

Grevio; Ministry for Foreign Affairs

The Council of Europe Convention on preventing and combating violence against women and domestic violence

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1. Background

The Council of Europe Convention on preventing and combating violence against women and domestic violence (SopS 52 and 53/2015; Istanbul Convention) entered into force in Finland on 1 August 2015. The first evaluation procedure for Finland, or the baseline evaluation round, started in October 2017. The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) approved its first report on Finland concerning the implementation of the Convention in May 2019 (GREVIO/Inf(2019)9). In January 2020, the Committee of the Parties issued Finland a recommendation on the implementation of the Convention (IC-CP/Inf(2020)3) and in June 2023, it issued conclusions on the implementation of recommendations (IC-CP/Inf(2023)7). GREVIO has decided to launch a second evaluation round, which is also the first thematic round, and adopted a questionnaire for the purpose titled "Building trust by delivering support, protection and justice". The reporting is carried out by answering the questions in the questionnaire. The responses to the questionnaire constitute the report for Finland.

2. Report by the Sámi Parliament

Article 8: Funding

There is a well-working funding mechanism in use in Finland for ensuring the availability of culturally appropriate Sámi-language services. The funding mechanism promotes the realisation of the right of the Sámi to self-determination in services targeted at the Sámi. The funding allocated for ensuring the availability of the services is not sufficient, however. When the resource is defined, it should be taken into account that often there is no culturally appropriate Sámi-language service available at all. When culturally appropriate Sámi-language services are established, it is important to ensure that the service is implemented so that it is culturally appropriate from the start. Funding resources should also be allocated to the training of Sámi-speaking professionals who provide culturally appropriate services. Both nationally and even in the Sámi homeland, the authorities and the parties organising the services do not have much knowledge of the special characteristics of the Sámi culture.

Article 11: Data collection and research

The production of information about the Sámi is insufficient, and there is no up-to-date, comparable information available. In 2021, the Committee monitoring the UN International Covenant on Economic, Social and Cultural Rights recommended that the State of Finland improve its data collection system with a view to producing reliable and to identifying those groups that are disadvantaged in their exercise of economic, social and cultural rights. The data produced should be

disaggregated on the basis of prohibited grounds of discrimination. The intersectional examination of gender-based violence requires improving the production of information.

The production of information should be improved by allocating the necessary resources to gathering information and studying it. No Finnish authority produces information on preventing and combating violence against Sámi women and domestic violence. In Finland, the Sámi Parliament is the only party that produces information on the Sámi. The resources currently allocated to the Sámi Parliament are insufficient for meeting the constantly growing need for the production of information.

Article 16: Preventive intervention and treatment programmes

There is no culturally appropriate Sámi-language work with boys and men available. Sufficient resources should be allocated to the creation, development and production of culturally appropriate Sámi-language preventive services. When defining the resource, providing the missing services in a culturally appropriate way from the start should be taken into account. Sufficient resources should be allocated to making the methods culturally appropriate, training professionals and the necessary production of information, among other things.

Article 20: General support services

The availability of services in the Sámi homeland is below the national level. The deficiencies in culturally appropriate services in their own language and the lack of such services make it more difficult for Sámi women to use the services. Sufficient resources should be allocated to ensuring the availability of the services. Resources should be allocated to developing the services, training professional personnel and the production of information. In addition, resources should be allocated to establishing Sámi-language positions for public officials. (22.)

There is no shelter for victims of violence in the Sámi homeland. The Mother and Child Home closest to the Sámi homeland is in Rovaniemi. The distance to the shelter may be as long as several hundreds of kilometres. The long distances, the geographical characteristics of the Sámi homeland and the poor public transport connections may prevent those living in the Sámi homeland from finding help and safety. In addition, the decision of Sámi women to leave home and seek help may be influenced by the practice of a traditional means of livelihood, a close-knit community, relationships with family and relatives, and the right of the children to early childhood education and care as well as Sámi-language teaching being endangered. In addition to the lack of shelters, the position of victims of domestic violence in the Sámi homeland is weakened by the poor availability of housing. There are no culturally appropriate Sámi-language shelters available. Sufficient resources should be allocated to the development and production of culturally appropriate Sámi-language services. When defining the resource, providing the missing services from the start should be taken into account, because providing the service so that it is already culturally appropriate when it starts is important for the quality of the service. Sufficient resources should be allocated to making the methods culturally appropriate, training professionals and the necessary production of information. (23.)

Article 22: Specialist support services

The number of culturally appropriate Sámi-language services is not sufficient. Culturally appropriate Sámi-language mental health services are provided by the Sámi psychosocial support unit Uvjj – Uvjâ – Uvja with a fixed-term agreement until the end of 2023. The mental health service unit in question was established to support Truth and Reconciliation Commission work between the Sámi and the State of Finland. On the national level, the mental health service unit is the only unit that provides

advice and support and carries out crisis work in all of the three Sámi languages spoken in Finland. The Sámi Parliament has proposed that ensuring the operation of the mental health service unit should continue, but no decision has been made about the matter yet.

There are no special support services that take their language and culture into account for Sámi women and girls who have experienced violence. Sufficient resources should be allocated to the provision of the services. When defining the resource, providing the missing services in a culturally appropriate way from the start should be taken into account. Sufficient resources should be allocated to making the methods culturally appropriate, training professionals and the necessary production of information. (27.)

Article 25: Support to victims of sexual violence

For those living in the Sámi homeland in Finland, the closest support centre is either in Ivalo or in Rovaniemi. In addition to ensuring the availability and quality of culturally appropriate Sámi-language services, the geographical characteristics of the Sámi homeland should also be taken into account. In the Sámi homeland, the distance to the nearest support centre may be as long as several hundreds of kilometres. The long distances and poor public transport connections put the victims' access to help at risk.

Communication about the services should be accessible to the Sámi. The communication should be in their native language, and it should be offered in a way that reaches the population. Information about support services for victims of sexual violence can be found on the website of the Finnish National Institute for Health and Welfare (THL) in two out of the three Sámi languages spoken in Finland. Developing the production of information is a positive trend, but THL as a communication channel is not accessible to the Sámi.

Sufficient resources should be allocated to the development and production of culturally appropriate Sámi-language services. When defining the resource, providing the missing services in a culturally appropriate way from the start should be taken into account. Sufficient resources should be allocated to making the methods culturally appropriate, training professionals and the necessary production of information as well as communication. In addition, resources should be allocated to establishing positions for Sámi-language public officials. (28.)

Article 31: Custody, visitation rights and safety

For Sámi children, attention should be paid to safeguarding the rights of the child, especially with regard to their own language and culture. It would be important to assess the realisation of the rights of the child especially when a Sámi child moves outside the Sámi homeland with one parent due to a divorce or separation, or when a Sámi child lives with a parent who is a member of the majority population.

Articles 49 and 50: General obligations and immediate response, prevention and protection

Despite the linguistic rights of the Sámi guaranteed by the Constitution of Finland (1999/731, section 17) and the obligations imposed on authorities by the Sámi Language Act (1086/2003), the availability of culturally appropriate Sámi-language services by the authorities is currently not sufficient. In addition to the deficiencies of Sámi-language services, the use of services is affected by the history of assimilation experienced by the indigenous people and their subordinate position in relation to the majority population. The distrust caused by the factors mentioned above may prevent

people from reporting the violence they have experienced to the police or seeking and receiving help from social welfare. Domestic violence and child welfare needs are considered private matters, both in the Sámi community as well as in the majority culture. An authority coming from the majority culture may feel that intervening in matters that are considered private is especially difficult due to the cultural difference. It is also true that when the operating methods typical to the Sámi culture are foreign to the authority, a Sámi client may be instructed to act in ways typical to the majority culture. Such a situation is apt to alienate clients from their own culture.

At the moment, there are deficiencies in social services especially concerning the availability of culturally appropriate Sámi-language child welfare services. As in other services by the authorities, the deficiencies of cultural competence by the professionals in child welfare services pose a challenge in addition to the lack of employees with language skills. There are not enough culturally appropriate Sámi-language services available, such as substitute care, support family services and family work. The State of Finland has no special measures in progress in order to ensure the availability of culturally appropriate Sámi-language child welfare services. This constitutes structural assimilation, and it promotes the alienation of Sámi children and young people from their own language and culture. The realisation of the rights of Sámi children is at risk especially in cases involving substitute care and taking the child into care. Substitute care in a majority language-speaking, majority culture environment threatens the children's right to their own language and culture. In addition, substitute care in a majority language-speaking, majority culture environment and/or outside the Sámi homeland weakens the children's connection to their own family, relatives and the Sámi community as well as the language and culture.

The resources allocated to culturally appropriate Sámi-language services should be sufficient so that they would ensure the realisation of services by the authorities defined in the Sámi Language Act (1086/2003). The aim of allocating the resource should be to correct the deficiencies that affect the arrangement of services, such as the availability of Sámi-speaking professional personnel. In Finland, the educational institutions training professionals for official duties do not offer sufficient information about the Sámi. By steering the resource, it should be ensured that public officials operating in the Sámi homeland have enough information on Sámi culture and history. It would also be good to take into account that there is also a growing need for culturally appropriate Sámi-language services outside the Sámi homeland. (44.)



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