CoE; Revised European Social Charter; 19th periodic report by Finland

As requested, the employees' confederations, that is, the Central Organisation of Finnish Trade Unions (SAK), the Confederation of Unions for Professional and Managerial Staff in Finland (Akava) and the Finnish Confederation of Professionals (STTK), submit the following:

These comments by the employees' confederations are divided into two parts, with the first containing the assessments and responses of the employees' confederations concerning the sections of the Finnish Government's report responding to the targeted questions sent to Finland by the European Committee of Social Rights. In this part, we focus directly on the article-specific shortcomings, incorrect interpretations and material omissions found in the Government's responses.

The second part of the comments examines more extensively the impairment of rights of workers and individuals and the social security, education and training and labour policy changes that are safeguarded under articles other than those reported on but that have direct implications on the Government's reporting also on aspects about which separate questions have been asked by the Committee. The examination of these broader rights and impairments is necessary to provide the Committee with an overall picture of the regulatory and policy line implemented by the Government during this government term, and of the impacts of this on the status of workers, realisation of fundamental rights and societal equality. As a whole, the two-part structure ensures that the Committee is provided with a precise article-specific assessment of the Government's responses as well as a broader picture reflecting the real current situation of social and labour rights in Finland.

PART I

General assessment of the Government's report

The employees' confederations regard the Government's report as a whole as being deficient and failing to fulfil the reporting obligation under the European Social Charter. Its assessment is already inherently made difficult by the fact that the social partners have not been provided with the targeted questions sent to Finland by the Committee. Based solely on the responses, it is impossible to assess the extent to which the Government's account responds to the Committee's information needs and how appropriate and comprehensive the reporting actually is.

As a whole, the report is narrow and norms-based at the content level and not in conformity with the evidence-based assessment of practical implementation required by the Charter. The Government quotes legislative texts and procedural descriptions but does not assess how regulation actually works in workplaces, how the status of workers is realised in practice or how the changes in working life seen in recent years have affected workers' rights. The report is limited in scope and contains no mandatory analysis of the realisation of workers' rights; the practical realisation of the status of workers and the effectiveness of regulation are missing entirely from the report even though the Charter requires substantive rather than formal reporting. This being the case, the report merely describes legislation without analysing how the changes affect the status of workers, the bargaining positions or the conditions for exercising rights, and it does not fulfil the obligation of reporting based on assessment under the Charter.

On the whole, the Government's report provides a picture of the development of Finnish working life that is more positive than the actual situation and that is in part incorrect. Major impairments concerning working life have been seen in 2023–2025. In addition to the articles reported on by the Government, the Government has implemented other extensive impairments of the status of workers, which inevitably have impacts on the realisation of the rights safeguarded by the articles now reported on, but descriptions and impact assessments of these changes are missing entirely from the report. For these reasons, the employees' confederations consider that the report fails to provide the European Committee of Social Rights with a realistic or comprehensive overall picture of the realisation of workers' rights in Finland and therefore fails to fulfil the reporting obligation under the Charter.

Article 2

The right to just conditions of work

Article 2§1: Reasonable daily and weekly working hours

General

To begin with, the employees' confederations note that the report fails to provide a realistic picture of Finnish working hours protection and that the Government's reporting fails to meet the standard required by the European Social Charter. The report quotes legislation but does not assess its impacts on workers' coping, health and safety or the realisation of their rights in practice.

The Government's report on the situational picture concerning the working hours system provides an incomplete and misleading picture of the realisation of the protection of workers' rest and recovery. The report emphasises the formal provisions of the Working Time Act but ignores the fact that the extensive opportunities for derogations included in the Act undermine workers' effective right to adequate rest and safe working conditions.

The report is normative, not evaluative. The Government's response consists almost purely of descriptions quoting legislative content. The report does not in any way assess, for example, how working hours regulation is implemented in practice, what kinds of impacts the derogation opportunities have on workers' coping, whether the enforcement and supervision mechanisms are adequate and whether certain sectors (such as care, transport, security guarding, ICT) are effectively under stress and strain from working hours that are too high.

The Government's report should, however, have provided statistics, impact assessments and analysis of practical implementation instead of mere legislative text. These are now entirely missing from the report. For example, the report fails to provide any impact assessment concerning the extensive scope of application of period-based working time. It only lists the duties and activities covered by the scope of application of period-based working time, but the Government does not assess why the scope of period-based working time is so extensive in Finland and whether the system causes long periods of work, lack of recovery, or health risks. For example, the need to use period-based working time in health and social services and the transport sector is justified in the report with a mere reference to the Act, with no mention of work-related strain or wellbeing of workers.

Opportunities to derogate from working and resting times are not examined critically in the report. It describes extensively when working hours can be extended or organised so that they average 40 hours, but the Government does not assess whether the derogations systematically increase the burden of overtime, whether derogations to collective agreements are made in terms of workers' effective bargaining position, or how the legislative amendments implemented by the Government (expansion of local collective bargaining in 2025) affect working hours protection. The employees' confederations regard it as problematic that the report provides a picture of the derogation opportunities as neutral technical solutions even though they have a direct impact on workers' health and safety.

In addition, the employer-specific agreements and their risks are completely ignored. Section 34 of the Working Time Act enables derogations from the protection provisions of the Act also under employer-specific agreements. In this regard, the Government's report lacks assessments of whether these arrangements increase the risk of impairment of employment terms and conditions, whether personnel have an adequate bargaining position in employee-specific agreements, how it is supervised to ensure that workers are not coerced into agreements or whether agreements increasingly often take place without the protection of collective bargaining. Given that the European Committee of Social Rights has consistently established that derogations concerning working hours must be genuinely exceptional and must not become structural practices, it is worth noting that the report does not address this mandatory starting point at all.

Stand-by provisions are also only assessed formally. The report explains the sections of the Act concerning time spent on stand-by but does not assess whether the requirement of the Charter to safeguard time off work for workers is realised. The employees' confederations point out in particular that stand-by may be organised in Finland in a manner that is highly restrictive with regard to the worker's sphere of life and that the level of compensation for stand-by varies considerably and may be clearly undercompensated. The report does not provide any data on the extent or supervision of stand-by in different sectors. Considering that stand-by directly affects the right to reasonable working and leisure time, the Government ignores this entirely in its report.

The employees' confederations also draw the Committee's attention to the fact that the adequacy of enforcement and supervision is missing entirely from the report. The Government's report does not provide any information about amounts of occupational safety and health inspections, shortcomings related to period-based working time and work-related strain, enforcement and supervision resources, statistics on breaches of maximum working hours, or workers' recovery problems. Since the description of the realisation of supervision and enforcement is a key element of the reporting obligations under the Charter, its absence is a significant issue.

Assessments of working time regulation

Finnish law continues to enable the shortening of daily rest periods to seven hours and, in certain situations, even to five hours over three consecutive days. The extensive grounds for derogations under section 25 of the Working Time Act –

applying to, for example, employees changing shifts, long commutes, seasonal peak periods, and ensuring the continuity of operations – show that impairment of rest periods is in practice permitted quite extensively and not only limited to exceptional circumstances. This is not in line with the interpretation of the European Committee of Social Rights concerning effective protection of rest periods.

Also with regard to safeguarding weekly rest periods, the opportunities for derogations are so extensive that the basic premise of the Act – an uninterrupted rest period of at least 35 hours once in every seven days – in practice loses a significant part of its protection. Sections 27 and 28 of the Working Time Act enable repeated derogations from the weekly rest period with the employee's consent and by relying on this being required by the organisation of the work. Subsequent compensation by reducing working hours or paying money does not in reality restore the forfeited rest period even though, according to the Committee, rest periods must be the primary means of protection.

With regard to the provisions on Sunday work, the legislation does not meet the Committee's interpretation of at least double the usual wage or double time off. Section 34, subsection 2 of the Working Hours Act enables impairments under collective agreements that go even further, and the legislative materials do not provide sufficient guidance with regard to what 'agree otherwise' means. Furthermore, the legal provision is placed in such a part of the legislative materials of the Act that its significance is easy to be missed, which does not constitute good statute drafting.

With regard to night work, the report emphasises the formal regulatory framework but ignores the actual health effects of night work and the fact that night work has increased extensively in several sectors – including such where night work has previously not been a significant part of the job description. An example of this is the retail sector. Research evidence on the adverse health effects of night work, including an increased risk of cardiovascular diseases and breast cancer, is not adequately reflected in legislation. Opportunities to alleviate the adverse effects of shift work in shift planning are not used everywhere, even though analysis and assessment of hazards at work is required by law. The practical realisation of health checks or compliance with recommendations given on the basis of them is not consistent, either.

All in all, the working time legislation and its practical application do not provide workers with an adequate level of protection regarding rest periods or working hours. The extent of opportunities for derogations, the unclear provisions on compensation for Sunday work and the insufficient attention to the health risks of night work demonstrate that the current state of the legislation fails to meet the minimum level required by the European Committee of Social Rights. The Government's report does not disclose these shortcomings, which makes the account one-sided and distorts the picture of the actual situation in working life.

Article 3

The right to safe and healthy working conditions

General

The employees' confederations consider that the Finnish Government's report provides an unbalanced and incomplete picture of Finnish working conditions because it ignores the Government's own erosion of working conditions. The Government presents occupational safety and health (OSH) merely as a legal-technical issue, not as a consequence of political decisions. The report provides an optimistic description of risk management but ignores the shortage of and cuts in enforcement and supervision resources and fails to mention the increase in strain factors experienced by workers during the government term.

The amendments to the Occupational Safety and Health Act that entered into force in 2021 – concerning the analysis and assessments of hazards in travel for work outside working hours and the obligation to explore measures to reduce strain factors in night work – are as such steps in the right direction. They have, however, turned out to be clearly insufficient. The employees' confederations note that, regardless of the amendments, the analysis and assessment of hazards at work remain inadequate, particularly with regard to psychosocial stress. No actual improvements have been created, as the provisions do not obligate the employer to take measures that are concrete enough and can be monitored, and the ongoing development does not respond to the increasing risks faced in working life. There are shortcomings in many workplaces in the management of psychosocial stress, and OSH inspections have detected clear shortcomings in the assessment of the health hazards caused by stress and in addressing cases of excessive stress.

Also the amendment of the Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces that extended the OSH authorities' reporting obligation to human trafficking offences was, as such, necessary. In practice, however, this also remains lacking in the absence of enforcement resources and powers being increased at the same time. The preventive and mandatory regulation does not currently ensure that the OSH authorities have effective capacities to detect and combat trafficking in human beings or the exploitation and underpayment of workers. As a whole, the current measures are not sufficient to respond to the gravity and scope of the phenomena, and the regulation urgently needs to be clarified and made more mandatory.

Changes in ways of working

There will be an increase in new ways of working in the years ahead, which will result in an increase in risks as well as in grievances and abuse. New forms of employment have emerged alongside, and in the space between, self-employment and traditional contractual employment relationships in force for an indefinite term. Work is commissioned on the basis of a variety of assignment and partnership contracts. This is problematic when the purpose of the form of commissioning work is to evade workers' rights and employers' obligations related to contractual employment relationships. Bogus self-employment increases income insecurity and there is no protection against unjustified termination. People working under such arrangements for commissioning work do not have the social security, occupational healthcare or statutory insurance cover against occupational accidents and diseases based on a contractual employment relationship. Problems in drawing the line between a contractual employment relationship and self-employment have emerged in contexts including platform work. The legal nature of the relationship between the worker and the employer or client may be assessed in different ways by different authorities. The new forms of employment associated with the phenomenon of fragmenting working life, such as the platform economy and light entrepreneurship, challenge the traditional notion of employer and employee roles in OSH enforcement, too. The phenomenon encompasses supervision of the use of foreign workforce, enforcement of contractors' obligations and liability, new forms of employment and safeguarding the rights of those in a vulnerable position in the labour market.

Platform work

The Government's reporting on the status of the platform economy in terms of labour law is considerably incomplete and does not correspond to the level required by the European Committee of Social Rights. The report merely mentions a ruling of the Supreme Administrative Court and quotes its key elements but omits any assessment of the impacts of the ruling on the status of workers, adequacy of enforcement and supervision, and the structural problems of the platform economy.

The report provides a misleadingly simplified picture of employee status in the platform economy. The Government refers to the Supreme Administrative Court ruling on the employee status of Wolt couriers, but the report text does not in any way address how the platform company (companies) actually comply with the ruling, whether the authorities have the resources to supervise that the incorrectly classified employees do not remain outside protection against unjustified termination, nor to which extent the status of self-employed persons still falls somewhere in between. Thereby the report presents an individual court ruling as if the structural problem was already fixed – regardless of the fact that the practical reality is quite the opposite.

The Government also omits analysing the Supreme Administrative Court ruling with regard to the court finding that the Working Time Act does not apply to the work of the food couriers and, instead, merely quotes the court ruling stating that the working time legislation does not apply to the work of the couriers.

The employees' confederations wonder how this is compatible with Article 2 of the Charter, how the workers' right to reasonable working hours and rest is realised, whether the couriers are in practice subjected to an unlimited working time obligation without working hours protection, and how recovery, coping and OSH are ensured. The employees' confederations consider that this is one of the most serious shortcomings in the contents of the report: a legal structure where a person is an employee yet not covered by working hours protection is highly problematic with regard to the Charter.

In addition, the employees' confederations emphasise that the status of enforcement is not described at all. The report does state that the OSH authorities are forming their enforcement policies based on the ruling but does not discuss any concrete enforcement-related plans, resources or powers. Information on amount of enforcement and detected violations is also missing. This is a significant omission. In the absence of enforcement, the employee status only exists on paper and the rights are not realised in practice.

The report does not pay attention to the structural problems of platform work, either. The Government's text does not discuss the key risks, such as the impacts of the management algorithms of the platform economy on the essential characteristics of an employment relationship, the dependence of workers on an individual platform, the variation in earnings level and income uncertainty, any distortions of competition where some platforms evade labour law, or the problems related to accident insurance and social security. Even though the European Committee of Social Rights has consistently required the State to specifically assess these structural issues, the report fails to do so.

Lastly, the employees' confederations note that the challenges involved in the implementation of the EU Platform Work Directive are ignored by the report. The report mentions a working group but does not estimate how many platform workers will receive an employee status following the national implementation of the Directive, what amendments will be required to labour legislation or how the transparency and oversight of algorithmic management will be implemented. The employees' confederations note that, when the report gives the impression that the process is formal, not substantive, the impression is very much on the right lines. As regards the national implementation of the Directive, the Government has adopted the principle of minimum implementation, which is what the Government appears to apply in this case, too.

Labour exploitation

The structures of working and commissioning work are undergoing a transformation, and this has contributed towards creating a fertile ground for labour exploitation. Employment is increasingly often based on fixed-term, part-time or hired/temporary agency work arrangements, and the locations and forms of work range from remote to mobile work. At the same time, responsibilities and liabilities become fragmented and employer's obligations are blurred in cases where employees may have several employers and it is not easy to perceive the overall security or actual responsible or liable party. This environment is increasingly visibly linked with a phenomenon where an employment relationship is intentionally disguised as a partnership or assignment relationship – so-called self-employment – only to evade the norms laid down to protect the employee and the obligations laid down for the employer. Consequently, the employee falls outside of the scope of working hours protection, OSH and social security, and the exploitation turns from individual cases of abuse into a structural approach.

Labour exploitation has already been occurring for a long time in Finland. Recently, the exploitation of foreign labour in particular has gained major publicity in the media. The cases reported in public underline the Government's inaction in the face of an obvious problem.

The forms of labour exploitation range from underpayment to offences that, in their worst forms, fulfil the statutory definition of trafficking in human beings. The victims are usually workers in a vulnerable labour market position, such as workers with a foreign background or impaired capacity for work, or young workers. This is emphasised in certain sectors in particular, such as construction, cleaning, berry farms, wild berry picking and restaurants but also in, for example, the beauty industry, warehouse work and car wash and repair operations. Labour exploitation also occurs in domestic work. Many workers have also been exploited in agriculture and forestry, for example when doing seasonal work. The phenomenon has not disappeared from Finnish working life, but now the concern is that the cases of exploitation will increase due to the major labour market changes made by the Government. For example, the changes made to local bargaining concerning working conditions may increase exploitation, especially as at the same time the Government has not allocated special resources to enforcement authorities.

There are challenges in the investigation of trafficking in human beings and associated offences, such as extortionate work discrimination, and the problem is structural. There are challenges relating to aspects including the long duration of investigations into cases and the interpretation of the statutory definition of an offence. Discrimination as a title of an offence is poorly suited in cases where some foreign workers receive remuneration in accordance with the collective agreement and others do not. In practice, underpayment is sometimes interpreted as a mere pay dispute that is not even investigated as an offence. In addition to resources and knowledge of statutory definitions of offences, attitudes are also the problem in some cases. These offences are not always regarded as important. Instead, issues such as residence permit problems may be automatically regarded as a factor reducing credibility. Systematic operating models are not detected when reports are processed separately and the extent of the employer's action is not examined. In addition, the OSH authorities' means of addressing labour exploitation still remain very limited. Although efforts have been made to make minor improvements to the operating capacities of the authorities, it still clearly appears to be that there are insufficient means in Finland to address the continuation of a business model based on labour exploitation.

The Committee has recommended that Finland investigate reports of breach of provisions on remuneration in collective agreements and increase labour inspection in sectors of the economy where such violations are likely to occur. The employees' confederations draw the Committee's attention to the fact that in Finland the OSH authorities already enforce more than 100 statutes and new statutory enforcement and other duties are being assigned to them while at the same time resources are being cut. The OSH authorities have expressed clearly that it is not possible to successfully carry out all the duties assigned to the authorities with the existing resources. The actual number of OSH inspections reported in the Government's budget proposal was, for example, still as high as 24,500 in 2023, whereas the target set for 2025 was reduced to only 19,500 inspections. This means a 20% decline in two years.

As regards the exploitation of workers with a foreign background, an increasing phenomenon emphasised in recent years is disguising employment relationships as self-employment. This was pointed out, for example, at the joint information event themed on fair working life organised in 2025 by the Tax Administration, the Regional State Administrative Agency for Southern Finland and the Finnish Centre for Pensions for those using foreign labour, subcontracting and hired/temporary agency work (source: Viranomaisten info: Reilua työelämää - Tyosuojelu.fi - Työsuojeluhallinto (in Finnish)). Attention to the phenomenon has also been paid in supervision of the use of foreign labour (source: Publications of the OSH Administration in Finland 3/2025 Supervision of the use of foreign labour in 2024, https://tyosuojelu.fi/documents/154017715/203855446/TSH-Raportti-Ulkovalvonta-2024-EN.pdf/47207f47-5644-7d63-2ecc-e782439906f9/TSH-Raportti-Ulkovalvonta-2024-EN.pdf?t=1749468601192). This is a phenomenon causing great concern, since this may result in a significant loss of employment-related rights and protection for the person. At the same time, the employers who act improperly gain an unfair competitive advantage.

Psychosocial stress

In the view of the employees' confederations, the Government's report provides a seriously misleading picture of the management of risks related to psychosocial stress. The report ignores the fact that stress and strain caused by work have increased rapidly and that at the same time the Government's labour policy has increased uncertainty among workers and reduced their access to influence. The changes in working life have increased problems arising from work related to stress, strain, ability to work and mental health in such a way that existing regulation cannot respond to.

There is an obvious and urgent need to develop legislation applying to the prevention of psychosocial risks and mental health problems. The existing measures are clearly inadequate: legislation does not obligate employers to take measures to prevent stress factors that are concrete enough, measurable and monitored. In addition, legislation does not take into account the structural changes in working conditions that make work less manageable.

The report emphasises cooperation between employers and occupational healthcare, but this starting point is inadequate. Cuts in enforcement resources and the shift to individual-driven responsibility relying on occupational healthcare and the employee are in clear contradiction of the report's own objectives. In the absence of adequate enforcement by the authorities, preventive work relies upon the employers' discretion, and occupational healthcare cannot bear the responsibility for structural stress factors.

The report fully ignores the negative impacts of the Government's own legislative amendments on the work-related stress and strain, manageability of work and wellbeing of workers. The increased working hours flexibility, weakening of protection against unjustified dismissal, shortening of layoff notice periods and facilitating of fixed-term employment contracts are measures that are conducive to increased uncertainty and psychosocial stress. These impacts being ignored makes the report incomplete and distorts the picture of Finnish working conditions.

In the absence of legislation that is more precise and mandatory and takes structural changes into account, workers still remain without adequate protection in situations where work-related stress, strain, fatigue, burnout and mental health problems are already widely identified and serious occupational health risks.

Shared workplaces

There are still numerous practical concerns in practical situations in shared workplaces and workplaces with mutual hazards. In such workplaces, there is often ambiguity regarding who is the employer exercising the main authority, how many other employers there are in the workplace, how many subcontractors there are and how these are changing, or what the number/turnaround of hired/temporary agency workers is. Almost every workplace is turning into a shared workplace with multiple employers/operators, so the development of this area of legislation is of key importance for the realisation of OSH. It is too often the case that the responsibilities and obligations have not been identified.

Work-related extended availability and remote work

There has been a major increase in work-related extended availability due to digital tools and continuous connectivity, but legislation and enforcement have clearly fallen behind this transformation of work. Being continuously available has become a significant and often unidentified workload and strain factor to which the existing legislation does not respond. People in expert roles in particular are required to be available outside their actual working hours without the employers being imposed sufficient obligations to ensure there is a boundary between work and leisure time. Working hours constantly spilling over into personal time have therefore become a large-scale problem that has not been addressed with sufficiently determined measures.

With regard to remote work (telework), the Government's report does not discuss the transformation of working or identify the increase in remote surveillance. The employees' confederations consider that the assessment provided by report of the limited significance of remote work in OSH enforcement is too one-sided. In Finland, remote work is an established and extensively used form of work that involves considerable psychosocial and ergonomic risks. The report should examine remote work as part of the structural change in working life.

Moreover, the report does not cover the higher digital workload in remote work or the increased remote work surveillance carried out by employers even though these are phenomena that have rapidly become more common and significant factors affecting the wellbeing of workers. The Government's labour policies, such as the expansion of local bargaining, may in practice increase the employers' opportunities to issue unilateral orders concerning remote work. This further increases uncertainty and stress among workers.

Although the OSH Act lays down that work performed in the employer's home or under related conditions is within the scope of application of the Act, the specific characteristics of remote work may cause problems of interpretation. In addition, there may be blind spots in the legislation. The concept of remote work has not been defined in accordance with the needs of today's work, and the employer's obligations with regard to risk assessment and prevention have not been clarified. This may result in lack of knowledge and competence in identifying the dimension of worker protection, which is reflected in the level of effective protection of workers. This may also be reflected in surveillance activity. Remote work is subject to the same employer obligations under labour law as on-site work, and it is essential to make this clear. In addition, the special characteristics of remote work, for example from the perspective of work ergonomics and other workload and strain factors, should be identified.

The employees' confederations underline that the Government should have included in its report a plan for the systematic assessment of risks in remote work and presented concrete measures for stronger enforcement. The impacts of remote work on workers' health, safety and rights call for comprehensive examination, which the report does not provide.

Workers' insurance cover in remote work does not reflect the change in the conditions where work is carried out. The application of the Workers' Compensation Act causes practical problems and results in unequal treatment of workers. The scope of compensability of accidents occurring in remote work is highly limited, as compensation only applies to cases where working can unambiguously be verified. This limitation does not correspond to the actual nature of remote work, where it is inevitable that work and other activity are intertwined. The existing state of affairs leads to problems of interpretation and places workers unjustifiably in an unequal status compared with others.

Although central government employees have been provided under law with separate protection in the event of accidents in remote work, workers elsewhere still remain in an unequal status. The situation is unreasonable for these workers and cannot be regarded as acceptable from the perspectives of equality, protection under the law or OSH objectives. The legislation requires immediate and thorough reform to achieve a consistent and predictable status of workers regardless of the employer or the form of organising the work.

Violence, harassment and sexual harassment in working life

Inappropriate treatment, harassment and violence occur in working life regardless of the obligations laid down in law. In many sectors, violence encountered at work is recurring and there have been insufficient efforts to prevent it. Every worker must have the right to carry out their work without a threat of violence or direct experienced violence. Harassment or violence or threat of harassment or violence encountered at work cause psychosocial stress, anxiety and fears that at their worst lead to incapacity for work. Workplaces must have clear procedures for the prevention of any threat of violence and the elimination of inappropriate behaviour and harassment, and these must be communicated to workers already in the induction phase and, at the same time, workers must be encouraged to report any problem situations. The legislation does not ensure sufficiently clear, efficient and effective processes for the prevention, addressing and elimination of harassment and violence. With regard to more specific provisions on action against violence, the Ministry has on several occasions over the years drafted more specific decree-level provisions specifically concerning the prevention of violence and obligations for employers to protect employees against violence and its threat, but the decree has not been brought into force due to opposition by the employer side.

According to the 2024 Gender Equality Barometer of Statistics Finland, both men and women often experience sexual harassment in Finland but there is a significant gender difference in the frequency and recurrence of experiences of harassment. Almost half (47%) of the female and just over a fifth (22%) of the male respondents reported that they had experienced sexual harassment over the past two years. The harassment was most commonly verbal. Almost a fifth of the female respondents had experienced unwanted physical touching or approaches, while the corresponding rate among the male respondents was 7%. According to Statistics Finland data, the perpetrator of sexual harassment of women was for 24% of the female respondents their coworker, for 3% a supervisor and for 22% a customer or student.

These figures are highly alarming. Zero tolerance for sexual harassment at work must be imposed. Not only must sexual harassment in the workplace be criminalised, the eradication of harassment in the workplace must also be visible in practice. For this reason, particular attention must be paid to legislation concerning the criminalisation of sexual harassment and its further development.

Article 4

Right to a fair remuneration

Article 4§3 of the European Social Charter obligates the States Parties to safeguard the right of men and women workers to equal pay for work of equal value. This requires the strengthening of pay transparency and a non-discriminatory pay structure, reducing labour market segregation, and efficient monitoring to prevent discrimination.

The labour market and social policy measures of Prime Minister Petteri Orpo's Government are a clear cause for concern from the perspective of these obligations. The Government's decisions weaken the coverage of the collective agreements system, increase opportunities for unilateral local agreements without sufficient protection of workers, and facilitate the conclusion of fixed-term employment contracts without appropriate grounds. In addition, they increase the risk of pay development that is weaker than in other sectors and increases in pay gaps particularly in low-paid and female-dominated sectors where the bargaining position is weaker to begin with. At the same time, reductions of enforcement resources weaken the authorities' capability to address pay discrimination and ensure equal pay for equal work.

Instead of measures to promote pay transparency, the Government has adopted policies that transfer the responsibility to negotiations between employers and employees featuring unbalanced bargaining positions. This trend threatens to increase pay gaps and weaken the realisation of the equal pay principles particularly in low-paid female-dominated sectors where pay levels have long been lower than in male-dominated sectors.

As a whole, the Government's measures can be considered as impairing the effective opportunities of workers to receive equal pay for work of equal value and therefore as conflicting with the obligation under Article 4§3 of the Charter. Combatting pay discrimination, strengthening pay transparency and safeguarding collective bargaining power call for measures that are contrary to those currently being promoted by the Government.

Unexplained pay gaps, pay discrimination and legislation

There are problems in Finland relating to the detection and addressing of unexplained pay gaps and pay discrimination cases. Insufficient pay transparency enables unjustified differences in pay as well as pay discrimination.

Gender-based pay discrimination is prohibited under the Act on Equality between Women and Men (Gender Equality Act). Under the Act, applying the pay or other terms of employment in such a way 'that one or more employees find themselves in a less favourable position based on their gender than one or more other employees in the employer's service performing the same work or work of equal value' constitutes discrimination, unless there is an acceptable reason for this.

In Finnish working life, the problem relates to access to information and poor pay transparency. Cases of discrimination are often not investigated due to lack of information. Poor pay transparency means that a person may not be aware that they have been discriminated against. This is because, as a rule, to investigate discrimination, information is required about the pay of a worker of a different sex performing equal work or work of equal value, as a comparator is usually required to prove pay discrimination. The assessment of pay discrimination usually requires that the pay of the person suspecting pay discrimination is compared with the pay of a worker of a different sex. This is impossible if the transparency of pay systems is poor and there is no open access to information on pay. Therefore the detection of cases of pay discrimination is regrettably often based on chance.

The legal remedies of an individual are currently not sufficient to prevent pay discrimination. If a worker suspects pay discrimination, their access to comparator information is too limited. The situation will not be rectified by the national implementation of the Pay Transparency Directive. Amendments to national legislation would be required so that opportunities to address pay discrimination would not remain on a theoretical level only.

Finland should therefore take national measures to rectify the situation. This would enable unexplained pay gaps and pay discrimination to be addressed effectively. Unfortunately, the Finnish Government is not initiating any improvements in this regard as, in its Government Programme, the Government has stated with regard to pay transparency that it will only promote pay transparency in accordance with the minimum provisions of the EU Directive.

Adhering to the minimum provisions threatens to make the legislation unclear and subject to interpretation. The legislation should therefore be clarified by, for example, harmonising the boundaries of the scope of the Gender Equality Act to apply to workplaces of 30 or more people for pay surveys and joint pay reports and assessments, and laying down a three-year period of action for claims concerning all forms of discrimination.

In addition to the above, the penalties proposed for the employer in the implementation of the Pay Transparency Directive are likely to remain ineffective, which is why the complex and lengthy process may turn out to be an obstacle to the protection of workers and job applicants under the law.

Since the supervisory authority has insufficient resources to monitor the realisation of gender equality, the resources should be increased. In 2024, the Ombudsman for Equality received a record number of contacts, with 90% of these concerning discrimination in working life. Most of these contacts concerned discrimination on grounds of pregnancy or family leaves, pay discrimination or discrimination in recruitment and selection of employees.

Work of equal value

The concept of ‘work of equal value’ is not defined more precisely in Finland’s national legislation. This fact is likely to have a major impact on how the concept is actually understood in workplaces. The concept is often understood too narrowly as only covering workers performing the same work.

The employees’ confederations have long called for the more precise definition of ‘work of equal value’ in law. The Finnish Government has not, however, initiated any rectifying measures in this regard.

The inadequate definition of work of equal value in legislation has repercussions on Finnish pay-setting and society as a whole and on the rectification of unjustified and unexplained pay gaps. In this regard, no effectively efficient measures to improve the situation have been taken in practice, and the issue has not been monitored, either. The existing national sanctions for violations of pay discrimination provisions are not effective enough, which at the same time means that they do not have an effective preventive impact, either.

Finland has also not implemented effectively efficient measures to improve the situation regarding equality plans or the pay survey obligation, either. There is a great deal to be improved in employers' practices, and there are shortcomings in compliance with the requirements of the Gender Equality Act. There are still shortcomings in pay surveys included in the equality plan in the private sector, the quality of pay surveys is low, personnel are not provided with sufficient information about pay surveys, and employee representatives are not included in the formulation of plans as required by the Act. Also according to the Work of Equal Value 2021–2022 project, workplaces should, among other things, place more emphasis on equality plans and the related pay surveys. In addition, they should raise awareness and provide more information about pay systems and the grounds for pay. Nor have the measures implemented under the Equal Pay Programme, for example, been of such a nature as to have had a significant impact on rectifying the problem. No substantive monitoring has taken place on whether the situation has improved.

The work of the tripartite working group on the implementation of the Pay Transparency Directive ended in May 2025. The obligations under the Directive must be brought into force nationally by summer 2026. The Government's draft proposal was not sent out for a consultation round until December 2025, and the proposal had been amended in significant parts compared with the working group's memorandum. Now the proposal does not even meet the minimum implementation of the Directive in aspects such as the definition of work of equal value. The proposal must be revised to at least correspond to minimum implementation before it is submitted to Parliament.

Workplaces still do not know how the Directive would in practice affect their measures to promote pay transparency. Finland should bring the obligations required by the Directive into force as soon as possible so that 1) there is time to bring the national obligations into national legislation within the time limit set by the Directive and 2) the workplaces will have at least some time to prepare in advance for the national changes before the time limit set is reached.

Article 5

The right to organise

The Government's report presents the legislative basis for the right to organise (Constitution, Employment Contracts Act, Collective Agreements Act). The text describes the legal content of the right correctly but fulfils the requirements of Article 5 only formally. The report only describes the formal right – but not its practical realisation. Article 5 of the Charter does not merely safeguard the right to form and join organisations – it obligates the States Parties to ensure the actual and effective opportunity to organise. From this perspective, the report is deficient and misleading for the following reasons:

Reference to section 13 of the Constitution and chapter 13 of the Employment Contracts Act only shows that organisation is enabled by legislation. It is essential with regard to Article 5 of the Charter whether organisation is actually possible and accessible. The report does not assess at all the costs of organisation, the membership trend and its reasons, the impacts of atypical and precarious employment on organisation, pressure exerted by employers, or disincentives for organisation, nor the weakening of workers' bargaining power due to legislative amendments. Therefore, the report does not answer the core question of Article 5: can the right genuinely be exercised?

The report fails to mention the most relevant fact: the Government eroded opportunities for organisation by abolishing the tax deductibility of trade union membership fees. This is the most serious shortcoming of the report. Article 5 of the Charter requires that States Parties refrain from measures that impair the conditions for organisation. The Government imposed a direct tax sanction on organised wage and salary earners by abolishing the tax deductibility of trade union membership fees. Unlike other expenses for the production of income in general, following this change, trade union membership fees are not deductible in the earned income taxation of wage and salary earners. This measure is an exceptional tax sanction that was targeted exclusively at organised workers and that directly weakened the membership base and financial basis of trade unions. It is contrary to the objectives of Article 5 and of ILO Conventions, the purpose of which is to promote rather than impair organisation.

The measure does not have a function of any degree in terms of the national economy. It is purely ideological and truly illustrative of policy during the term of the current Government. It appears to be targeted against organised workers and their trade unions, its impacts specifically affect organised workers and their trade unions and, this being the case, this policy is likely to be targeted directly against organised workers and their trade unions.

The decision to abolish the tax deductibility of trade union membership fees will, going forward, be a financial obstacle to joining a trade union. It is particularly harmful to workers who are at risk of poverty, young, immigrants or in precarious employment and therefore a measure that directly lowers the rate of organisation. The report's total omission of this is a substantive and legal shortcoming with regard to the reporting obligations concerning Article 5.

The report presents the provisions concerning 'yellow collective agreements' in a manner detached from reality. The report does mention that a collective agreement is not valid if the employee association does not genuinely represent the employees. This is an important provision, but the report does not assess how the weakening of the financial position of the trade union movement (incl. the abolishment of the tax deductibility of membership fees) increases the risk of yellow associations, how the relative position of employer-driven 'representatives' is strengthened or how the lowering of the rate of organisation erodes the legitimacy of the system. In other words, the report emphasises legislation concerning yellow collective agreements but fails to mention the measures that increase the conditions for such associations emerging.

The report does not assess the practical conditions for organisation – even though this is specifically required by Article 5 of the Charter. The report completely omits the trend in the rate of organisation, the reasons for the decline, the attitudes of and any opposition by employers, availability and weakening of workplace-level employee representation, impacts of the expansion of local bargaining on the rate of organisation, and impacts of platform work and atypical employment on organisation. The Committee's supervision practice requires that States Parties demonstrate with concrete evidence that the right to organise is realised. This is not done by the Government's report.

In addition, the report provides an unbalanced picture of the position of employer and employee organisations. The report presents the same formal rights for both, but the position of the employers' organisations has not been weakened in the same way as that of the employees. On the contrary, the Government has by means of several legislative amendments improved the position of employers as parties to employment relationships. Employers have institutionally stronger legal and financial capacities to organise, and the collective power of employees has been weakened due to several concurrent reforms (abolishment of tax-deductibility of membership fees, restrictions on the right to industrial action, expansion of local bargaining). Considering that the essential issue in terms of Article 5 is the balance of bargaining power, the report fully ignores this.

On the basis of the above, the employees' confederations consider that the Government's reporting does not fulfil the substantive examination required by Article 5 of the Charter, as it is limited to describing the normative framework without analysing how the right to organise is actually realised in Finnish working life. The report fully ignores the Government's own measures that have weakened the conditions for organisation – particularly the abolition of the tax-deductibility of trade union membership fees – and any assessment of the trend in the rate of organisation and changes in the bargaining power of workers. The omission of the practical conditions that are essential in terms of Article 5 of the Charter result in the report providing the supervisory body with an incomplete picture of the state of the right to organise in Finland.

In addition to the Government's direct measures to weaken trade union organisation described above, the employees' confederations draw attention to the fact that representatives of Government parties have promoted and actively maintained anti-trade union rhetoric which, in practice, has equalled union busting.

Article 6

The right to bargain collectively

The right to organise and the right to bargain collectively

The right to bargain collectively and the right to collective action under Article 6

The employees' confederations consider that the Government's report in the section concerned provides a materially incomplete and misleading picture of the state of the Finnish system of collective bargaining and collective action. The report is basically a normative description, not an impact assessment, and it fails to discuss several key changes that have impaired the effective access to influence of the employees' organisations. The weakening of the tripartite approach, the asymmetry created in the bargaining positions by local bargaining, the interference with the National Conciliator's operating conditions, the underestimation of the obstacles to collective bargaining, and the absence of an assessment from the international law perspective of the restrictions on the right to collective action form a set of issues ignored by the report. In addition, the exceptionally long list of essential functions and the impacts of the temporary prohibition mechanism are not justified or examined in relation to international norms. Due to these shortcomings, the report does not provide the Committee with a realistic picture of the structural changes in Finnish working life or the actual realisation of workers' rights.

Joint consultation and tripartite process

The Government's report provides an excessively optimistic and static picture of the tripartite process in Finland. The report presents that labour legislation is prepared systematically in a tripartite process in Finland, even though the majority of the key reforms concerning working life – such as restrictions on the right to strike action, the expansion of local collective bargaining and other impairments of the status of workers – were prepared without a genuine tripartite process. Representatives of the employee side were present in the working groups drafting the legislation, but the views of employees have been almost fully ignored in the legislative drafting.

Using the exceptive legislation related to COVID-19 as an example of cooperation emphasises an individual situation that has already ended and creates a misleading impression of more permanent cooperation.

The tripartite process is a key element of the interpretation of Article 6 of the European Social Charter. The report's description is too positive and does not reflect the current situation or provide a realistic idea of how the social partners' access to influence has significantly declined in recent years.

Overview of the Finnish collective agreements system

The report's description of the collective agreements system is formally correct but totally lacking any impact assessment. Three essential aspects are not discussed.

As regards the structural transformation of the collective agreements system, the report mentions the withdrawal of the Finnish Forestry Industries Federation from nationwide collective bargaining but only mentions this is passing. For example, any assessments of how this affects the coverage of collective agreements or the industrial peace system are missing entirely from the report.

In addition, the legislative amendments made concerning the collective agreements system, which have increased opportunities for local agreements on working conditions, may jeopardise the future of the universal validity of Finnish collective agreements and, consequently, the protection of the minimum level of working conditions. The report fully ignores the fact that an increase in local bargaining and company-specific agreements is a threat to the entire system of universal validity of collective agreements.

The legislative amendments concerning the system of agreements and bargaining lead to asymmetry in bargaining power. The report does not recognise the fact that the opportunity of employers to switch to company-specific solutions weakens the bargaining power of employee organisations, which is a key assessment point under Article 6§2. Instead, an increase in company-specific agreements strengthens the relative bargaining power of the employer. In this regard, the report is merely a normative description and does not meet the level of impact assessment required by the reporting obligation under the Charter.

Local collective bargaining and changes made in 2025

This is the most important deficiency in the Government's report, as the legislative amendments concerning local collective bargaining are presented in the report as technical and neutral reforms even though these are major reforms changing the balance of the system. The report fails to address any potential imbalance of bargaining power. If a party to local collective bargaining is not a local trade union representative, the representative selected by the personnel does not have the status or protection of a local union representative, the employer's obligation to provide information is limited, and the personnel's collective support varies, particularly in unorganised workplaces.

The expansion of local collective bargaining also poses a risk of working conditions being impaired. The system enables impairments particularly in workplaces where the personnel's bargaining position is weak. The bargaining powers are clearly skewed, particularly in small and unorganised workplaces. The report does not recognise that the system opens up a path towards 'weaker protection and working conditions' when employee representation is weak.

The report ignores Finland's international obligations as it does not assess the compatibility of the changes with the aspects outlined by the ILO or the ESCR regardless of the fact that they emphasise the need for balanced bargaining powers.

Obstacles to collective bargaining

The claim presented in the report whereby 'the Government is not aware of any obstacles that hinder collective bargaining at all levels' does not reflect the actual development and is problematic and erroneous in terms of content. In recent years, the collective bargaining and agreements system has changed significantly: the withdrawal of the Finnish Forestry Industries Federation from the universally valid system, the fragmentation of negotiations and the expansion of local collective bargaining have changed the bargaining environment. The expansion of local bargaining has a direct impact on workplace-level negotiations. The employees' confederations have voiced these concerns to the Government in contexts including legislative drafting. The impacts of these are not assessed in the report at all. The employees' confederations underline that the ESCR has emphasised in its previous decisions that the States Party must identify existing obstacles and report on measures to eliminate them. The report does not fulfil this obligation.

Statutory export-driven model of Prime Minister Petteri Orpo's Government

The statutorisation of an export-driven model implemented by the Government significantly narrows the autonomy and freedom of agreement of the social parters, and its purpose is to prevent the National Conciliator and the Conciliation Board from presenting draft settlements exceeding the general lines of pay reviews. In Finland, the National Conciliator institution has been an important part of the collective agreements system, with efforts made to agree between the social partners on its key structure while taking into account the other elements materially related to the agreements system. This has enabled sustainable support to the functioning of the labour market system.

The purpose of the Government's legislative amendments was and is to restrict the National Conciliator's opportunities to present draft settlements in difficult labour market negotiations. During this government term, the Government interfered by means of legislation with the principles that have to be followed in negotiations and with what the draft settlement provided by the conciliator may be like. This is turn has a major de facto impact on the autonomy and freedom of agreement of the social partners as well as on the independence of conciliation. The legislation provides a disproportionate benefit for one of the parties to the negotiations, that is, the employers. This set of issues creates a conflict and tensions with regard to fundamental rights and international contractual obligations that are binding on Finland.

The employees' confederations consider that this is problematic from the perspective of the European Social Charter, as the obligations under Article 6 require that collective bargaining and the conciliation system operate in a genuinely independent manner and that legislation does not place any structural obstacles to the exercise of the bargaining power of the employee side.

The legislation is asymmetrically favourable to the employer side and impairs the effective access to influence of the employee organisations. According to the European Social Charter and ILO Conventions, such restrictions or limitations are only permitted if they are necessary, proportionate and targeted – but the Government's report does not assess the necessity of the legislation or its impacts on the balance of the negotiations system. Moreover, the report fails to provide any analysis, from the perspective of normally binding collective agreements and the functioning of pay structures, of why the statutory export-driven model would be necessary or compatible with international obligations.

Furthermore, the legislation severely restricts the conciliator's discretion. The independence of the conciliation system is an integral part of the application of Article 6 of the Charter, and legislation that purposefully binds pay development to a general line set by political decisions jeopardises the institutional role of conciliation. This creates tensions with the Charter, with the State determining the framework for the outcome of the negotiations process in a manner that narrows the employee organisations' opportunities to negotiate freely on working conditions.

As a whole, the statutory export-driven model is not in line with the spirit of the Charter or its obligations concerning freedom of collective bargaining, balanced bargaining positions and the independence of the conciliation system. The Government's report does not discuss these problems, either. Instead, it seeks to circumvent the assessment of international law by general wordings that do not describe the actual impacts of the legislation.

Right to collective action

The employees' confederations consider this to be the most critical and at the same time the weakest part of the report. Prime Minister Petteri Orpo's Government has, by means of legislation, significantly restricted workers' right to strike action, which is the most efficient way of defending workers' interests and rights. The report merely describes the content of legislation in force but does not assess the necessity, proportionality or impacts of the restrictions on workers' effective exercise of the right to collective action.

In particular, the employees' confederations draw the Committee's attention to the restrictions on political industrial action, the proportionality requirement of solidarity action, the extended list of essential functions with regard to society's functioning, and the temporary prohibition of industrial action.

In 2024, the duration of political strikes was restricted by law to 24 hours in Finland. The report does not discuss its compatibility with Article 6§4 even though the Committee has outlined that political collective action is protected when related to labour policy. The proportionality requirement of solidarity action may in practice prevent effective support measures, but the report does not assess its impact on the relative collective bargaining powers.

The extended list of essential functions ranges from energy supply to payment systems and ICT infrastructure, which is exceptionally extensive in international comparison and without any justifications for why such extensive safeguarding is required.

In addition, the temporary prohibition of collective action enables the discontinuation of action without hearing the counterparty. This in practice undermines the effectiveness of workers' right to strike action. The report therefore does not assess the actual impacts on the effectiveness of the right to strike action or the risks to protection under law.

The employees' confederations consider that the Government's report therefore does not fulfil the comprehensive impact assessment required under Article 6. The report focuses on a normative description and ignores key changes, such as the weakening of the tripartite process, the increase in the imbalance in the bargaining powers and the significant restrictions on the right to collective action. The report does not examine the relationship of the restrictions to international norms or justify the exceptionally long list of essential functions. As a result of this, the report does not provide the Committee with a realistic picture of the current state of the Finnish system of collective bargaining and collective action.

Detailed comments on restrictions on right to collective action and sanctions system

Restrictions on right to collective action and sanctions system

In force since 2024, the amendments to industrial peace legislation significantly restrict the opportunities of workers to exercise their right to collective action. The legislation contains restrictions, which are new and unclear in terms of their scope of application, concerning solidarity actions, political strikes, obligations concerning advance notice, and sanctions associated with collective action. Examined from the perspective of the right to collective action under Article 6 of the Charter, this is a set of measures that narrows the effective freedom of action of trade unions in a way that would require considerably more justified assessment of necessity and proportionality.

Restrictions on solidarity actions

The primary aim of the restrictions on solidarity actions is to seek to prevent any such solidarity actions the impacts of which are extraneous to the parties to the primary dispute. This is in clear conflict with the established ILO supervisory practice whereby support and solidarity actions are an essential part of the right to collective action and cooperation between organisations. The new 8a sections of the Employment Contracts Act and the Act on Mediation in Labour Disputes are unclear in terms of wordings and difficult to foresee, which increases legal uncertainty. The actual function of the restrictions is to narrow the opportunities of trade unions to exert influence on behalf of their members, and to create a deterrent effect that in itself restricts collective action. Such impacts are incompatible with Article 6 of the Charter, which as a rule confers protection to solidarity actions.

Restrictions on political strikes

The maximum duration of 24 hours and the prohibition of repeating the action within 12 months constitute exceptionally severe restrictions. The legislation makes no difference between traditional political strikes and protest strikes aiming to defend workers' social and economic interests. In the ILO supervisory practice, these indisputably fall within the right to organise, particularly when the collective action is taken against the Government's labour or social policy.

The 24-hour time limit in practice thwarts the exercise of the right, and the report does not assess its proportionality from the perspective of the requirements of the Charter. This restriction forces employee organisations into a situation where they must choose between compliance with the law or exercise of the right to collective action – which is a situation not compatible with international obligations.

Supposed and speculative justifications

The restrictions on the right to strike action have been justified both by the employers' economic interests and by supposed threat scenarios of 'potentially significant future societal challenges'. Such speculative and future-oriented justifications are exceptional in the Finnish fundamental rights system and difficult to reconcile with Article 6 of the Charter or with the proportionality requirements of ILO Conventions. Any restrictions must be based on a concrete and immediate need, not on some hypothetical preparedness.

Imbalance in sanctions system

The reform has expanded and tightened the sanctions system in a way that focuses clearly on the employee side. Under the new provisions, the trade unions' liability for compensation has been increased to EUR 150,000, with the minimum compensation set at EUR 10,000. In addition, a new personal compensatory sanction of EUR 200 has been set for employees. At the same time, the level of compensation for employers' violations of collective agreements has been kept unchanged at a maximum of EUR 37,400, with the above-mentioned minimum level not applied to it.

This asymmetry upsets the balance in the labour market and erodes confidence in the system. From the perspective of Article 6 of the Charter, this is a restriction only imposed on one of the parties and therefore does not meet the requirement of equity.

Legal uncertainty and deterrent effect

The unpredictability of the new provisions and the tightened sanctions create an independent deterrent effect that restricts the exercise of the fundamental right already before the consideration of any collective action has even begun. The European Committee of Social Rights has in its previous conclusions considered that such an 'indirect restriction' may be equally contrary to the Charter as a direct prohibition.

Bypassing the tripartite process in legislative drafting

The legislative amendments were drafted in a manner that did not comply with the established Finnish tradition of a tripartite process. The views of employees were poorly taken into account in the working group phase, and the time allocated for the legislative drafting was insufficient.

Since this is a matter of implementing international obligations, this procedure is also problematic from the perspective of the European Social Charter. Articles 5 and 6 of the Charter require that trade unions can genuinely participate in decision-making. Formal consultation alone does not fulfil this requirement. The procedure also violates ILO Conventions 87 and 144.

Legislation on essential work and expansion of essential services

In force since 2024, the legislation on essential work expands the restrictions on the right to collective action in a manner that is not based on impact assessments or on the criteria of the European Social Charter or the ILO concerning 'essential services'. The scope of use laid down for essential work can now be applied in almost any sector, which enables prohibition claims that are easy to justify and creates considerably more extensive risks of prohibition of collective action than previously.

The preparation of the project was fragmented and uncoordinated, and its impacts on the functioning of the labour market system have not been assessed. The increases in administrative obligations, sanction risks and legal costs together form an obstacle to the exercise of the right to collective action. This is a key problem from the perspective of the Charter.

Summary of restrictions on right to collective action

The employees' confederations consider that, as a whole, the legislative measures of 2023–2024 concerning the right to collective action are incompatible with Article 6 of the Charter or the key ILO Conventions. The restrictions are based on an anticipatory and precautionary approach that does not fulfil the requirements of necessity or proportionality. The legislation on essential work and the tightening of the sanctions system together create a structural deterrent effect that narrows the rights of workers and trade unions in a manner not permitted by international human rights obligations.

Article 20

The right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex

The Government's report is descriptive, not evaluative, and provides an incomplete picture of the realisation of gender equality in the labour market from the perspective of Article 20. The report lists existing projects, quota provisions and programmes but fails to assess their impacts, effectiveness or efficiency. The report is totally missing an analysis of why segregation persists, how the pay gaps are developing and what kinds of structural obstacles still exist to the realisation of gender equality. In addition, the report omits the gender impacts of the other policy measures taken during the government term and completely ignores the intersectional perspective, which is an essential element of the obligation under the Charter.

The Government's response to the questions related to Article 20 presents several projects, programmes and quota provisions, but these are lists of measures or norms by nature and do not provide information about the actual realisation of gender equality in the labour market. The report fails to assess whether the measures are sufficient, why segregation has not decreased, which structural obstacles slow down the realisation of gender equality, or which negative impacts the Government's other measures have had on gender equality in working life. The obligation under Article 20 to present results, effectiveness and fundamental rights assessment is not fulfilled.

The report admits that the situation regarding segregation is not improving but does not assess the reasons or responsibility. It states that that horizontal and vertical segregation have not decreased and that the Finnish labour market is still strongly divided into male and female sectors. Critical problems include the report not analysing why the measures have not reversed the trend or examining whether the impairments of the status of workers, the savings decisions, the education cuts or the impairments of social security have particular impacts on women. The report does not present a plan for a new policy line in a situation where programme work is not producing results. This is a significant omission in the light of Article 20, as the Committee requires evidence of progress, not just a list of measures.

The report underlines the gender quotas for non-executive director positions (boards) but ignores most of the labour market. The content of the report focuses on quotas in the public sector and state-owned companies, the gender composition of boards of directors of listed companies and women in the management of state-owned companies. These are important indicators, but the wider problems remain unreported.

Quota regulation applies to an extremely small percentage of Finnish workplaces. Yet the majority of women work in education, healthcare, social welfare and service sectors, where there is no quota regulation, where the pay level is low and where the eradication of segregation would require totally different kinds of structural solutions.

The report does not assess progress in pay equality, either. Although Article 20 also relates to gender equality in working conditions, the report does not describe the pay gap trend, assess the effectiveness of equal pay programmes or examine the structural segregation of the labour market from the perspective of wages and salaries. This is an omission from the perspective of Article 20.

The report describes projects but does not report on the resources allocated for them or their results. For example, the 'Dismantling segregation' project of the Finnish Institute for Health and Welfare (THL) is only presented as a list of the materials produced, but the report does not discuss the reach of the project or any concrete changes in workplaces or provide evidence of the project having had an impact reducing segregation. This is in conflict with the requirements of Article 20, which emphasise the efficiency, continuity and effectiveness of measures.

The gender impacts of the Government's other measures also remain without an overall assessment even though several impairments of working life, social security and education have been made during this government term and these are likely to have a disproportionate impact on women, the gender pay gap, reconciliation of work and family, and the persistence of segregation. The Government's report does not mention or assess these at all even though, under Article 20 of the Charter, the States Parties must assess the gender equality impacts of their own policy decisions.

The report also completely omits the intersectional perspective. The interpretive practice concerning Article 20 of the Charter emphasises that gender equality assessment must also pay attention to the ethnicity, disability, age, migrant status, education level and labour market position of workers. The report does not mention any of these, which makes the reporting narrow and normative, not analytical.

Detailed comments

Statutory export-driven model and impacts on equal pay

Described in this report in conjunction with Article 5, the statutory export-driven model of Prime Minister Petteri Orpo's Government is highly problematic from the perspective of the European Social Charter with regard to gender equality and the promotion of the equal pay principle. It is vital for the achievement of equal pay that the labour market agreements system does not lock down the existing pay gaps. Structurally maintained pay gaps place a burden on income distribution and may slow down economic growth. Further concern is caused by the social and tax policy pursued by the Government, which is weakening opportunities to reduce income differentials over the long term, too.

Regardless of requests from the employee side, gender equality experts were not consulted in the preparation of the export-driven model, and the Ministry did not state any reasons for the refusal. This is reflected in the inadequate gender impact assessment of the proposal and the fact that the report does not at all describe the legislation from the perspective of the powers of the National Conciliator and the narrowing of pay gaps. The disregard for the consultation obligation is contrary to the principles of the Charter, which require careful ex ante assessments of the gender impacts of structural changes.

Gender segregation and pay gaps

The Finnish labour market is strongly segregated by gender. According to the 2022 employment statistics of Statistics Finland, 8.9% of wage and salary earners work in gender-equal occupations, that is, in occupations where the different genders account for 40–60%. In female-dominated fields, the pay level is usually lower than in male-dominated ones. In the public sector, the low occurrence of pay drifts further reduces opportunities to close the pay gap compared with the public sector.

The gender pay gap in Finland is still around 15.4%, which is above the EU average. The restriction of the powers of the National Conciliator in conjunction with the legislation concerning the export-driven model adversely affects capacities to fix the issue of wages and salaries lagging behind in low-paid and female-dominated fields – due to both structural pay problems and the cumulative effect of percentage pay rises.

From the perspective of the European Social Charter, the State of Finland may not implement a policy that effectively impairs capacity to promote equal pay.

Equal Pay Programme and its structural shortcomings

Implemented since 2006 and tripartite in nature, the Finnish Equal Pay Programme brings together the measures of the Government and the labour market confederations to reduce the pay gap. The target for the current programme period is to narrow the pay gap to 14.5% by 2027, but the narrowing of the pay gap has been slow since 2006, with the average annual rate having only been 0.3 percentage points.

Programme evaluations have repeatedly emphasised the need for the parties to collective agreements to play an active role. Opportunities to promote pay equality have been impaired by the amendments to the rules of the Confederation of Finnish Industries (EK) and the limitations to its bargaining mandate on the employer side even though EK is still participating in the programme.

According to the ex ante assessment of the new programme period, the effectiveness of the measures planned are at a satisfactory level only. The more binding entry sought by the employees' confederations was not accepted. This is in conflict with the purpose of the programme and the obligations under the European Social Charter. The programme excludes specifically those actors with actual opportunities to influence pay structures.

Unexplained pay gaps and pay discrimination

There are significant shortcomings in the detection and addressing of unexplained pay gaps and pay discrimination. Insufficient pay transparency enables both unjustified pay gaps and discrimination.

Changing working life, increasingly diverse forms of work and, in particular, individually agreed and determined wages and salaries are likely to increase the unexplained pay gap and therefore slow down the narrowing of the gender pay gap. Unexplained and unjustified pay gaps are currently often undetected due to the poor transparency of pay and pay systems and insufficient pay surveys.

Finland has been recommended to increase pay transparency to promote pay equality. The current Government intends to implement the EU Pay Transparency Directive incompletely, possibly even below the level required by the Directive's minimum requirements. Legislative drafting for the implementation of the Directive is, however, currently still underway.

Lack of comparator data necessary for the assessment of cases of pay discrimination makes identifying discrimination arbitrary. The current state of affairs does not meet the requirement of efficient and effective legal remedies set by the Charter.

Problems related to minimum implementation of pay transparency

Minimum-level implementation will not solve Finland's structural problems in pay transparency, and there is also the further risk of legislation becoming more unclear. The legislation should be clarified by, for example, harmonising the boundaries of the scope of the Gender Equality Act to apply to workplaces of 30 or more people and by laying down a three-year period of action for claims concerning all forms of discrimination. These measures are essential for the combatting of pay discrimination to be in conformity with the Charter.

Fixed-term employment and discrimination on grounds of pregnancy or family leaves

The Committee has recommended that Finland address women's overrepresentation in fixed-term employment. According to studies, pregnancy discrimination is experienced by one in four pregnant people, and the most common form is the termination of fixed-term employment due to pregnancy or a family leave. Cases are rarely reported to the authorities because reporting is not believed to lead into anything being done.

The Government's policies – facilitating fixed-term contractual employment relationships and lowering the termination threshold – further worsen the already grave discrimination situation. This means the Government is knowingly increasing structures that increase the risk of discrimination and has not presented any measures to remedy the situation. This is directly in violation of the spirit and objectives of the Charter.

The Government admits in its proposal currently being considered by Parliament that an increase in fixed-term employment also increases the risk of pregnancy and other discrimination. This demonstrates that the legislation is knowingly being amended in a way that is contrary to gender equality objectives and international obligations.

Discrimination on grounds of pregnancy and family leaves in general

Discrimination on grounds of pregnancy and family leaves is considerably widespread in the Finnish labour market. In 2024, Statistics Finland published a report stating that one in four pregnant people experience pregnancy discrimination in Finland. The most common consequence of pregnancy discrimination has been people having their fixed-term employment relationship terminated due to pregnancy or a family leave. This finding is in line with the observations made earlier by the Ombudsman for Equality, for example. The study also found that discrimination on grounds of pregnancy is rarely reported to the official bodies. The most common reason for not reporting discrimination is the expectation that nothing would be done. (Source: Study: One in four pregnant people experience discrimination on grounds of pregnancy - Finnish Government).

Based on contacts received by the Ombudsman for Equality, women working in atypical employment, such as under fixed-term or part-time contracts, are particularly vulnerable to discrimination. Discrimination on grounds of pregnancy or family leaves typically relates to non-renewal of fixed-term contracts, job-seeking, return from a family leave, pay for the duration of pregnancy or a family leave, or fringe benefits of employment.

As can be concluded from the common occurrence of discrimination and, on the other hand, from the small number of discrimination cases reported to the authorities, Finnish anti-discrimination legislation is not actually effective and nor does it prevent discrimination. The situation regarding discrimination is likely to worsen during this government term, as Prime Minister Petteri Orpo's Government is facilitating the conclusion of fixed-term employment contracts and has already lowered the termination threshold. Considering that discrimination takes place particularly in fixed-term employment, the changes are very likely to exacerbate the situation. Prime Minister Petteri Orpo's Government is not taking any measures to remedy or improve the situation concerning this theme, either.

One of the objectives of the Programme of Prime Minister Petteri Orpo's Government is, however, to target more effective measures at preventing discrimination based on pregnancy leave and family leave. Established due to this entry in the Government Programme, the working group on gender equality in working life and family leaves completed its work in early spring 2025. Although the working group sought to find ways to eradicate discrimination on grounds of pregnancy and family leaves, the impacts of the Government Programme as a whole impair the situation with regard to such discrimination in Finland. The measures proposed by the working group are far from sufficient to prevent discrimination on grounds of pregnancy or family leaves in working life. The proposed changes are mostly cosmetic and will not improve the legal protection of those people who are pregnant or taking family leaves in a sufficiently efficient manner.

The risk of being discriminated against applies not only to women. Instead, anyone regardless of their gender may be discriminated against on grounds of taking a family leave. Following the family leaves reform, fathers have also experienced increasing discrimination in working life.

Insufficient measures and incorrect legal rationale

The legal review relating to the specifications made to the Gender Equality Act was based on an assessment by a former director of the Confederation of Finnish Industries (EK), which contained incorrect claims about the fulfilment of international obligations. Decisions such as No. 106/2014 Finnish Society of Social Rights v. Finland – Social Rights (and additionally 16809cfbae and Findings of the follow-up to collective complaints 302nd session) clearly show that Finnish legislation does not in all respects fulfil international obligations. No. 106/2014 Finnish Society of Social Rights v. Finland - Social Rights (also see Finland - Social Rights, 16809cfbae and Findings of the follow up to collective complaints 302nd session).

Currently being considered by Parliament, the proposal for the facilitation of the use of fixed-term employment does not present any actually effective ways to prevent discrimination. The employer’s explanation obligation alone is not enough in a situation where discrimination is already an extensive and structural problem.

Overall assessment

In the view of the employees’ confederations, the Government’s measures and reporting do not fulfil the obligations under the Charter concerning the promotion of equal pay, prevention of discrimination or actual improvement of gender equality in working life.

Many of the measures – making the export-driven model statutory, insufficient pay transparency, expanding fixed-term employment and knowingly increasing the risk of pregnancy discrimination – undermine the realisation of workers’ rights and lead to regression from the objectives under the Charter.

PART II

In this second part of the comments, the employees’ confederations examine more broadly the rights of workers and individuals that are laid down under other articles of the Charter and the realisation of which has been significantly affected by the current Government’s labour, social security and education policy. These rights also have direct implications for the Government’s article-specific responses, as the measures impairing the status of workers form a whole that cannot be assessed in separate parts. The purpose of this part is to provide the Committee with a broader and truthful picture of what kinds of structural and systematic impairments the Finnish Government has implemented with regard to workers’ rights, social security and education and training, and how these measures impact Finland’s capability to fulfil the obligations under the Charter as a whole.

Article 1

The right to work

Article 1 of the European Social Charter obligates the States Parties to actively promote full employment, to protect the right of the worker to freely choose their occupation, and to ensure free and efficient employment services and vocational guidance. The Article requires consistent measures to boost the employment rate and to ensure workers' equal position in the labour market.

The policy measures of the Orpo Government are in many ways problematic from the perspective of these obligations. The major cuts in unemployment security, such as extending the waiting period, cutting the level of benefits and tightening the work requirement, weaken the financial security of the unemployed and impair their actual opportunities for seeking work, accessing education and training or reorientating themselves in the labour market. This development does not support the Article's aim for a high and stable level of employment. Instead, it increases the risk of prolonged unemployment and deepens the inequality in the labour market.

At the same time, the unemployment rate has been rising throughout the government term, which demonstrates clearly that the Government's policy has not in practice promoted the objective of full employment required by the Article. Demand for labour has declined, structural unemployment has increased and transitions of unemployed persons to the open labour market have slowed at the very same time as when security and services have been weakened. The increase in unemployment shows that the Government's labour market measures have not been effective and that in some cases they have even increased uncertainty in the labour market.

From the perspective of vocational education and training and retraining, the Government's measures narrow workers' opportunities to develop their skills. Weakening of financial aid for students, discontinuation of the adult education allowance and tightening of funding for educational paths adversely affect the opportunities of workers in low-paid sectors and sectors suffering from structural changes to transfer to new roles. This conflicts with the obligation under paragraph 4 of the Article to promote vocational guidance, training and rehabilitation.

The structural change in employment services and the transfer of employment and economic development services (TE services) to the municipalities without sufficient resources has increased regional inequality in access to employment services. This jeopardises the right of those in a disadvantaged labour market position in particular – young people, older people, long-term unemployed, immigrants and people with disabilities – to receive the support for employment required by Article 1. The weakening of services in a situation where unemployment has at the same time increased makes the impacts even more serious.

In addition, the reforms impairing the collective agreements system, and the expansion of local bargaining without sufficient security expose workers to being pressurised and may reduce their opportunities to choose their occupation or securely change jobs. Protecting the right of workers to freely choose their occupation calls for structures that are strong, not dismantled.

All in all, the policies of Prime Minister Petteri Orpo's Government do not promote the objectives of Article 1 of the Charter concerning high and stable employment, protection of the rights of workers or equal employment and training services. On the contrary, many of the measures increase labour market segregation, reduce the accessibility of labour market services and hamper the social and occupational mobility of workers. The increase in the unemployment rate confirms that the Government's measures have failed to fulfil the most essential obligation of Article 1 to promote full employment and have, instead, to some extent even weakened the conditions of its achievement.

Article 7

The right of children and young persons to protection

Article 7 of the European Social Charter obligates the State to ensure the effective exercise of the right of children and young persons to protection. The State must ensure, among other things, the minimum ages of admission to employment, limits to working hours, working conditions that are safe in terms of health, the implementation of compulsory education, and special protection against physical and moral dangers. The Article requires active, adequate and proactive measures to safeguard the development, wellbeing and equal opportunities of children and young people.

The policy measures of the Orpo Government give cause for concern for many reasons from the perspective of these obligations. The extensive social security and service cuts increase poverty among families with children, which correlates directly with a decline in the wellbeing of children, health risks and increased social exclusion. The decline in the financial situation of families with children increases the risk of young people having to seek employment earlier in order to support the financial means of subsistence of the family – which may in practice jeopardise the full completion of compulsory education and be in conflict with the protection measures required by the Article.

The funding deficit and staff shortage of the wellbeing services counties, which are responsible for health and social services, adversely affect the services required by children and young people in particular, such as student welfare, mental health services, preventive child welfare work, and youth work. Congestion of services prevents early measures required by Article 17 and exposes young people more clearly to physical and mental hazards. Shortcomings in school healthcare and in regular health checks also undermine children's right to safe development and are clearly problematic in the light of the Article.

In working life, the Government's policy reduces the protection of workers and enforcement concerning working conditions and increases the risk of young workers being exploited, underpaid and placed in hazardous work. Cuts in enforcement resources are in conflict with paragraph 10 of the Article, which requires special protection against physical and moral dangers. At the same time, the weakened collective agreements system and increasing local bargaining may lead to young people and trainees being more easily deprived of reasonable remuneration, appropriate working conditions or safe working hours arrangements.

As a whole, the measures of Prime Minister Petteri Orpo's Government weaken the social and economic protection of children and young people and increase risks that Article 17 specifically seeks to combat. Economic cuts, weakening of services and insufficient enforcement form a whole that does not fulfil the obligations under Article

17 of the European Social Charter to ensure the conditions for the development, health and protection of children and young people.

Article 9

The right to vocational guidance

The employees' confederations consider that the measures of Prime Minister Petteri Orpo's Government have clearly impaired the right to vocational guidance required by Article 9 of the European Social Charter and its actual accessibility. Although the Government has not formally amended provisions concerning vocational guidance, the overall impact on the opportunities of workers and students to make use of services in accordance with the Article has clearly been negative. Article 9 obligates the State to ensure for all – including adults, low-paid persons and those in transition phases of their work career – free and effectively accessible services that support occupational choice and progress. The Government's policy measures have, however, increased obstacles to making use of these services.

Firstly, the Government has discontinued the adult education allowance, which has been a key tool in the Finnish system for career reorientation and for making decisions concerning change of occupation. Discontinuing the adult education allowance narrows the opportunities of at-risk-of-poverty and low-educated workers to access training and upskilling in a way that is essential for the realisation of the rights under Article 9. In practice, the right to vocational guidance becomes ostensible if people do not have the financial capacity to make use of the solutions provided by guidance.

Secondly, the Government has made cuts in vocational education and training and weakened the structures of continuous learning in a way that directly impacts the opportunities of young people and adults to receive high-quality study and careers guidance, support to career planning and well-functioning education and training paths. Reductions in funding for vocational education and training weaken guidance resources, the availability of teachers and the quality of education and training in fields where the availability of support should be strengthened specifically from the perspective of the Charter. The discontinuation of the job alternation leave, the removal of the exempt amount from unemployment benefits and other decisions increasing uncertainty in working life have material adverse effects on workers' opportunities to plan and implement skills development. The Government has in this way instrumentally transferred responsibility for career planning to the individual at a time when both economic and institutional conditions for implementing it are deteriorating.

Thirdly, the Government's working life impairments – such as increasing fixed-term employment, weakening protection against unjustified dismissal and shortening layoff notice periods – increase uncertainty and reduce workers' opportunities for long-term solutions concerning occupational choice, education and training and reorientation. The effective exercise of the right to guidance referred to in Article 9 calls for a solid socioeconomic foundation, which the Government's policy is currently not supporting.

In the view of the employees' confederations, the overall impact forms a structural impairment to actual opportunities to use vocational guidance. The Government's decisions have been targeted particularly at those population groups that should enjoy the strongest protection under the Charter: those who are low paid, who are transition phases of their work career, who need retraining and who are in uncertain employment. Considering the obligations under Article 9 to ensure that the services are free of charge and accessible and can actually be made use of, the Government's measures can be regarded as being contrary to the spirit and the purpose of the Charter.

Article 10

The right to vocational training

Availability of vocational education and training

Article 10§1 of the European Social Charter obligates the States Parties to ensure access for all to vocational training and the facilities required for this. In Finland, this obligation has been impaired in recent years by dismantling the structures for adult education and upskilling without replacing them with new accessible or effective alternatives. Decisions such as the discontinuation of the adult education allowance have actually reduced access to education and training among the working-age population and therefore conflict with the obligations under the Article.

Access of adults to vocational development and upskilling

According to the Article, the States Parties must promote a system enabling adults' vocational training and retraining. In Finland, this obligation has been violated by materially impairing opportunities of working-age persons for upskilling.

The discontinuation of the adult education allowance without a replacement system impairs adults' effective access to vocational development and restricts the participation in training of low-educated persons in particular. Although research has shown that adult education and training improves productivity, the employment rate, wellbeing and the length of careers, the impacts supporting these obligations have not been taken into consideration at all in decision-making. As a result of this, Finland does not fulfil the obligation to maintain appropriate systems for the skills development of the adult population.

Equal access to education and training and groups in need of special support

Article 10 of the Charter requires vocational training to be provided in a manner that ensures equal access and takes into account the needs of groups in need of special support. In Finland, low-educated persons have traditionally benefitted significantly from the adult education allowance, and its discontinuation has the most severe impacts specifically on those groups with the lowest educational and training capacities.

The combined effect of the measures – cuts in funding, increases in charges and weakening of incentives – increase inequality in education and training and jeopardise the obligation under the Article to ensure the access to training of vulnerable groups in particular.

Responding to changes in the labour market

Article 10 obligates the States Parties to ensure the vocational structures that enable retraining and upskilling in conjunction with changes in the labour market. Decisions made in Finland – such as the discontinuation of the work of the parliamentary working group on skills, the funding cuts in vocational education and training and in liberal adult education as well as the weakening of incentives – have, on the contrary, reduced readiness for change in the labour market.

The measures do not correspond to a long-term and consistent system required by the Article that would enable the continuous maintenance of skills levels and functioning of the labour market.

Comprehensive implementation of skills policy

Article 10 of the Charter emphasises that the States Parties must develop vocational training systematically and comprehensively. The combined impacts of the impairments carried out in Finland have not been assessed at all with regard to aspects such as skills level, employment rate, pay development or productivity. The absence of assessment and the fragmented nature of the measures are clearly contrary to the spirit and purpose of the Article.

To summarise, the employees' confederations note that, as a whole, Finland's recent policy measures do not fulfil the key obligations laid down in Article 10 of the European Social Charter. The decisions have impaired the systematic development of vocational education and training, narrowed access to education and training particularly among those in the most disadvantaged position and contributed towards the fulfilment of Finland's obligations being jeopardised.

Article 11

The right to protection of health

Article 11 of the European Social Charter obligates the States Parties to implement effective measures to protect the health of the population, to remove as far as possible the causes of ill-health, to prevent as far as possible epidemic, endemic and other diseases and to provide advisory and educational facilities for the promotion of health. The measures implemented by Prime Minister Petteri Orpo's Government are problematic with regard to these obligations. The insufficient funding for the wellbeing services counties, the reduction of the service network and the cuts in staffing weaken the population's effective access to preventive and health-supporting services. Long queues for access to treatment and the burdening of primary healthcare increase morbidity and adversely affect the prevention of chronic diseases in particular, which is contrary to the objectives of the Article. At the same time, the Government has made political choices that accentuate health inequalities: the social security cuts targeted at people at risk of poverty increase poverty and health risks, while the taxation of high-income groups has been lowered. This set of policies does not promote the health of the population. Instead, it increases health inequalities and jeopardises the State's capability to fulfil its obligations under Article 11 of the Charter.

Article 12

The right to social security

The social security cuts of Prime Minister Petteri Orpo's Government are clearly problematic from the perspective of Article 12 of the European Social Charter. Social security is not being developed. Instead, its level is being systematically reduced in a manner that jeopardises the provision of minimum security and weakens the functioning of the social security system. The cuts in unemployment security, housing allowance, social assistance and sickness allowance accumulate on the same people and increase poverty and social exclusion – particularly among families with children. At the same time, the Government has lowered the taxation of high-income groups, which emphasises the unbalanced and inequality-enhancing impact of the measures. The European Committee of Social Rights has repeatedly pointed out risks precisely like these to Finland.

The Programme of Prime Minister Petteri Orpo's Government emphasises social security that encourages work and the obligation to participate in the labour market. The policies outlined in the Government Programme must, however, be assessed from the perspective of Article 12 of the European Social Charter, which obligates the States Parties to maintain a functioning system of social security, to raise it progressively to a higher level and to maintain benefits at least at a reasonable level.

<u>The following section describes how the social security cuts made by the Government relate to these obligations.</u>

Overall development of social security in relation to Article 12

Under Article 12, the State may not implement measures weakening social security unless it is able to demonstrate that these are necessary and proportionate and that they will not weaken minimum security. The observations of several organisations helping people at risk of poverty concerning longer food bank queues, increasing debt problems and growing homelessness indicate that the Government's measures are reducing the actual level of basic social security, which conflicts with the obligation laid down in the Article.

Social security cuts and right to a reasonable level of benefits

The Government has made extensive impairments to unemployment security and housing allowance in particular. These cuts will increase the number of those at risk of poverty by an estimated 110,000 people. The cuts are not estimated to have any major positive employment impacts, and they will increase poverty among children by up to 31,000 children.

The European Committee of Social Rights has repeatedly emphasised that the States Parties may not weaken benefits in a manner that increases poverty or social exclusion. In the light of this, the Government's cuts are, from the perspective of Article 12, clearly reactionary and jeopardise the level of minimum security.

Cuts in unemployment security

Several simultaneous impairments have been made to unemployment security, which have resulted in increasing numbers of people no longer being eligible for the earnings-related unemployment benefit. Many unemployed people are now only covered by basic social security, and income has dropped drastically in many sectors in 2024–2025. The at-risk-of-poverty rate has increased particularly among women, and a large proportion of unemployed people are unable to cover unforeseen expenses, including food and clothes.

According to Article 12 of the European Social Charter and the Committee's conclusions, the level of unemployment benefits must ensure a decent life. When up to 27% of unemployed women earn less than EUR 1,000 per month, this is a clear case of jeopardisation of the reasonable level. In addition, the Government has implemented the changes without genuine tripartite preparation, which the Committee has considered as weakening the protection of social rights.

Cuts in housing allowance and the obligation to develop social security

The housing allowance cuts made by the Government reduce the income available to all of the 384,000 households receiving the allowance. People living alone, single parents and students are in a particularly vulnerable position. The cuts impair access to affordable housing and may lead to a decline in the level of housing, which also affects the rights safeguarded under Article 11.

Article 12 obligates to raise progressively the system of social security to a higher level, not to scale it down. Cuts that reduce incentives for work among low-paid people and decrease financial means of subsistence are clearly problematic from this perspective.

Social assistance as financial aid paid as the last resort

According to the European Committee of Social Rights, the level of social assistance has for long been close to the lowest acceptable level of minimum security. The Government's measures have had major impacts. The three-month rule on finding a more affordable home is unrealistic, the 50% cut in the basic amount of social assistance is a disproportionally severe consequence, and the direct cuts (3%, 2.1%, 1.9%) in the basic amount of social assistance are unreasonable and jeopardise essential financial means of subsistence.

Since social assistance is paid as the last resort, its level must be such that the basic conditions for a decent life are fulfilled. The cuts are in conflict with Article 12 and the Committee's previous remarks to Finland.

Cuts in sickness allowance and rehabilitation allowance

Cuts in the sickness allowance in a situation where a person is incapacitated for work and cannot improve their financial means of subsistence is particularly problematic from the perspective of Article 12. The cuts in reimbursements for medicine costs implemented at the same time, the increase in service charges, the lengthening of maximum waiting times for access to care and the increase in the value added tax rate together weaken the actual social security of people who are ill or undergoing rehabilitation. These cuts and changes are against the obligation to develop the system and may lead to an unreasonably low benefit level.

Service system shortcomings and incapacity for work

The increase in the rate of rejected disability pension applications to 40% together with the shortcomings and delays in the service system shows that the system is unable to safeguard adequate social security in the event of incapacity for work. In practice, this means the non-functioning of the system, the actual impairment of the right to social security, and the risk of people who are incapacitated for work having to rely exclusively on impaired unemployment benefits.

More detailed description of the Government's social security cuts and their impacts

The Programme of Prime Minister Petteri Orpo's Government states the following about social security that encourages work: 'The rights and obligations of individuals and the public authorities must remain in balance. People are entitled to society's support in situations where they are unable to provide for themselves and their dependents. At the same time, those working-age people who are able to work not only have an obligation to participate in the labour market, but they should also use the means available to them to improve their work ability and position in the labour market. The Government will reform social security to simplify the system, with more incentives for work.' As regards the consequences of the Government's measures, several organisations helping people at risk of poverty have reported that, for example, food bank queues have become longer, there is a need for debt counselling and homelessness has increased.

Prime Minister Petteri Orpo's Government has made several different impairments of social security. The cuts have focused particularly on unemployment security as well as the housing allowance, and often on the same people. The cuts made in social security do not promote general wellbeing. Instead, they are estimated to increase the number of those at risk of poverty by up to 110,000 people.

The social security cuts are not estimated to have any major positive employment impacts.

According to estimates from sources including the Ministry of Social Affairs and Health and the Finnish Institute for Health and Welfare (THL), the Government's social security cuts are pushing up to 31,000 children below the poverty line.

Finland has been criticised several times by the European Committee of Social Rights about the insufficient level of the minimum level of basic social security and social assistance. In addition, the UN Committee on the Rights of the Child recommended in its most recent concluding observations concerning Finland (2023) that Finland should avoid cuts in social security benefits that impact on children at risk of poverty and exclusion.

From the beginning of 2024, the Government froze the index adjustments of certain benefits and monetary amounts linked to the National Pensions Index and the Cost-of-Living Index for 2024–2027. The freezing applied to benefits and amounts including the minimum amount of benefits under the Health Insurance Act, the minimum amount of rehabilitation allowance for persons undergoing vocational rehabilitation, and the rehabilitation allowance for young persons paid by the Social Insurance Institution of Finland (Kela), the amount of basic unemployment allowance, labour market subsidy and child increase, the child home care allowance and private day care allowance, the general housing allowance and housing allowance for pensioners, the amount of the study grant, the provider supplement to the study grant and the supplementary allowance for the purchase of study materials, and the reception allowance and spending allowance for seekers of international protection and victims of human trafficking.

In practice, the freezing of the index adjustments means that the level of numerous social security benefits will remain at the current level for the next four years. It is worth noting that, for those receiving two or more benefits, the effect of the omission of even a single year's index adjustment compounds as the change applies to multiple benefits at the same time. If many family members receive benefits, the effects multiply.

Experiences of poverty and risk of poverty increase the likelihood of various kinds of mental health challenges, social exclusion and deprivation, poorer outlook for the future and dropping out from studies. The consequences of poverty are often long-lasting and intergenerational.

Unemployment security

In 2024, Prime Minister Petteri Orpo's Government made substantial cuts in unemployment security that affected the earnings-related unemployment benefit in particular. As a result of the cuts, the number of waiting days was increased, the periodisation of holiday compensations was introduced, child increases were discontinued, the EUR 300 exempt amount of earnings was discontinued, the increased rates paid during participation in services were discontinued, the work requirement was made longer and earnings-based, and the right of ageing long-term unemployed to services and to re-qualifying for earnings-related unemployment allowance was removed.

As a result of the cuts, an increasing number of unemployed people have not been eligible for earnings-related unemployment benefit or have fallen from earnings-related to basic unemployment allowance. In addition, from the beginning of 2026, the Government is also tightening the sanctions related to unemployment security and transforming the basic social security for the unemployed into a means-tested system in the name of a new general social security benefit. The Government has implemented all of the cuts unilaterally, without genuine tripartite preparation.

The social security cuts already resulted in a drastic drop in the financial means of subsistence of many jobseekers receiving the earnings-related unemployment allowance in 2024–2025. Many people's income decreased due to cuts in both unemployment security and the housing allowance. The percentage of unemployed people below the at-risk-of-poverty line (60% of median income) increased from 60% to 71%. The income of women in particular plummeted, and more than one in four (27%) unemployed people currently earn less than EUR 1,000 a month.

The gross median income (before tax at 25%) of female jobseekers fell from EUR 1,321 to EUR 1,200 (- EUR 120) and that of male jobseekers from EUR 1,422 to EUR 1,400 (- EUR 22). This means the impact of the Government's social security cuts was five times greater on women than on men. The portion of women earning less than EUR 1,000 per month increased from 22% to 33%, while the corresponding increase for men was from 16% to 21%.

In April 2025, three in four unemployed persons estimated that their income is insufficient to cover unforeseen expenses. More than one in two (53%) jobseekers aged 41–50 reported that they cannot afford food or clothes, and this rate increased by 12 percentage points during the year. For some unemployed people, the cuts in unemployment security will not materialise until the end of the year, increasing the number people in a disadvantaged financial position.

Housing allowance

Prime Minister Petteri Orpo's Government implemented major housing allowance cuts in autumn 2024. The Government increased the impact of income affecting the allowance, lowered the percentage of housing costs covered by the benefit, increased the deductible and discontinued the earned-income deduction. In addition, the Government changed the grouping of municipalities regarding the housing allowance by placing Helsinki in the same group as the rest of Greater Helsinki and discontinued the granting of the general housing allowance for owner-occupied homes. Subsequently, in August 2025, the Government moved students from the scope of the general housing allowance back to the scope of the lower housing supplement for students.

The housing allowance impairments carried out by the Government will reduce the income available to households receiving the general housing allowance. The magnitude of the change depends on the size, municipality of residence, income level and housing costs of the household. In any case, the changes affect all recipients of the general housing allowance, or a total of around 384,000 households (situation in June 2023).

The majority of the recipients of the allowance live alone, but single parents account for up to more than a quarter. The employees' confederation SAK has estimated that, for a Helsinki resident living alone whose pay is EUR 1,900 per month and whose housing allowance is currently around EUR 190 per month, the impairments resulting from the government proposal would cut their financial means of subsistence by EUR 190 per month. As regards a single parent of one child whose earnings are EUR 2,600 per month, the Government reduced their financial means of subsistence by up to EUR 220 per month.

The housing allowance cuts are very short-sighted in a situation where there is already a shortage of affordable homes and where housing production subsidised by society is being wound down at the same time. The housing allowance has specifically enabled low-paid workers to be employed particularly in Greater Helsinki and in large cities.

The removal of the exempt amount in turn lowers the upper limit of income that a housing allowance recipient may earn by EUR 300, that is, makes those earning EUR 300 less than under the current limit ineligible for the housing benefit. For example, in 2023 the earnings limit for a Helsinki resident living alone was EUR 2,119 but, following the reform, the earnings limit with just the removal of the exempt amount taken into account would be EUR 1,819 per month.

The removal of the exempt amount significantly disincentivises part-time employment. In many sectors, full-time employment is difficult in the absence of full-time jobs, such as in the tourism and service sectors.

Social assistance

Social assistance is financial aid paid as the last resort. It is intended for short-term use to secure financial means of subsistence, and its granting is based specifically on means testing.

The European Committee of Social Rights has repeatedly assessed that the level of Finnish basic social security is too low to meet the criteria for an adequate level of minimum security. Finland has received several remarks on the matter from the Committee.

In 2023, the Government amended the Act on Social Assistance concerning the percentage of housing costs covered. In a situation where the applicant's housing costs exceed the amount regarded as necessary, the applicant is expected to look for a more affordable home within a three-month time limit laid down in the Act. At the same time, the Government reduced the discretion allowed in means testing with regard to the interpretation of housing costs.

Laying down the three-month rule in the Act is short-sighted in a situation where there is already a shortage of affordable homes and where it is proposed that housing production subsidised by society be wound down at the same time. Even the government proposal has pointed out that for many social assistance clients it is not possible to find a home in the competitive rental housing market. These amendments to social assistance impair the financial means of subsistence of people who are unable to find a new, more affordable home within the three months.

The amendments affect particularly those who have life management challenges and who are therefore unable to find a more affordable home. In addition, the impairments focus on those whose housing costs only slightly exceed the maximum recognised housing costs. The Deputy Parliamentary Ombudsman has also regarded the dissolution of the National Housing Fund and the financing for state-subsidised housing production being allocated directly from the State Budget as problematic with regard to fundamental rights.

In addition, in line with its Government Programme, the Government implemented 'a comprehensive reform of social assistance that will improve people's ability to live independently, reduce long-term dependency on social assistance and clarify the role of social assistance as a last-resort discretionary cash benefit included in basic social security'.

In the overall reform of social assistance, applicants for social assistance were imposed a stronger obligation to apply for primary benefits. If an applicant does not apply for a benefit within the time limit set, the Social Insurance Institution of Finland (Kela) could reduce the basic amount of social assistance by 50% until the applicant has applied for the required benefits. The basic amount can only be reduced if this would not endanger the financial means of subsistence necessary for a dignified life and if the reduction could not be considered otherwise unreasonable.

It is important that the financial means of subsistence of the benefit recipient are ensured with sufficient primary benefits and that the recipient is covered by services closely related to them. It is, however, essential to note that some of the recipients of primary benefits have to resort to social assistance – and also to do so increasingly due to the cuts in primary benefits implemented by the Government.

The 50% cut in the basic amount of social assistance is a major cut for someone already subsisting on a small amount of social assistance. The life situation of many recipients of social assistance is stressful, and their functional capacity may be lowered. Instead of cuts, application for primary benefits should be supported with timely and sufficient guidance and advice.

If an employed person who is fit for work is not working full-time, if a self-employed person's business is not profitable, or if it is not possible to receive student financial aid for studies, the applicant must register as an unemployed jobseeker for full-time employment. Kela will request a person who should have registered as an unemployed jobseeker for full-time employment to register within the time limit of one month. If the applicant does not do so within the time limit, the basic amount of their social assistance is cut by 50%, unless this can be regarded as unreasonable.

The aim regarding full-time employment is as such to be supported. It should, however, be taken into account that people's life situations vary a great deal. Not all recipients of social assistance have the opportunity to work full-time due to their health or other life situation, such as being a single parent or caring for a child with special needs. For example, people working in the private service sector in low-paid and part-time jobs have to occasionally resort to social assistance. Part-time and atypical employment is common in the sector due to employers' labour needs, with wages and salaries often insufficient to cover housing and healthcare costs. It is also challenging that, going forward, people with incapacity for work diagnosed by a medical doctor but with no right to the sickness allowance or unemployment benefits have to register as unemployed jobseekers. Even though access to appropriate services would be the primary need of these people, the problem is the lack of service availability.

As part of the overall social assistance reform, the Government has also implemented direct benefit cuts when cutting the basic amount of the allowance by 3% for people who live alone and for people over the age of 18 who live with their parent(s), by 2% for single parents and by 1.9% for people over the age of 18 who live in a communal household with people other than their parent(s).

The financial means of subsistence for people living on social assistance are scant to begin with. It was estimated in conjunction with the reform that the cut in the basic amount would lower the disposable income of a one-person household by around EUR 18 per month and that of a single parent by around EUR 15 per month. Cutting the level of the basic amount is unreasonable and ludicrous, especially since the Government tried to ameliorate the index freezes of other Kela benefits for 2024–2027 by the fact that no corresponding freeze took place on social assistance.

The numerous cuts made by the Government on social security, in particular unemployment security and housing allowance, have increased the number of people who need social assistance. Through the overall reform of social assistance, the Government in turn aims to halve the number of people in need of social assistance. The changes made by the Government in social assistance also further exacerbate the weak financial situation of families with children. Even if the basic amounts for children were increased, the cuts in the basic amount for adults affect the situation of the entire family. Poverty in families with children may have long-term and intergenerational impacts.

Sickness allowance and rehabilitation allowance

In 2024, the Government also implemented cuts in the sickness allowance and rehabilitation allowance. The cuts were carried out so that the upper limit of annual income entitling to compensation at 70% was lowered from the existing EUR 35,769 to EUR 27,633. According to the government proposal, the change was targeted at the higher income classes. The lowering of the limit did, however, result in a cut already affecting those earning around EUR 2,400 per month, whereby it is incorrect to say the cuts are targeted at the higher income classes.

The cuts made in the level of the sickness allowance together with the increases in healthcare and social welfare service charges, the initial deductible of reimbursements for medicine costs and the increase in the value added tax rate for pharmaceuticals in line with the Government Programme, and the lengthening of the maximum waiting times for access to care increase the costs arising from ill health. The allowance cuts are particularly unreasonable as the opportunities of a person to improve their financial means of subsistence are limited when they are ill or incapacitated for work. At the same time, the employees' confederations are concerned about the incentive effect of rehabilitation when the benefit level declines. The purpose of rehabilitation is to enhance the individual's functional capacity, independent coping, work and study ability as well as their access to employment and continuing working. The purpose of the benefit paid for the duration of rehabilitation is also to motivate and commit the rehabilitation client to taking part in rehabilitation. Shortcomings in the service system are reflected in periods of unemployment.

The rejection rates of disability pensions have risen to up to 40%. There are likely to be many underlying reasons, but a significant factor is probably the non-functioning and slowness of the service system in responding to service and rehabilitation needs related to ability to work. A worker's ability to work cannot be restored so that they could work in their previous or any other available job, yet the disability pension system does not identify incapacity for work in the manner referred to in the earnings-related pensions acts. A stricter decision practice is also possible. As a result, persons whose ability to work has actually been reduced or who are ill are either left without the social security they need or end up as clients for unemployment benefits, the level of which has been lowered.

Article 13

The right to social and medical assistance

Article 13 of the European Social Charter requires that everyone must have effective opportunities to access sufficient health and social services without delays and regardless of where they live. The services available must be of high quality, accessible and equally available across the country.

The current situation of the health and social services system shows that the right to health and social services required by the Article cannot be implemented fully in Finland.

The funding deficit of wellbeing services counties has led to extensive functional and structural problems that impair access to services and jeopardise continuity of care. Long queues for care and examinations impair the health of working-age people in particular and increase periods of incapacity for work, which is contrary to the objectives of the Article.

Availability of services is also impaired by non-functioning of information systems and by fragmented practices. Overlaps and, on the other hand, gaps in functions result in part of the population not having access to services as required by law. Services supporting the work ability of working-age unemployed persons are particularly difficult to access in most wellbeing services counties, which poses a clear risk to the implementation of Article 13 of the Charter.

Change negotiations and staffing cuts due to the economic pressure of wellbeing services counties have contributed to reduced access to and quality of services in a situation where patient numbers are growing. At the same time, the maximum waiting times for access to care have been lengthened and client charges increased, which increases the burden of costs and may create an obstacle to access to necessary services for people at risk of poverty in particular. The closure of healthcare facilities and narrowing of the service range have also increased regional inequalities and resulted in longer distances to services.

Examined as a whole, the current trends fail to fulfil the requirement of Article 13 of the European Social Charter of the public authorities having to ensure sufficient and equally accessible health and social services for all. It is necessary to strengthen the financing and operating capacities of the service system to enable Finland to fulfil its obligations under the Charter.

Article 14

The right to benefit from social welfare services

Article 14 of the European Social Charter requires the State to actively promote and provide social welfare services which contribute to the welfare of individuals and groups, prevent social exclusion and contribute to people's adjustment to their social environment. In addition, the State must encourage the participation of individuals and voluntary or other organisations in the establishment and maintenance of such services.

The policy measures of Prime Minister Orpo's Government are clearly problematic from the perspective of these obligations. The chronic funding deficit of wellbeing services counties has impaired the availability and quality of social services on a large scale: service points have been closed down, staffing has been reduced, and the criteria for access to services have been tightened. Low-threshold social welfare services – such as family work, services for substance abusers and mental health services – have been reduced or congested so much in many counties that the right to actual and effective social services required by the Article cannot be guaranteed in practice.

At the same time, the Government has made amendments to social security legislation that increases the need of, in particular, people at risk of poverty, the long-term unemployed and families for specifically those social services the resources of which are being cut. This tension increases the risk of social exclusion and weakens the capacity of social services to contribute to the welfare of individuals – which is contrary to the basic obligations under Article 14 of the Charter.

In addition, the Government's measures have complicated the role of civil society organisations in the provision and maintenance of social services. Cuts in grants to organisations and uncertainty concerning the continuity of financing periods impair the capacity of those actors in particular that supplement public social services through, for example, peer support, crisis services, youth work and low-threshold help. This development causes concern from the perspective of the European Social Charter, as the Article obligates the States Parties to specifically support and encourage the participation of organisations.

Examined as a whole, the Government's policy has reduced the accessibility and functional capacity of social services, increased the need for services while at the same time resources are being cut, and complicated the role of organisations as actors supplementing services. These trends conflict with the obligations under Article 14 of the Charter, which require that social services are strengthened, not eroded.

Article 15

The right of persons with disabilities to independence, social integration and participation in the life of the community

Article 15 of the European Social Charter obligates the States Parties to ensure the right of persons with physical and mental disabilities to vocational training, rehabilitation and participation in the life of the community. The Article emphasises that the State must take sufficient measures to provide education and training opportunities, support access to employment, and develop services in a manner that effectively promotes the equality of persons with disabilities.

The policy measures of Prime Minister Orpo's Government are highly problematic from the perspective of these obligations, too. The lessening of funding for the wellbeing services counties has impaired access to services for persons with disabilities and lengthened the duration of service processing, which causes delays in both rehabilitation and in support for work readiness. Many wellbeing services counties have had to reduce staffing in units responsible for services for persons with disabilities and to tighten the criteria for access to services, which narrows the right to effective and sufficient services required by the Article.

At the same time, major cuts in social security – particularly the changes affecting housing allowance, social assistance and unemployment security – have impaired the financial position of persons with disabilities. This increases dependence on specifically those services the resources of which have weakened at the same time. The measures jeopardise the opportunities of persons with disabilities to participate in vocational education and training as well as in working life on an equal footing with others.

From the perspective of participation in working life, the Government has not enhanced the incentives of employers to hire persons with disabilities or invested in structures for sheltered employment or supported employment even though the Article requires active measures to promote access to employment. On the contrary, the structural changes in employment services and the transfer of employment and economic development services (TE services) to the municipalities have increased the risk of the support services for persons with disabilities being fragmented and featuring regional disparities.

In addition, the Government's decisions to cut the financing of organisations directly affect those actors that provide support services, peer support and functions strengthening readiness for education, training and work that are necessary for persons with disabilities. This weakens the obligation under Article 15§2 of the Charter to promote the access of persons with disabilities to employment in cooperation with public and third-sector actors.

As a whole, the Government's policy mix significantly erodes the access of persons with disabilities to education, training and employment services required by the

Article. The measures do not correspond to the obligation laid down in Article 15 of the Charter to promote the effective equality of persons with disabilities. Rather the contrary, they increase availability-related and regional disparities.

Article 16

The right of the family to social, legal and economic protection

Article 16 of the European Social Charter obligates the State to ensure the necessary economic, legal and social conditions for family life. The States Parties must, by such means as social and family benefits, fiscal arrangements and housing policy, support the opportunities of families for safe, stable and equal life.

The Government's policy measures are very problematic from the perspective of these obligations. The extensive social security cuts – in particular the impairments in housing allowance, unemployment security, social assistance and benefits for families with children – have weakened the financial capacities of many families in a way that jeopardises the key objective of Article 16: the sufficient social and economic protection of families. The changes affect in particular families at risk of poverty, single parents and families with several children, whose risk of poverty is already overly emphasised. The cumulative effect of the cuts is reflected in rapidly increasing financial uncertainty, difficulties in access to financial means of subsistence, and a decline in the wellbeing of children and young people.

At the same time, the Government has lowered the taxation of high-income groups, which emphasises the unbalanced impact of the measures and increases income differentials. Such tax policy does not support the aim of the Article to strengthen the social and economic protection of families. Instead, it increases structural inequality.

As regards housing policy, the cuts in housing allowance, and the declining availability of affordable family homes as rents are going up, are jeopardising the housing security of many families. The construction of family homes is currently not promoted in a manner required by the Article, and the Government policy is showing no efforts to provide long-term support to the housing conditions of families with children or to prevent the risk of homelessness, especially among young families.

There have also been growing difficulties in terms of services: the shortage of staff in early childhood education and care (ECEC) adversely affects the safety of the everyday lives of families with children and children's equal access to high-quality ECEC. At the same time, social services needed by families – such as family work, home services, parenting support and mental health services – have been lessened in many areas due to financing pressure. This development is in sharp contrast to the obligation laid down in Article 16 to promote the wellbeing of families by means of social services.

Examined as a whole, the policy of Prime Minister Petteri Orpo's Government erodes the economic and social protection of families at many levels. It increases poverty and inequality, reduces services and impairs families' housing conditions in a manner that does not fulfil the obligation laid down in Article 16 of the European Social Charter to ensure the conditions for the full development of family life. From the perspective of the Charter, the trend is a clear cause for concern and requires immediate remedial measures.

Article 17

The right of children and young persons to social, legal and economic protection

Article 17 of the European Social Charter obligates the State to ensure that every child and young person has the care, the assistance, the education and the training they need and that they can grow up in an environment which encourages the full development of their personality and of their physical and mental capacities. This requires the maintenance of sufficient and adequate services and institutions, the protection of children and young persons against negligence, violence and exploitation, and the provision of protection and special aid for those deprived of their family's support. In addition, the State must provide free primary and secondary education and ensure for children and young persons opportunities for regular and equal attendance at schools. The Article emphasises in particular that the State must take active measures to ensure the best interests of children.

The Government's policy undermines these conditions in many mutually reinforcing ways. The extensive social security cuts – in particular measures targeted at housing allowance, social assistance, the single-parent supplement to the child benefit allowance, index freezes and tougher conditions for unemployment security – increase poverty among families with children and undermine children's right to a safe environment in which to grow up. The increase in poverty is in direct correlation with a decline in children's wellbeing, health problems and learning difficulties, which is in sharp contrast to the obligations laid down in Article 17.

The funding deficit of wellbeing services counties and the lessening of social services reduce the availability of key services for children and families, such as in preventive child welfare services, home services, mental health services and maternity and child health clinic services. Service congestion and staff shortages result in children and families not receiving the support required by the Article in time. This increases the risk of more drastic child welfare measures and places children in geographically inequal positions.

In early childhood education and care (ECEC), the shortage of staff and insufficiency of resources undermine children's equal right to high-quality ECEC services, which are a key component of the social protection of children under Article 17. At the same time, the cuts in services for families with children increase the burden on parents and make the situation of families at risk of poverty in particular more difficult.

As regards tax policy, the Government's tax reductions favouring high-income groups together with the impairments of support concerning families with children increase financial disparities and undermine children's equality in terms of the conditions in which they grow up. This does not meet the basic starting point of Article 17 that the realisation of the rights of children require social and economic conditions to be strengthened – not eroded.

As a whole, the Government's policy measures undermine the right of mothers and children to social and economic protection in a manner that is in many ways in conflict with the obligations of Article 17. The trend clearly causes concern and requires immediate corrective measures to ensure the rights of children.

Article 19

The right of migrant workers and their families to protection and assistance

Article 19 of the European Social Charter obligates the State to ensure for migrant workers and their families protection and assistance, equal treatment with regard to working conditions, accommodation, taxes and legal proceedings, and to facilitate family reunification. In addition, the State must take steps against misleading propaganda relating to immigration and support cooperation between public and private social services.

The Government's policy measures are in many ways problematic from the perspective of these obligations. Through its legislation, the Government has increased the conditions for migrant workers' access to social security and services in a way that, in practice, impairs their actual opportunities to access the adequate and free services required by the Article. The more stringent conditions for work-based residence permits, the increased income requirements and the higher risk of losing the residence permit increase uncertainty and adversely affect the opportunities of migrant workers to seek help, use social services or seek assistance in issues relating to working conditions or accommodation.

In the labour market, the Government's measures – such as reducing the universal validity of collective agreements and cutting enforcement resources – have increased the risk of foreign workforce being, in practice, treated less favourably than Finnish workers. This conflicts directly with the requirement laid down in Article 19§4 to secure equal remuneration and other employment and working conditions. Less efficient enforcement also increases the risk of shadow economy and labour exploitation, which the Article specifically seeks to prevent. Workers with a foreign background are overrepresented among victims of exploitation of workers and crime in the labour market. Occurrence of exploitation ranges from underpayment to offences that fulfil the statutory definition of trafficking in human beings.

With regard to accommodation, the housing allowance cuts and intensifying increases in rents adversely affect migrant workers' access to affordable and safe housing. The housing of many work-based immigrants is from the rental housing market that is by its very nature expensive, and the impacts of the cuts are targeted particularly strongly at low-income sectors where migrant workers are overrepresented. This jeopardises the equal treatment in accommodation required by the Article.

As regards family reunification, the Government has made the requirements concerning financial resources more stringent in a way that makes the process more difficult for migrant workers working in low-paid sectors. This is clearly in conflict with the obligation laid down in Article 19§6 to facilitate as far as possible the reunion of the family of a foreign worker. The stricter legislation increases the risk of family members being separated from each other and reduces capacity for integration.

In addition, political rhetoric and the Government's communication about immigration have contributed towards negative attitudes and enabled the strengthening of misleading and one-sided immigration debate. This is problematic from the perspective of Article 19§1, as the States Parties must take active steps against misleading propaganda, not to foster it.

As a whole, the Government's policy has increased migrant workers' uncertainty, adversely affected the availability of services and social support, undermined equality in terms of working and housing conditions and imposed stricter requirements for family reunification. The measures conflict in many ways with obligations laid down in Article 19, which specifically require protection, equality and support for family life – not restrictions on them.

Central Organisation of Finnish Trade Unions (SAK)

Confederation of Unions for Professional and Managerial Staff in Finland (Akava)

Finnish Confederation of Professionals (STTK)