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**Comments of the Government of Finland on the Sixth Opinion of the Advisory Committee on
the implementation of the Framework Convention for the Protection of National Minorities
by Finland**

received on 2 June 2025

The comments have been submitted under the sole responsibility of Finland and made public by the Council of Europe Secretariat in accordance with Rule 29 of Resolution CM/Res(2019)49 on the revised monitoring arrangements under Articles 24 to 26 of the Framework Convention for the Protection of National Minorities.

**COMMENTS BY THE GOVERNMENT OF FINLAND ON THE SIXTH OPINION OF THE ADVISORY
COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL
MINORITIES**

1 June 2025

General comments

The Government of Finland welcomes the sixth Opinion on Finland by the Advisory Committee on the Framework Convention for the Protection of National Minorities. The Government extends its sincere appreciation to the Advisory Committee and its Secretariat for the constructive cooperation throughout the monitoring process. Finland is particularly grateful for the Committee's visit and the fruitful exchanges held during its stay. The Government values the open and respectful dialogue maintained with the Advisory Committee and remains committed to continued engagement in the spirit of the Framework Convention.

The Government appreciates the opportunity to comment on the sixth Opinion on Finland and submits the following observations and comments.

**Equality data, gender equality and other intersectional aspects of minority protection
(Summary)**

Paragraph 12

In Finland the concepts of multiple and intersectional discrimination are included in the article-specific (section 3) grounds of the Non-discrimination Act. These provisions, together with the provisions on the prohibition of gender-based discrimination and the promotion of gender equality (Act on Equality between Women and Men), already apply to intersecting forms of discrimination. The Non-discrimination Act includes an open category of "other personal reasons" as grounds for discrimination, making the legislation flexible. The spirit of intersectionality is also put into practice through the promotion of equality and non-discrimination.

Electoral roll to the Sami Parliament (Article 3)

Paragraph 31

Paragraph 31 of the Opinion refers to a statement made by the Chancellor of Justice to the Constitutional Law Committee of Parliament in February 2023. The Government notes that the Chancellor of Justice stated in his preliminary review of the government proposal on amending the Act on the Sami Parliament that he believes that, "in the light of recent decisions of international human rights monitoring bodies, the legislator has in its discretion the possibility and it is also justified to make the proposed amendment to the definition in section 3 of the Act on the Sámi Parliament and to give more weight to the acceptance of the Sámi community as a member of the community". (OKV/83/22/2023-OKV-2, page 5)

Cross-border contacts and bilateral co-operation (Articles 17 and 18)

Paragraphs 200-202

By its decision of 16 April 2025, the Government has closed border crossing points on the eastern border for the time being. The previous decision was made on 4 April 2024. The Government's decision is accompanied by a comprehensive explanatory memorandum in which, among other things, the necessity and proportionality of the measures and restrictions and their impacts have been assessed. This assessment takes into account the Framework Convention for the Protection of National Minorities (later "Framework Convention"), in particular Articles 4 and 17.

The memorandum also assesses the effects of the decision on minorities (see pages 11, 13, 28, and 35–37 of the memorandum). The memorandum acknowledges that the longer normal cross-border traffic is suspended, the more significant the impacts on fundamental and human rights become. However, the grounds and objectives for the decision – as explained in more detail in the memorandum – relate to overriding societal interests, which have led to the assessment that a decision of indefinite duration is both necessary and proportionate.

The memorandum states that the Government decision does not discriminate against Russian nationals or Russian speakers residing in Finland on the basis of belonging to a national minority as referred to in Article 4 of the Framework Convention. The closure of border crossing points at the eastern border applies to all individuals wishing to cross the border, regardless of their nationality or other personal characteristics. Furthermore, the decision does not interfere, in a manner prohibited by Article 17 of the Framework Convention, 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.

Paragraph 202 of the Opinion states that the proportionality of the Government's decision would not have been assessed at the time the decision was made. The Government emphasises that, as described above, the necessity and proportionality of the decision were assessed at the time of its adoption.

Additionally, according to the Government's decision and its explanatory memorandum, the Government is obliged to assess the content and scope of the decision on a regular basis, based on the development of the situation, in cooperation with the Border Guard and other authorities. This obligation has been, and will continue to be, fulfilled.

The Government's decision states the following:

"The Government regularly assesses the content and scope of the decision, and its necessity and proportionality, in cooperation with the Border Guard and other authorities. The assessment is based on the development of the situation as well as developments in the interpretation of EU-legislation and international treaties. The decision shall be revoked or amended if it is no longer necessary to combat a serious threat to national security or public order".

The explanatory memorandum of the Government's decision states that:

“The Government will regularly assess the content and scope of the decision and the necessity and proportionality of its validity in cooperation with the Border Guard and other competent authorities, on the basis of developments in the situation and the interpretation of EU-legislation and international treaties. Every month, the Border Guard delivers to the Ministry of the Interior an assessment of the development of the situation. If, on the basis of the assessment, it appears that the decision is no longer necessary to prevent a serious threat to public order or national security or that the situation has otherwise essentially changed, the Ministry of the Interior will submit a proposal to repeal or amend the decision to the Government for consideration by the plenary session. Furthermore, to ensure the openness and transparency of decision-making the Ministry of the Interior will submit the decision, which is in force until further notice, to be assessed by the Government plenary session at times.”

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