-making process.

369. According to the Government Decree on the Advisory Board for Ethnic Relations (771/2015), the Advisory Board shall consist of a president and of a minimum of two and a maximum of three vice presidents as well as of a maximum of 34 other members, with their individual alternate members. At least ten Advisory Board members must represent immigrants or ethnic minorities. The Government has appointed the Advisory Board for Ethnic Relations for the next four-year term, running from 11 February 2016 to 10 February 2020. The Advisory Board operates in connection with the Ministry of Justice. Its present composition provides opportunities of influence for Russian and Estonian speaking minorities, Jewish communities and Tatars, for example.

370. In addition to the national advisory board, there are seven regional advisory boards for ethnic relations.

Advisory Board on Language Affairs

371. The Advisory Board on Language Affairs is an expert body operating in conjunction with and supporting the Ministry of Justice which represents different sectors of society and is tasked to promote linguistic rights. The duties and composition of the Advisory Board are laid down in the Government Decree on the Implementation of the Language Act (433/2004). The Government appoints the Advisory Board for a four-year term at a time. The term of the current Advisory Board runs from 1 April 2016 to 31 March 2020. During its term, the Advisory Board organises, for example, an annual consultation to discuss language affairs in order to promote an open dialogue between the Government and language groups. The Sámi Parliament has a permanent representative among the experts of the Advisory Board. Representatives of different language groups, such as Karelian language, are invited to the annual consultation on language affairs. The Advisory Board for Ethnic Relations represents the speakers of Russian, Estonian and other foreign languages in the consultation.

⁶⁰ TEM/871/00.03.05.02/2015

Amendment of the Act on Citizens' Initiative

372. The amendment of the Constitution of Finland that entered into force in March 2012 introduced, in addition to the consultative referendum, another institution enabling citizens' direct participation on the national level, namely citizens' initiative. Provisions on the citizens' initiative are laid down in section 53 of the Constitution and in the Act on Citizens' Initiative (12/2012). The national-level citizens' initiative has proven to be a particularly popular and widely used participation channel.

373. A citizens' initiative may be instituted by one or more Finnish citizens with the right to vote. The initiator must appoint at least one representative and one alternate representative to take care of practicalities related to the initiative. The citizens' initiative may either include a proposal for legislation or a proposal for initiating preparations for an act. It may also concern the amendment or revocation of an act currently in force. Signatures supporting a citizens' initiative, or statements of support, must be collected within six months. They can be collected on paper, in electronic online services or by both methods. After the collection has finished, the initiative's representative submits the support statements to the Population Register Centre, which checks their correctness and validity and confirms the number of accepted support statements. If the number of support statements confirmed by the Population Register Centre is at least 50 000, the citizens' initiative may be submitted to Parliament for consideration. Parliament is obligated to admit the citizens' initiative, but its approval as well as any other changes to the initiative remain at Parliament's discretion.

374. Government Proposal 251/2018 suggests that the Act on Citizens' Initiative be amended. The purpose is to make the procedure smoother and clearer by making minor technical amendments to the initiation procedure and publicity of support statements, for example. The proposal is based on an assessment memorandum drafted at the Ministry of Justice on the functioning of the citizens' initiative procedure between 2012 and 2017.

Action Plan on Democracy Policy 2017-2019

375. In the parliamentary elections of 2015, the proportion of candidates with higher education was even higher than before, while younger age groups and ethnic minorities were underrepresented both in candidates and in elected members.

376. The objective of the projects included in the Action Plan on Democracy Policy⁶¹ for 2017-2019 adopted by a Government resolution on 16 February 2017 is to increase the electoral turnout as well as the equal exercise of the right to vote, with a particular focus on groups with the lowest participation rates.

ARTICLE 16

The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.

61

http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/79279/07_17_demokratiapol_FI_final.pdf?sequence=1&isAllowed=y

Linguistic rights in the reform of the social welfare and health care service structure

377. In its fourth report on Finland (paragraph 107), the Advisory Committee urges the authorities to ensure that the administrative reform of Public Social Welfare and Health Care Service Structure currently under preparation, as well as any other reform, is an inclusive process which takes into account actual linguistic diversity and respects the linguistic rights of minorities.

378. Finland is carrying out a reform of public health and social services, known as the Sote reform. It aims at centralising the health and social service provision, currently at the responsibility of nearly 200 organisations, to 18 counties. After the reform has been implemented, public administration in Finland will be organised on three levels, i.e. the central government, the counties and the municipalities. In this case, the counties will be responsible for the provision of social welfare and health care. The reform seeks to ensure equal, client-oriented and high-quality social welfare and health care services across the country. Transferring the responsibility for service provision to 18 counties ensures better management of services as a regionally balanced whole and that the party responsible for services has adequate capabilities and financial resources for ensuring the availability of adequate health and social services that meet the clients' needs.

379. The reform will form five regional collaborative areas of counties for social welfare and health care. The counties belonging to a collaborative area would need to conclude a cooperation agreement on the regional coordination of social welfare and health care. The agreement should also cover measures for safeguarding linguistic rights. Every four years the Government sets strategic objectives for organising health care and social welfare to complement legislation. The objectives must also define targets for ensuring linguistic rights.

380. The legislative proposals necessary for implementing the reform are currently pending at Parliament (Government Proposals 15/2017 and 16/2018). The reform is to enter into force as of 1 January 2021.

381. The Sote reform also seeks to ensure linguistic rights in services. In addition to the existing language legislation, provisions on linguistic rights would also be laid down in the Act on Organising Healthcare and Social Welfare and in the Act on the Freedom of Choice of Healthcare and Social Welfare Clients, which are pending at Parliament.

382. The reform is based on the premise that the clients' existing linguistic rights are safeguarded. The transfer of the responsibility for service provision to 18 counties may also improve the people's linguistic rights in certain areas. The 18 counties would be better resourced to ensure the realisation of linguistic rights than the current nearly 200 organisations.

383. When the Sote reform is implemented, social welfare and health care services will be provided in both national languages, in Finnish and in Swedish, if a county consists of municipalities with different languages or bilingual municipalities. If all the municipalities in a county are monolingual, the services will be provided and the related administration will work in the language used in the municipalities of the administrative area. Out of the proposed counties, five will be bilingual, and excluding Ostrobothnia, Swedish will be the minority language in the others. The linguistic rights of clients speaking a minority language would improve especially when a monolingual municipality belongs to a bilingual county as the bilingual county must provide services in Finnish and in Swedish.

384. The status of the minority language is to be also strengthened by the Counties Act in preparation by enacting that the county executives should establish a Language Minority Committee for each bilingual county. The members of this organ are to be selected from the minority language speakers of the county. The organ would have the task of examining, assessing and defining the minority's need of services, and it would also monitor and develop the availability and quality of the relevant services.

Social welfare and health care services in the Sámi language in the reform of the social welfare and health care service structure

385. The Sote reform will not affect the right of the Sámi to use the Sámi language in social welfare and health care in the Homeland municipalities. In addition, Sámi speakers would be entitled to use Sámi in services provided in the County of Lapland outside the Homeland. These would include specialised health care services, which are mainly provided at the Lapland Central Hospital in Rovaniemi and at the Länsi-Pohja Central Hospital in Kemi. The county would not, however, have a statutory duty to organise services in the Sámi language but interpretation into Sámi would also in the future fulfil the statutory requirements. The reform will expand the right to use the Sámi language also at the Länsi-Pohja Central Hospital.

386. If a county includes a municipality that is located in the Sámi Homeland, the county executive must set up a Language Minority Committee for the Sámi language. The members of this organ would be selected from representatives of Sámi speakers in the county. Some of the members are to be appointed from among the persons suggested by the Sámi Parliament. The tasks of the Sámi Language Minority Committee would correspond to those of the above-mentioned Language Minority Committees.

Impact of the freedom of choice experiments on equality in the context of the social welfare and health care services reform

387. The discrimination monitoring system of the Ministry of Justice and the Ministry of Social Affairs and Health have together examined the impact of the freedom of choice experiments on equality in the context of the Sote reform. Special emphasis was on equality from the perspective of linguistic accessibility. The report was published in September 2018. The report gives recommendations to social welfare and health care actors for ensuring linguistic accessibility and equality in Sote services⁶².

Measures of the Action Plan for the Strategy for the National Languages of Finland for promoting linguistic rights in social welfare and health care

388. The Action Plan for the Strategy for the National Languages of Finland includes measures for promoting linguistic rights in social welfare and health care. They aim at increasing awareness of linguistic rights and their significance in social welfare and health care. The target group consists of both the personnel and the patients of social welfare and health care services. For this purpose, material on linguistic rights will be produced for the target groups and suitable channels will be selected for reaching them. Material on linguistic

⁶² The report with an English summary is available at <http://julkaisut.valtioneuvosto.fi/handle/10024/161064>

rights has been drafted to implement the measure, and it will be circulated among social welfare and health care service providers.

389. The Action Plan for the Strategy for the National Languages of Finland also includes a measure for assessing the linguistic impacts of the reform of social welfare and health care. According to the Action Plan, an assessment of linguistic impacts will be performed on the reform of social welfare and health care services and on the proposed Counties Act.

ARTICLE 17

1. The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.

2. The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels.

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

ARTICLE 18

1. The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned.

2. Where relevant, the Parties shall take measures to encourage transfrontier co-operation.

Nordic Sámi Convention

391. In its fourth report on Finland (paragraph 109), the Advisory Committee encourages the authorities to pursue their efforts with a view to concluding the negotiations on the Nordic Sámi Convention in order that the protection of the indigenous rights of the Sámi population is improved from a regional perspective.

392. Negotiations on the Nordic Sámi Convention lasted for five years between the Governments of Norway, Sweden and Finland and between the Sámi Parliaments of the three states. The negotiations resulted in a preliminary agreement in December 2016, and the presidents of the states' negotiating delegations initialled the agreement on 13 January 2017.

393. The purpose of the Convention is to strengthen the rights of the Sámi so that the Sámi can preserve, practise and develop their culture, languages and social life with as few barriers due to national borders as possible. The Convention guarantees the constitutional right of the Sámi indigenous people to preserve and develop their own language and culture.

394. The article on the signature of the Convention states that prior to signature, the Convention shall be submitted for approval by the Sámi Parliaments of all three countries.

395. The Ministry of Justice submitted the Convention to the Finland's Sámi Parliament for approval in accordance with Article 42 of the Convention by a letter dated on 15 February 2017. The Sámi Parliaments of Finland, Sweden and Norway made a joint decision at the Sámi Parliamentary Council on 7 December 2017 to propose new negotiations on the Nordic Sámi Convention to the Governments.

396. In June 2018, the Sámi Parliamentary Council submitted a proposal to the three Governments for amending the agreement in certain respects. The states have not yet replied to the proposal by the Sámi Parliaments.

ARTICLE 19

The Parties undertake to respect and implement the principles enshrined in the present framework Convention making, where necessary, only those limitations, restrictions or derogations which are provided for in international legal instruments, in particular the Convention for the Protection of Human Rights and Fundamental Freedoms, in so far as they are relevant to the rights and freedoms flowing from the said principles.

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

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APPENDICES

- National Action Plan on Fundamental and Human Rights 2017-2018
- Report of the Government on the Implementation of Language Legislation 2017