

# ECRI REPORT ON FINLAND

(sixth monitoring cycle)



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**ECRI**  
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## FOREWORD

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The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, is an independent human rights monitoring body specialised in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance. It is composed of independent and impartial members appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

In the framework of its statutory activities, ECRI conducts country monitoring work, which analyses the situation in each of the member States of the Council of Europe regarding racism and intolerance and draws up suggestions and proposals for dealing with the problems identified.

ECRI’s country monitoring deals with all member States on an equal footing. The work takes place in 5-year cycles. The reports of the first round were completed at the end of 1998, those of the second round at the end of 2002, those of the third round at the end of 2007, those of the fourth round in the beginning of 2014, and those of the fifth round at the end of 2019. Work on the sixth round reports started at the end of 2018.

The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.

ECRI’s reports are not the result of inquiries or testimonial evidence. They are analyses based on information gathered from a wide variety of sources. Documentary studies are based on a large number of national and international written sources. The in situ visit provides the opportunity to meet with the parties directly concerned (both governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to provide, if they consider it necessary, comments on the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final ECRI report.

The sixth round country reports focus on three topics common to all member States: (1) Effective equality and access to rights, (2) Hate speech and hate-motivated violence, and (3) Integration and inclusion, as well as a number of topics specific to each one of them.

In the framework of the sixth cycle, priority implementation is requested again for two specific recommendations chosen from those made in the report. A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

**The following report was drawn up by ECRI under its own responsibility. Unless otherwise indicated, it covers the situation up to 20 March 2025; as a rule, developments since that date are neither covered in the following analysis nor taken into account in the conclusions and proposals therein.**

## SUMMARY

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**Since the adoption of ECRI's fifth report on Finland on 19 June 2019, progress has been made and good practices have been developed in a number of fields.**

Since 1 June 2023, the Non-discrimination Ombudsman is empowered to deal with individual complaints of discrimination in employment on all prohibited grounds.

The Regional State Administrative Agency for Western and Inland Finland worked together with the main LGBTI NGO Seta to produce age appropriate LGBTI lessons for primary schools, made available on the internet, in addition to which it has been involved in providing related training to school staff.

As of 1 January 2023, the scope of access to healthcare to which migrants irregularly present in Finland are legally entitled was extended from emergency healthcare only to healthcare that cannot be deferred.

Following the adoption of a new Act on the Recognition of Gender, which entered into force in April 2023, some previously existing abusive requirements such as sterilisation or proof of infertility were removed, making it easier to obtain legal gender recognition in Finland.

In August 2023, in response to criticism about insufficient action against racism, including in the form of hate speech, the Government issued a statement on promoting equality, gender equality and non-discrimination in Finnish society, which was followed by a government campaign against racism launched in August 2024 and an action plan for combating racism and promoting equality presented in September the same year.

ECRI commends the integration website launched by the Centre of Expertise in Immigrant Integration of the Ministry of Economic Affairs and Employment, which contains useful information for anyone who, in the course of their work, is involved in immigrants' integration or refugee reception.

**ECRI welcomes these positive developments in Finland. However, despite the progress achieved, some issues give rise to concern.**

As a result of amendments to the Non-discrimination Act in 2024, the obligation to adopt a plan for promoting equality in early childhood education (notably kindergartens) was moved from the level of individual providers of early childhood education to the level of the municipal

administrations, as a result of which there are no longer site-specific plans for promoting equality under the Non-Discrimination Act.

At the time of the 2024 visit to Finland, steps undertaken by the Government at legislative level to reduce again healthcare available to irregularly present migrants to emergency health care only gave cause for concern.

Non-medically necessary so-called "sex-normalising" surgeries are still carried out at four out of five university hospitals in Finland, and the medical records of such interventions often do not remain available, making the correct assessment of the need for related medical interventions later in the lives of the persons concerned difficult.

According to both data from the Government and reports by civil society, the frequency of hate speech in Finland has increased and reached a critical level, including online and in the political sphere, while efforts to counter it are not sufficient

Despite an increased number of reported incidents of hate crime, police officers reportedly all too often remain hesitant to consider racist elements of crime committed and to consequently flag hate crimes as such in the police's recording system, in addition to which the prosecution service does not always take suspected hate motivations into account.

A number of legislative changes have been introduced or are underway, making inter alia family reunification more challenging, in addition to which the validity of residence permits has been shortened for beneficiaries of international and subsidiary protection, while the conditions for maintaining residence permits based on studies or work have been or are to be tightened, all of which prevents immigrants from feeling accepted and thus integrated.

**In this report, ECRI requests that the authorities take action in a number of areas and makes a series of recommendations, including the following.**

The authorities should ensure that schoolteachers undergo initial and continuous training in issues relating to human rights, including the prohibition of discrimination.

The authorities should issue detailed guidelines and offer suitable training to staff working in healthcare facilities concerning the level of healthcare irregularly present migrants are entitled to.

The authorities should, as a matter of priority, prepare and bring to Parliament a comprehensive bill that expressly acknowledges the right of intersex persons to bodily integrity and prohibits the performance of medically unnecessary surgeries and other non-therapeutic treatments until such time as the intersex child is able to participate in decisions, based on the principle of free and informed consent.\*

The authorities should also, as a matter of priority, take action to counter racist and LGBTI-phobic hate speech, including online and such perpetrated by public figures, by setting up a special working group comprising representatives of all relevant authorities, the equality bodies, civil society organisations, academia and, as much as possible, the media,

to develop a detailed programme of concrete and measurable actions against hate speech, including where necessary by revising legislation.\*

The authorities should develop policies based on positive incentives to improve the integration and inclusion of foreign nationals residing in Finland, if necessary, by reviewing current policies and making appropriate legislative changes.

The authorities should take measures to strengthen action against antigypsyism and discrimination against Roma, especially in employment, in particular as concerns recruitment and vocational training, including by means of providing incentives for private employers of Roma and promoting their employment in the public sector.

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\* The recommendations in this paragraph will be subject to a process of interim follow-up by ECRI no later than two years after the publication of this report.

## FINDINGS AND RECOMMENDATIONS

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### I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

#### A. Equality bodies

1. The Non-Discrimination Ombudsman<sup>1</sup> and the Ombudsman for Equality are Finland's equality bodies.<sup>2</sup> These two institutions supervise compliance with the Non-discrimination Act (1325/2014)<sup>3</sup> and the Act on Equality between Women and Men (Equality Act, 609/1986), respectively. The Non-discrimination Act prohibits discrimination on the basis of an open-ended list of grounds that includes origin, nationality, language, religion and sexual orientation.<sup>4</sup> The Equality Act, apart from equality between women and men, covers gender identity and gender expression. However, it does not include any explicit references to sex characteristics, though the Ombudsman for Equality still considers intersex issues to fall under his mandate.
2. ECRI recommends that steps be taken to amend the Act on Equality between Women and Men in order to explicitly include sex characteristics as a discrimination ground.
3. Since 1 June 2023, the Non-Discrimination Ombudsman is empowered to deal with individual complaints of discrimination in employment on all prohibited grounds,<sup>5</sup> which is in line with ECRI's recommendation in § 16 of its 5<sup>th</sup> report on Finland.
4. ECRI notes that the Non-Discrimination Ombudsman was allocated a budget of € 2 825 000 for 2024. In recent years, the budget has, apart from 2020, grown steadily.<sup>6</sup> However, the mandate of the Non-Discrimination Ombudsman has also expanded,<sup>7</sup> and the enlarged mandate concerning discrimination in employment has required additional resources. Another indicator of the growing workload is the number of times this equality body has been solicited in recent years, with an increase from 920 complaints received in 2019 to 1730 in 2023.<sup>8</sup>
5. ECRI notes that the Ministry of Justice established a working group<sup>9</sup> to examine the possibility of merging the institutions of Non-Discrimination Ombudsman for Equality, Ombudsman and Ombudsman for Older People.<sup>10</sup> Certainly, according to ECRI's General Policy Recommendation (GPR) No. 2 on equality bodies to combat racism and intolerance at national level, the authorities have full discretion in setting up or designating one or more equality bodies. ECRI also considers the

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<sup>1</sup> [Front page | Non-Discrimination Ombudsman \(yhdenvertaisuusvaltuutettu.fi\)](#). The institution was set up by the Act on the Non-Discrimination Ombudsman (1326/2014).

<sup>2</sup> [Front page | Ombudsman for Equality \(tasa-arvo.fi\)](#). The institution was set up by the Act on the Ombudsman for Equality (1328/2014).

<sup>3</sup> See [1325/2014 | Lainsäädäntö | Finlex](#) (in Finnish language).

<sup>4</sup> The Non-Discrimination Ombudsman has issued relevant decisions about discrimination on grounds of sexual orientation, e.g. about access to fertility treatment in the public health care services for same-sex couples and has advocated for blood donation rules that do not discriminate on grounds of sexual orientation.

<sup>5</sup> For further details, see [The Non-Discrimination Act is changing on 1 June 2023 – amendments improve the legal protection of discrimination victims | Non-Discrimination Ombudsman \(yhdenvertaisuusvaltuutettu.fi\)](#). In addition to the Non-discrimination Ombudsman, the Occupational Safety and Health Authority (OSH) [Home - Tyosuojelu.fi - Occupational Safety and Health Administration](#) has the mandate to supervise compliance with the Non-Discrimination Act in work life.

<sup>6</sup> Annual budget in Euros: 2023: 2 633 000; 2022: 2 290 000; 2021: 1 930 000; 2020: 1 730 000; 2019: 1 772 000.

<sup>7</sup> At present, the Non-discrimination Ombudsman holds the mandates to: Promoting equality and tackling discrimination; National Rapporteur on trafficking in human beings; Rapporteur on violence against women (2021); Promoting the status and rights of foreign nationals; Monitoring the enforced removals from the country (2020); Monitoring of Frontex coordinated return flights (2020).

<sup>8</sup> In 2022, the number was 1626; in 2021, 1584 and in 2020, 1103. During the visit, the ECRI delegation was told that the budget had not increased in pace with the workload. As a result, promotional work has been negatively affected.

<sup>9</sup> See [Työryhmä asetettu selvittämään erityisvaltuutettujen tehtävien kehittämistä sekä yhdistämistä - Oikeusministeriö](#) (in Finnish language).

<sup>10</sup> See [Ombudsman | Vanhusasiavaltuutettu](#)

objective of achieving greater efficiency and avoiding unnecessary overlap by merging the three institutions a legitimate aim. However, several interlocutors met by the ECRI delegation during the 2024 visit to Finland expressed their concerns that such a merger could result in an undue reduction of resources allocated to the exercise of equality body functions and as a result lead to a deterioration in the level of protection for persons belonging to groups of concern to ECRI. ECRI invites the authorities to ensure that the human and financial resources allocated to any new equality body(ies) are appropriate for it/them to carry out their tasks effectively, in accordance with ECRI's GPR No. 2 and other relevant standards.<sup>11</sup>

6. A third institution closely linked to the work of the equality bodies is the National Non-Discrimination and Equality Tribunal (NDET), which is in place since 2015.<sup>12</sup> ECRI notes that, following amendments to the Non-Discrimination Act in 2022,<sup>13</sup> the NDET was mandated to recommend, where appropriate, the payment of compensation in discrimination cases.<sup>14</sup> ECRI trusts that more follow-up will be given to the NDET's recommendations.
7. In recent years, the NDET's budget has grown to the present annual € 500 000. The number of cases dealt with by this institution has increased too. With a caseload expected to reach a record of some 160 cases in 2024, it emerged during the ECRI 2024 visit to Finland that the available human resources are barely sufficient, and vulnerable to temporary shortages in staff caused by sickness or parental leaves.<sup>15</sup> ECRI stresses the importance of maintaining the NDET's budget at a level proportionate to the caseload in order to allow it to fulfil its mandate.

## **B. Inclusive education**

8. The Basic Education Act,<sup>16</sup> in its paragraph 2, sets the objectives of education, including to guarantee equality in education and to promote equality through education. However, at the level of site-specific individual providers of early childhood education (*kindergartens*), such an objective is – as of 2025 – reduced to promoting equality under the Equality Act only (i.e. equality on the basis of gender, gender identity and gender expression).<sup>17</sup> Further, in 2022, an obligation for early education providers was introduced, under the Non-discrimination Act, to establish site-specific plans to promote non-discrimination, including on grounds such as ethnicity or sexual orientation. As a result of further amendments to the Non-discrimination Act in 2024,<sup>18</sup> this obligation to promote equality is as a rule fulfilled at the level of the municipal administrations. ECRI invites the authorities to actively pursue the objective of guaranteeing equality in education and to

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<sup>11</sup> See also Article 4 of the Directive 2024/1499 of the Council of the European Union (EU) of 7 May 2024 on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in matters of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and amending Directives 2000/43/EC and 2004/113/EC.

<sup>12</sup> For more details about its mandate, see ECRI's fifth report on Finland, paragraphs 19-23.

<sup>13</sup> Despite the expanded mandate of the Non-Discrimination Ombudsman in the field of employment, the NDET is still not mandated to address discrimination in employment stemming from the Non-Discrimination Act. In other words, the NDET does not have any powers to deal with complaints of discrimination in employment on any ground other than gender and gender identity or expression, which stem from the Equality Act.

<sup>14</sup> See [Entry page - Yhdenvertaisuus- ja tasa-arvolautakunta](#). Though precise figures are not available, it is estimated that in some 60 % of the cases in which the NDET has recommended the payment compensation, it has actually been paid.

<sup>15</sup> As a result of an increased caseload, the average time for processing of the cases by NDET rose quickly from 243 days in 2018 up to 352 days in 2019 and further on up to 515 days in 2020. Following increases in the budget as of 2021, allowing the recruitment of more staff, the processing times shortened and were expected to be around 300 days in 2024.

<sup>16</sup> Available in Finnish language at [Perusopetuslaki 628/1998 - Ajantasainen lainsäädäntö - FINLEX®](#)

<sup>17</sup> A previously existing obligation for each provider of early childhood education (notably Kindergartens) to have an equality plan based on the Non-Discrimination Act was abolished as of 2025, though this obligation to have such an equality plan remains on the level of the municipality. The obligation to have an equality plan based on the Equality Act will remain at the kindergarten level.

<sup>18</sup> See bill with amendments as adopted <https://finlex.fi/fi/hallituksen-esitykset/2024/105#OTO> (in Finnish language).

promoting it through education on all levels, including at the level of schools, and on all grounds falling within ECRI's mandate.

9. ECRI notes that the 2023 government programme refers to promotion of human rights education and that the Teacher Education Development Programme for 2022-2026<sup>19</sup> was revised by the Teacher Education Forum. This programme covers teachers' core education and induction as well as career-long professional and continuous learning. The National Agency for Education published useful materials for teachers and students concerning human rights.<sup>20</sup> However, a 2023 report on democracy and human rights education in Finnish schools,<sup>21</sup> commissioned and published by the Government, revealed shortcomings concerning the addressing of these topics in teacher training and underlined the need for developing appropriate structures for democracy and human rights training.
10. ECRI recommends, in line with its General Policy Recommendation No. 10 on combating racism and racial discrimination in and through school education, that teachers in Finnish schools be provided with suitable initial and ongoing training in issues relating to human rights, including the prohibition of discrimination. Such training should cover, inter alia, relevant international and European human rights standards and the use of the existing teaching materials developed for teaching human rights, including the right to equality.
11. Amendments made to the Basic Education Act that entered into force on 1 August 2022 were meant to strengthen the protection against bullying in schools. A Government action plan to prevent bullying, teasing, violence and harassment in schools and educational institutions was implemented from 2021 to 2023. In the budget for 2025, the Government included five million Euros of project funding for municipalities or individual schools wishing to fund anti-bullying initiatives. ECRI also notes that schools are obliged to draw up a plan to protect students from violence, bullying and harassment as part of the school-specific student welfare plan. These plans should consider both the interactions between students and between students and adults in the school.
12. Several civil society interlocutors met by the ECRI delegation during the visit reported about widespread bullying in schools, in particular on grounds of ethnicity, citizenship,<sup>22</sup> religious affiliation, sexual orientation and gender identity. It also appeared from the information gathered during the visit that there is insufficient training for school staff about how to deal with bullying cases. Furthermore, ECRI's attention was drawn to reports of individual teachers being behind bullying on racist or religious grounds.<sup>23</sup>
13. ECRI recommends that action be taken so that schools set up a compulsory system to monitor racist and LGBTI-phobic incidents and share with the relevant school authorities appropriately disaggregated data on these phenomena in order to devise long-term policies to counter them.

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<sup>19</sup> <http://urn.fi/URN:NBN:fi-fe2022053140998>

<sup>20</sup> Available at [hmisoikeus- ja demokratiakasvatus | Opetushallitus \(oph.fi\)](https://hmisoikeus-ja-demokratiakasvatus|Opetushallitus(oph.fi)) (in Finnish language)

<sup>21</sup> The report is available at

[https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/164857/VNTEAS\\_2023\\_24.pdf?sequence=1&isAllowed=y](https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/164857/VNTEAS_2023_24.pdf?sequence=1&isAllowed=y) (in Finnish language with description sheets in Swedish and English).

<sup>22</sup> Including Russian and Ukrainian pupils.

<sup>23</sup> For instance, in one reported case, the principal of a school referred to "small members of Isis" ("pikku-isikset"). Source: (Parland, M., Kwazema, M. (2022). Looking for Hidden Notebooks: Analysing Social Exclusion Experienced by Teachers of Minority Religions in Finnish Schools. In: Alemanji, A.A., Meijer, C.M., Kwazema, M., Benyah, F.E.K. (eds) Contemporary Discourses in Social Exclusion. Palgrave Macmillan, Cham.

14. The Ministry of Education funds projects which provide training for teachers about LGBTI issues, often delivered by the LGBTI NGO Seta.<sup>24</sup> However, this work is mostly project based and typically only teachers who are interested in the topic take part, which means such teacher training is far from systematic or compulsory. The City of Helsinki in 2022-23 implemented a project in which age appropriate LGBTI workshops were designed and implemented for all 6-9 graders in the city's public schools. The LGBTI NGO Seta delivered the workshops.<sup>25</sup> Further, elsewhere in Finland, Seta was involved in providing such education. Further, the Regional State Administrative Agencies for Western and Inland Finland worked together with Seta to publish age appropriate LGBTI lessons for primary schools. The Agency previously provided trainings to school staff. The training was subsequently made publicly available on the Internet.<sup>26</sup> ECRI considers such co-operation between public agencies and civil society in providing age appropriate LGBTI lessons in primary schools a **good practice**.
15. While teaching about history and culture of indigenous Sámi people and Roma is included in the school curriculum,<sup>27</sup> it appears that these topics are not systematically taught in practice. In the opinion of ECRI, this creates knowledge gaps that will not reduce the often-negative attitudes towards these populations.
16. ECRI recommends that the Finnish authorities ensure that courses on the history and culture of the indigenous Sámi people and Roma are systematically taught in school education.

### C. Irregularly present migrants

17. Civil society organisations working in support of irregularly present migrants estimate their number in the country to be ranging from 3000 to 6000, about 90 % of whom stay in the larger Helsinki area.<sup>28</sup>
18. Irregularly present migrant children in Finland are, according to the Constitution, entitled to attend school. However, it emerged from the findings during the visit to Finland that their parents were not always aware of this right or they feared that their irregular presence would be revealed to the police by the school administration.

<sup>24</sup> IGLYO 2022 LGBTI Inclusive education report, page 66, available at [https://drive.usercontent.google.com/download?id=151PykC17\\_rw4FFGZq3mgb5giY1I7zaFS&export=download&authuser=0](https://drive.usercontent.google.com/download?id=151PykC17_rw4FFGZq3mgb5giY1I7zaFS&export=download&authuser=0)

<sup>25</sup> See [Sateenkaarityöpajat alkoivat – Taivallahden peruskoulussa oppilaat ja opettajat pitivät keskusteluja tärkeinä | Helsingin kaupunki](#) (In Finnish language)

<sup>26</sup> The training materials are available in Finnish language at [Sateenkaarioppitunti](#)

<sup>27</sup> See [https://www.oph.fi/sites/default/files/documents/perusopetuksen\\_opetussuunnitelman\\_perusteet\\_2014.pdf](https://www.oph.fi/sites/default/files/documents/perusopetuksen_opetussuunnitelman_perusteet_2014.pdf) and [https://www.oph.fi/sites/default/files/documents/lukion\\_opetussuunnitelman\\_perusteet\\_2019.pdf](https://www.oph.fi/sites/default/files/documents/lukion_opetussuunnitelman_perusteet_2019.pdf) (both in Finnish language), as well as this article: The Roma – an Overlooked minority, January 2024. <https://kielikampus.jyu.fi/fi/blog/blogikirjoitukset-vuosittain/2024/the-roma-an-overlooked-minority>

<sup>28</sup> At present, most irregularly present migrants in Finland belong to one of the following categories: a) failed asylum seekers who have remained in the country beyond the 30-day limit after a negative asylum decision, and who have neither appealed the decision, nor reapplied; b) those who were previously granted residence permits on the basis of humanitarian protection or who were previously granted a temporary residence permit due to obstacles to removal from Finland, but lost their right to a residence permit after the Aliens Act was amended; c) individuals who for one reason or the other do not want to, or cannot apply for asylum in Finland; d) individual who overstay their visas or the validity of their residence permits, as well as EU citizens or citizens of other Nordic countries who stay over 90 days without informing the authorities or registering their residence.

19. At present, irregularly present migrants in Finland have the right to urgent social and health care services, as well as, since changes in legislation that entered into force on 1 January 2023, to healthcare services which, according to a healthcare professional, cannot be deferred.<sup>29</sup> Irregularly present children are entitled to the same level of healthcare as Finnish children.
20. The 2023 government programme foresees reducing healthcare to irregularly present migrants to urgent healthcare only.<sup>30</sup> Consultations for this purpose were undertaken in summer 2024<sup>31</sup> and a bill for this purpose was under preparation in early 2025.<sup>32</sup> ECRI strongly encourages the authorities to ensure that the right of irregularly present migrants to healthcare includes emergency medical treatment and other forms of necessary health care, in accordance with § 21 of its GPR No. 16 on safeguarding irregularly present migrants from discrimination.<sup>33</sup>
21. Another difficulty raised repeatedly by civil society interlocutors met by the ECRI delegation during the visit is that healthcare professionals are often not well informed about how to administratively deal with irregularly present migrants or about applicable legislation. As a result, civil society organisations offering support to irregularly present migrants spend much time explaining to administrative staff of healthcare facilities what are the basic rights of irregularly present migrants. The NGO Global Clinic, on its website, offers information about the right of irregularly present migrants to emergency and other necessary healthcare,<sup>34</sup> and it has provided training in this regard to receptionists of healthcare facilities.
22. During the visit, ECRI's delegation also learned about a case in which an irregularly present migrant was fetched by the police from a hospital and subsequently deported. If true, this could be considered as a failure to decouple immigration control and enforcement from the provision of healthcare services and an interference by immigration and law enforcement agencies.
23. ECRI recommends that the authorities issue detailed guidelines and offer suitable training to staff working in healthcare facilities concerning the level of health care to which irregularly present migrants are entitled to. In such guidelines and during such training, it should also be made clear that it is prohibited to share with immigration and law enforcement authorities any personal data or other information about persons suspected of irregular presence or work. In doing so, the authorities may draw inspiration from ECRI's General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination.
24. On a positive note, the City of Helsinki has for many years offered relatively extensive healthcare services, including all laboratory services and mental health ones, to irregularly present migrants. In particular, this is done at the Helsinki

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<sup>29</sup> See [Finland: new law expands health care for undocumented migrants - PICUM](#). See also [Health services for undocumented migrants – THL](#). Healthcare that cannot be deferred refers to immediate assessment and care required by a sudden illness, injury, treatment of long-term illnesses that take a turn for the worse, or reduced functional capacity that cannot be postponed without making the illness or the injury worse. Urgent dental health care, mental health care, intoxicant abuse treatment and psychosocial support are considered to fall under care that cannot be deferred. This policy also covers vaccinations against infectious diseases, abortion and prenatal care, as well continuous care for e.g. cancer patients. Childbirth counts as acute care and is offered to everyone.

<sup>30</sup> See [Hallitus on rajoittamassa paperittomien oikeutta välttämättömään terveydenhuoltoon – Helsingissä lakimuutos ei välttämättä vaikuttaisi | Kotimaa | Yle](#) (in Finnish language)

<sup>31</sup> See [Preparation of legislation on the health care rights of persons residing in Finland in violation of immigration legislation - Ministry of Social Affairs and Health \(stm.fi\)](#)

<sup>32</sup> The draft bill as of 6 January 2025 (mainly in Finnish language) is available at <https://stm.fi/en/project?tunnus=STM158:00/2024>. The bill is expected to be submitted to Parliament in April 2025.

<sup>33</sup> See [ECRI General Policy Recommendation N° 16 - European Commission against Racism and Intolerance \(ECRI\)](#)

<sup>34</sup> See [Global Clinic – Paperittomille potilaille](#) (in Finnish language)

Kalatatama health- and wellbeing centre.<sup>35</sup> ECRI considers such work as **good practice**.

#### **D. LGBTI equality<sup>36</sup>**

25. Finland is on a shared sixth place in ILGA-Europe's 2024 ranking, with an overall score of 70,62 %.<sup>37</sup> Further, a survey published by the European Union Fundamental Rights Agency (FRA) in May 2024<sup>38</sup> shows that LGBTI people in Finland suffer comparatively low discrimination rates.<sup>39</sup> However, the survey results show a drastic drop since 2019 in respondents' belief in the effectiveness of Finnish Government efforts to combat prejudice and intolerance against LGBTI people.<sup>40</sup>
26. According to a 2024 Equality Action Plan, LGBTI equality issues are expected to be dealt with in a cross-cutting manner. However, there are no related concrete measures proposed in it. It appeared during the ECRI visit that civil society organisations, including LGBTI organisations, considered a specific LGBTI equality strategy and/or action plan was needed, which is an opinion shared by the Ombudsman for Equality. ECRI is of the same view. In this connection, it should be noted that the Sámi Parliament agreed to launch an LGBTI action plan, though its financing is uncertain.<sup>41</sup>
27. ECRI recommends that the authorities prepare and adopt a national LGBTI equality strategy, accompanied by a national action plan, with an appropriate budget for its implementation. The strategy and the action plan should be prepared in close consultation with civil society actors, as well as with local and regional authorities. This action plan should include concrete measurable goals, with an accompanying timeline for their implementation and impact evaluation. In the preparation of the action plan, the authorities should draw on ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons. If necessary, Council of Europe support should be sought.
28. In 2016-2017, the Government financed the "Finland 100 Years in the Colours of the Rainbow" project to improve awareness about the history of LGBTI communities in the country. The project led to the founding of the Friends of LGBTI History Association, which in 2024 was granted a State award for raising awareness of LGBTI history in the country.<sup>42</sup> This is a positive development. In August 2023 (with effect as of October 2023), the Finnish Medicines Agency (Fimea) updated its guidelines on blood donation by men who have sex with other men. ECRI welcomes that the updated guidelines lift the four-months exclusion period since most recent sexual contact that had previously applied to blood donations by such men.
29. On 1 February 2023, the Parliament approved a new Act on the Recognition of Gender, after which the law<sup>43</sup> entered into force in April 2023. It removed the requirement for transgender persons to be sterilised or to prove infertility to obtain

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<sup>35</sup> See [Special services for immigrants | City of Helsinki](#)

<sup>36</sup> For terminology, see ECRI's [Glossary](#).

<sup>37</sup> See [Finland - Rainbow Map \(ilga-europe.org\)](#) and [How did Finland and Greece end up in the same place on the Rainbow Map? | ILGA-Europe](#)

<sup>38</sup> See [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2024-lgbtqi-equality\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2024-lgbtqi-equality_en.pdf)

<sup>39</sup> For example, transwomen in Finland experience one of the lowest prevalence values of discrimination in the EU (at 41 %). Similarly, these prevalence values for discrimination of non-binary and gender-diverse respondents was among the lowest in Europe, at 38%, as was the figure for discrimination of LGBTI persons in employment (at 11%) and in education (6%) respectively.

<sup>40</sup> See table on page 81 of the May 2024 survey by FRA.

<sup>41</sup> See [Valtion budjettiesitys tarjoaa kylmää kyttä saamelaiskäräjille – tiedossa suuret leikkaukset | Kotimaa | Yle](#) (in Finnish language)

<sup>42</sup> See [Queer History Shines in the Light of a State Award - Sateenkaarihistorian ystävä](#)

<sup>43</sup> See [Laki sukupuolen vahvistamisesta 295/2023 - Ajantasainen lainsäädäntö - FINLEX®](#) (in Finnish language).

legal gender recognition. The requirement for a psychiatric diagnosis to get legal gender recognition (LGR) was also removed. There is a mandatory 30-day reflection period before LGR can be granted. ECRI was informed that, in the seven months after the amended legislation entered into force, about 1700 persons applied for LGR.<sup>44</sup>

30. While the reformed legislation has significantly sped up the process of achieving LGR, waiting times for related health care are still long as there are only two specialised clinics in the country, one in Helsinki and one in Tampere.<sup>45</sup> ECRI invites the authorities to take further action aimed at ensuring that transgender people have timely access to necessary gender-affirming treatments.
31. In 2020, the Ministry of Foreign Affairs published a study on the rights and experiences of intersex people and their families in Finland. The study showed that parents did not receive sufficient information about options, notably as to whether a surgery on their intersex children is allowed or not.<sup>46</sup>
32. A 2020 report commissioned by the Ministry of Social Affairs and Health, entitled "Alternative regulatory models for the legal status of gender minorities", concluded that the treatment of intersex children was in violation of the Act on the Status and Rights of Patients.<sup>47</sup> However, according to that report, the legislation was considered sufficient for safeguarding the human rights of intersex children. As part of the national child strategy, ECRI takes positive note that the Finnish Institute for Health and Welfare published a guide for healthcare professionals about intersex children and how to communicate with parents of intersex children.<sup>48</sup>
33. There are variations between hospitals concerning how parents are involved in the decision-making in cases of non-medically necessary operations and the assignment of legal sex for an intersex infant. Out of the five existing university hospitals, only the Oulu one refuses to carry out surgeries on intersex children for any other reason than medical necessity. The National Advisory Board on Social Welfare and Health Care Ethics (ETENE)<sup>49</sup> shared the view that resources of health care units to support intersex individuals are inadequate. According to civil society interlocutors met during the ECRI visit, a serious problem facing adult intersex people is that the medical records from medical interventions performed on them often disappear or are deleted, making the correct assessment of the need for later medical interventions difficult.
34. Despite some earlier intentions to legally ban modifications of intersex children's sex characteristics without free and informed consent of the child, no legislative proposal or other initiative was made and no such initiative was included in the 2023 government programme.<sup>50</sup>
35. ECRI recommends, as a matter of priority, that the authorities prepare and bring to Parliament a comprehensive bill that expressly acknowledges the right of intersex persons to bodily integrity and prohibit the performance of medically unnecessary

<sup>44</sup> See [Yli 1 700 ihmistä on hakenut sukupuolen vahvistamista omalla selvityksellä | Kotimaa | Yle](#) (in Finnish language).

<sup>45</sup> In paragraph 103 of its fifth report, ECRI for this reason recommended the establishment of a third clinic.

<sup>46</sup> See summary and recommendations, starting on page 2 of the study, available at: [https://um.fi/documents/35732/0/IP1709011\\_STUDY\\_ON\\_THE\\_RIGHTS\\_AND\\_EXPERIENCES\\_sahkoinen\\_5.pdf/2e3c62c4-da72-7846-98e9-731aecfabce2?t=1585920363798](https://um.fi/documents/35732/0/IP1709011_STUDY_ON_THE_RIGHTS_AND_EXPERIENCES_sahkoinen_5.pdf/2e3c62c4-da72-7846-98e9-731aecfabce2?t=1585920363798).

<sup>47</sup> Available at [Laki potilaan asemasta ja oikeuksista 785/1992 - Ajantasainen lainsäädäntö - FINLEX ®](#) (in Finnish or Swedish language).

<sup>48</sup> See <https://thl.fi/aiheet/sukupuolten-tasa-arvo/tasa-arvon-edistaminen/tietopaketti-sateenkaarilapsista-ja-nuorista-ammattilaiselle/sote-ammattilainen-sateenkaarilapsen-ja-nuoren-tukena/miten-kohdata-intersukupuolinen-lapsi-ja-nuori-terveyspalveluissa> (in Finnish language).

<sup>49</sup> [The National Advisory Board on Social Welfare and Health Care Ethics ETENE | Etene](#)

<sup>50</sup> ECRI notes that in its 2023 concluding observations, the United Nations Committee on the Rights of the Child (UN CRC) recommended that Finland ensure that the performance of unnecessary medical or surgical treatment on intersex children is safely deferred until the children can provide their informed consent.

surgeries (often referred to as “sex-normalising” surgery) and other non-therapeutic treatments until such time as the intersex child is able to participate in decisions, based on the principle of free and informed consent. The preparation of such legislation should include consultations with relevant experts and health care professionals, intersex children and their parents or guardians, and take due account of ECRI’s General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons and other relevant Council of Europe standards.

36. A citizen’s initiative in 2023<sup>51</sup> to ban so-called conversion practices gathered over 50 000 signatures,<sup>52</sup> which obliged Parliament to hold a debate on it. The Parliament started discussions about the initiative in November 2023. The Non-Discrimination Ombudsman and the Ombudsman for Equality also supported a legal ban on conversion practices.<sup>53</sup> The Parliament approved the citizens' initiative to ban conversion practices on 28 March 2025. However, the Prime Minister and the Minister of Justice reportedly indicated that it was unlikely that a draft bill for a legal ban would be prepared and adopted under the present Government’s term.<sup>54</sup> ECRI invites the authorities, in the light of ECRI’s General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons, to support the development of a comprehensive legislation prohibiting all conversion practices that aim to convert or change the sexual orientation and/or gender identity of children, as well as on any such practices targeting adults against their will.
37. ECRI notes that, as part of the national mental health strategy, the Finnish Institute for Health and Welfare has been carrying out a project to enhance professionals’ capacity to support gender diverse children and youth.<sup>55</sup> On a more general level, as concerns LGBTI youngsters’ well-being, the Finnish Institute, as part of the national child strategy, has produced information on LGBTI children and youngsters for relevant professionals.<sup>56</sup> ECRI encourages the authorities to pursue their efforts to address any specific mental health issues experienced by gender diverse children and youth and refers to the 2023 concluding observations of the United Nations Committee on the Rights of the Child in which it recommended to strengthen mental health services for children and programmes for children, including for LGBTI children.<sup>57</sup>

## II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE

38. The Finnish Criminal Code does not define hate crime (or hate speech of a criminal nature) as a stand-alone crime. However, several sections can be applied in court to actions related to criminal hate speech and other hate crime, namely, in order of relevance: Chapter 11, section 10: Agitation against a population group; Chapter 11, section 10a: Aggravated agitation against a population group; Chapter 24, section 9: Defamation; Chapter 24, section 10: Aggravated defamation; Chapter 11, section 11: Discrimination; Chapter 17, section 10: Violation of the sanctity of

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<sup>51</sup> With the reference KAA 6/2023 vp. Details about the processing of this initiative can be found here: [https://www.eduskunta.fi/FI/vaski/KasittelytiedotValtiopaivaasia/Sivut/KAA\\_6+2023.aspx](https://www.eduskunta.fi/FI/vaski/KasittelytiedotValtiopaivaasia/Sivut/KAA_6+2023.aspx) (in Finnish language).

<sup>52</sup> See [Seta vaatii eheyttämistoiminnan täyskieltoa Suomeen | Seta ry](#)

<sup>53</sup> The February 2024 statement of the Non-discrimination Ombudsman in this regard is available at <https://yhdenvertaisuusvaltuutettu.fi/-/yhdenvertaisuusvaltuutetun-lausunto-ehetyshoittojen-kieltamista-koskevasta-kansalaisaloitteesta> (in Finnish language)

<sup>54</sup> See [PM Orpo: Legislative ban on conversion therapy unlikely to proceed this term | Yle News | Yle](#)

<sup>55</sup> See [Sukupuolen moninaisuus voimavarana - THL](#) (in Finnish language).

<sup>56</sup> See <https://thl.fi/aiheet/sukupuolten-tasa-arvo/tasa-arvon-edistaminen/tietopaketti-sateenkaarilapsista-ja-nuorista-ammattilaiselle> (in Finnish language).

<sup>57</sup> Paragraph 32 (b) of the CRC’s concluding observations on Finland, available at <https://documents.un.org/doc/undoc/gen/g23/111/74/pdf/g2311174.pdf>

religion; Chapter 25, section 7: Illegal threat; and Chapter 17, section 1: Public exhortation to an offence.

39. In addition, according to Chapter 6, section 5, of the Criminal Code, the commission of an offence with a motive based on race, colour, descent, national or ethnic origin, religion or belief, sexual orientation or disability or for another comparable motive may be a basis for increasing the punishment.

#### **A. Hate speech<sup>58</sup>**

40. According to the data provided by the Finnish authorities, the frequency of hate speech has increased over the reporting period. There were 837 hate speech incidents reported to the police in 2022, 740 of them in 2021, 543 in 2020 and 574 in 2019. The overwhelmingly most common hate elements in these cases were linked to ethnicity and national background,<sup>59</sup> with religion or belief the second most common category, and sexual orientation or transgender identity or appearance in third place. The following annual figures reflect the number of cases prosecuted under the heading of agitation against population group, with the number of sentences in such cases, per year, within brackets: 2023: 9 (5); 2022: 14 (12); 2021: 11 (9); 2020: 16 (14); 2019: 29 (27). The number of prosecutions and sentences for defamation (flagged as hate crime by the police) in the same period was as follows: 2023: 3 (1); 2022: 3 (2); 2021: 2 (1); 2020: 0 (0); 2019: 1 (1). The corresponding number of cases of illegal threat (flagged as hate crime by the police) was as follows: 2023: 4 (2); 2022: 3 (3); 2021: 0 (0); 2020: 1 (1); 2019: 1 (1).
41. The Finnish legislation also prohibits hate speech that is considered to constitute harassment, but does not attain the level of severity required for criminal liability. According to section 14 of the Non-Discrimination Act, as amended in 2022, behaviour intentionally or effectively undermining the dignity of an individual or a group based on the grounds specified in section 8 (1) of the same Act (such as origin, nationality, language, religion or belief, sexual orientation or other personal characteristics) constitutes harassment. Such behaviour creates a demeaning, hostile, or threatening atmosphere towards the person or group due to the mentioned reasons. At the same time, the definition of harassment was changed so that harassment can now also target a group of people, in addition to individual victims.<sup>60</sup>
42. At the time of the ECRI visit, there was an ongoing infringement procedure initiated by the EU Commission against Finland for failure to accurately transpose EU rules<sup>61</sup> on combating racism and xenophobia by means of criminal law. More specifically, in the context of this procedure, Finland is considered to have failed to criminalise hate speech when addressed to individual members of a group defined by reference to race, colour, religion, descent or national or ethnic origin. In addition, Finland is considered to have failed to criminalise the specific forms of

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<sup>58</sup> See definitions of hate speech and hate crime in [ECRI's Glossary](#).

<sup>59</sup> A manifestation of hate speech on these grounds was the racist abuse that followed the selection of a non-white person for the role of Lucia in the related traditional celebrations culminating on 13 December. The Non-discrimination Ombudsman has decided to investigate the incidents. See [Non-Discrimination Ombudsman to investigate Lucia racism | Yle News | Yle](#), <https://yle.fi/news> and [Black woman targeted by racist abuse in Finland over festival role | Finland | The Guardian](#) A strong public reaction in support of the elected Lucia and against racism could be observed in the form of a strong flow of donations to the NGO organising the celebrations. See [Supporters help raise nearly €500k for Lucia fundraiser in response to racist abuse | Yle News | Yle](#) The Prime Minister upon a spontaneous encounter with the Lucia choir said he was sorry about the racist attacks that this year's Lucia has suffered. See [Petteri Orpo tapasi yllättäen rasismivyröyn kohteeksi joutuneen Lucia-neidon: Sanoi olevansa pahoillaan tämän puolesta | HS.fi](#)

<sup>60</sup> The Non-Discrimination Ombudsman receives and assesses inquiries and cases related to hate speech from the perspective of the Non-Discrimination Act. The number of harassment cases reported to the Non-Discrimination Ombudsman per year were as follows: 2023: 60; 2022: 44; 2021: 51; 2020: 34; 2019: 51.

<sup>61</sup> See [Framework Decision 2008/913/JHA](#)). This Framework Decision aims to ensure that serious manifestations of racism and xenophobia are punishable by effective, proportionate and dissuasive criminal penalties.

hate speech, namely the public condoning, denial or gross trivialisation of international crimes and the Holocaust. Further, Finland is deemed to have failed to ensure that criminal offences concerning racism and xenophobia can be investigated and prosecuted without a report or an accusation made by the victim. A report<sup>62</sup> published by the Ministry of Justice in 2024 on the needs to amend the criminal provision on agitation against a population group examines what minimum amendments should be made to the relevant criminal law provision to satisfy the requirements of the EU rules in question. The report contains a set of recommendations in this regard. ECRI trusts that the authorities will take appropriate follow-up action in the light of these recommendations.

43. In February 2024, the National Audiovisual Institute (KAVI) published the first results of a survey among young people aged 15 to 29 on experiences related to the use of social media and smartphones that affect wellbeing. Initial results<sup>63</sup> revealed that over the preceding year, 40% of 15-29-year-olds had encountered hate speech, discriminatory or racist content when using a smartphone.
44. Under the legislation in force at the time of the ECRI visit, there were very limited possibilities for the police to use automated systems in detecting online hate speech (notably such as attaining the level of severity required for criminal liability). The police do however have a regular presence in a web-based gaming platform. The presence takes the form of a “game police” (*pelipoliisi* in Finnish),<sup>64</sup> which allows them to speak to youngsters about issues such as hate speech or crime online. The platform offers users, including online hate crime victims, the possibility to approach the police in a protected online space, as well as other professional support staff, with a low threshold. ECRI considers this a **good practice**.
45. Following parliamentary elections in April 2023, the far-right political party The Finns became a member of the ensuing government coalition. A series of scandals around racist statements by prominent members of this party,<sup>65</sup> including by its leader,<sup>66</sup> followed in summer 2023, which led to a no-confidence vote in parliament on 8 September 2023 about whether the Government did enough to counter racism. The Government survived the vote. However, this episode was generally seen as a clear message that more should be done by government and other public officials to refrain from and counter racist hate speech. In this context, ECRI invites the authorities to take more determined action to encourage politicians and high-level officials to firmly and promptly condemn the use of racist and other forms of hate speech and all political parties in Finland to sign to the Charter of European political parties for a non-racist and inclusive society, as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).<sup>67</sup>

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<sup>62</sup> See

[https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/165809/OM\\_2024\\_21.pdf?sequence=1&isAllowed=y&\\_cf\\_chl\\_tk=xWbDA.j.aL.E1.Kbi2pAq8yJ5RBBq33IGgkEv.SQAnI-1732872963-1.0.1.1-ymuvz.Dt9Yz68KMMZxQQHiBPu\\_aIRI\\_SITXyuJ6NV5Y](https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/165809/OM_2024_21.pdf?sequence=1&isAllowed=y&_cf_chl_tk=xWbDA.j.aL.E1.Kbi2pAq8yJ5RBBq33IGgkEv.SQAnI-1732872963-1.0.1.1-ymuvz.Dt9Yz68KMMZxQQHiBPu_aIRI_SITXyuJ6NV5Y) (in Finnish language with description sheets in Swedish and English).

<sup>63</sup> Survey (available only in Finnish): <https://medialukutaitosuomessa.fi/pienituloisissa-kotitalouksissa-elavat-nuoret-kohtaavat-muita-useammin-kielteisia-mediakokemuksia-alypuhelimillaan/>

<sup>64</sup> See [Pelipoliisi - Twitch](#) (in Finnish language).

<sup>65</sup> See [Third racism scandal hits Finland's government in space of a month – POLITICO](#) and <https://www.hs.fi/politiikka/art-2000009742553.html> (in Finnish language)

<sup>66</sup> During her first year in office, the Finns party leader and Deputy Prime Minister got under pressure to apologise after it was revealed that she had authored racist blog writings when she was younger, including fantasies about killing immigrant youth. See [Far-right Finnish leader Rikka Purra sorry in racist posts uproar \(bbc.com\)](#). Another the Finns party minister had already been forced to resign earlier, after only ten days in office, after it was revealed that he had attended events linked to neo-Nazis and that he had made jokes about Nazism See [Finland's economy minister resigns after Nazi references – POLITICO](#). See also [Finnish government and top ministers survive confidence votes over racism scandals – POLITICO](#).

<sup>67</sup> See, in this respect, §53 of the Recommendation CM/Rec(2022)16 of the Council of Europe's Committee of Ministers on combating hate speech and [the Charter of European political parties for a non-racist and inclusive society](#).



51. According to the leading LGBTI NGO Seta, LGBTI people are increasingly victims of hate speech in Finland.<sup>77</sup> This rise in LGBTI-phobic hate crimes and hate speech is also confirmed by the information provided by the authorities during the ECRI visit. According to Seta, over half of pride events held in Finland have been subject to hate incidents. In several instances, local politicians were reportedly perpetrators of hate speech. In April 2023, an LGBTI cultural festival, meant to feature the film *Drag Kids*,<sup>78</sup> had to be cancelled due to hateful messages, including by politicians, and threats.<sup>79</sup>
52. Roma are also targeted by hate speech. In 2023, the police registered 64 cases of verbal insults, threats, or cases of harassment against Roma, which is a 12% increase compared with the corresponding figures in 2022.<sup>80</sup>
53. According to civil society interlocutors met by the ECRI delegation during the visit, hate speech against Sámi people has also increased. Sámi activists who are visible in Finnish media have been particularly targeted. Hate against Sámi is especially prevalent in social media and when issues such as the elections to the Sámi Parliament are discussed.<sup>81</sup>
54. To conclude, it clearly emerged during its visit to Finland that hate speech against several groups of concern to ECRI has reached a critical level, including online and in the political sphere, and that the ongoing efforts to counter it are not sufficient. ECRI also notes that there is need for more involvement of media actors in the monitoring of hate speech.<sup>82</sup>
55. ECRI recommends, as a matter of priority, that the authorities take action to counter racist and LGBTI-phobic hate speech, including online and such perpetrated by public figures, by setting up a special working group comprising representatives of all relevant authorities, the equality bodies, civil society organisations, academia and, as much as possible, the media, to develop a detailed programme of concrete and measurable actions against hate speech, including where necessary by revising legislation. In developing such programme of actions, inspiration should be drawn from ECRI's General Policy Recommendation No.15 on combating hate speech and the Council of Europe Committee of Minister's Recommendation CM/Rec (2022)16 to member States on combating hate speech.

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<sup>77</sup> See [Sateenkaari-ihmiset kokevat yhä enemmän vihapuhetta ja häirintää, kertoo Seta | Kotimaa | Yle](#) (in Finnish language).

<sup>78</sup> See [Film Review: DRAG KIDS \(Canada 2019\) \\*\\*\\* | Festival Reviews](#)

<sup>79</sup> See Ilga Europe's annual review 2024, Finland chapter, available at [https://www.ilga-europe.org/files/uploads/2024/02/2024\\_finland.pdf](https://www.ilga-europe.org/files/uploads/2024/02/2024_finland.pdf) as well as <https://seta-fi.translate.goog/2023/04/26/helsinki-pride-yhteiso-ja-seta-vihanlietsonta-ja-kohut-luovat-konkreettista-vakivallan-uhkaa/? x tr sl=auto& x tr tl=en& x tr hl=en-GB>

<sup>80</sup> [Report](#) by Police University College, page 61 (in Finnish language).

<sup>81</sup> See [Saamelaisiin kohdistuva vihapuhe räjähti somessa – kirjoitusten sisältö on usein väkivaltaista | Yle](#) (in Finnish language).

<sup>82</sup> There is no public regulatory body entrusted with the monitoring of hate speech in the media issuing sanctions in this regard. The Finnish Council of Mass Media (CMM) is an independent self-regulatory organisation for the media.

## B. Hate-motivated violence

56. According to a report by the Police University College, the year 2023 saw a record number of registered hate crimes in Finland.<sup>83</sup> In that year, 1 606 reports of suspected hate crimes were filed, which represents a 29% increase from the previous year. Among them, 68% were incidents based on ethnic or national origin,<sup>84</sup> 10,6% on sexual orientation, 10,3% on religious background,<sup>85</sup> and 2,8% on the victims' transgender identity.<sup>86</sup> Most of the suspected hate crimes in 2023 were verbal violence, unlawful threats and harassments, in other words, arguably criminalised hate speech. The number of hate crimes falling under these headings increased in comparison to 2022, while the number of crimes related to agitation to hatred doubled.<sup>87</sup> In 2022, according to data gathered by the Office for Democratic Institutions and Human Rights of the Organisation for Cooperation and Security in Europe (OSCE/ODIHR), 121 cases were prosecuted as hate crimes and there were 27 criminal sentences for it. The corresponding numbers in 2021 were 44 and 30; in 2020 they were 48 and 42; and in 2019, they were 55 and 21.
57. Only 44 % of the cases were initially formally classified as hate crimes by the police. However, there were additional cases in which the police mentioned a hate element. Overall, in recent years, the police have increased the use of the hate crime classification, which may have led to a higher number of hate incidents / hate crimes registered, possibly combined with greater willingness among victims to report them. Nonetheless, during meetings with the ECRI delegation that visited Finland, representatives of civil society considered police officers were all too often hesitant to look into racist hate elements and classify crimes as hate crimes. For example, in the city of Oulu, three separate stabbings against people with a migrant background occurred within a couple of months, two in June and one in September 2024. At least in the latter case, the police apparently did not immediately consider racist hate motivation or other potential hate elements.<sup>88</sup>
58. The 2024 attacks in Oulu reflect statistics according to which the most common element in hate crimes in Finland is related to the victim's ethnic or migration background and assault is the most common offence among crimes classified as racist in motive.<sup>89</sup> In one of the two June attacks, the attacker was a member of the former neo-Nazi Nordic Resistance Movement in Finland.<sup>90</sup>

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<sup>83</sup> [Somalis and people with disabilities make up large share of hate crime victims | Yle News | Yle](#)

<sup>84</sup> In relation to the number of people with foreign citizenship and living in Finland, those holding a citizenship of Somalia experienced the highest frequency of crimes initiated by ethnic or national origin in 2023. From all the reports of offences based on ethnic or national origin, 11% percent of hate incidents concerned a member of the Roma minority.

<sup>85</sup> Suspected hate crimes filed by the police in 2023 initiated by the religion or belief increased by 36% from the previous year. Most commonly, the victims were Muslims. About a third of the suspected crimes were defamations. There were 34 registered cases of antisemitic hate crimes. The corresponding number of anti-Muslim hate crime cases was 54. The number of annual antisemitic hate incidents ranged between 8 and 16 in recent years.

<sup>86</sup> The number of reported hate crimes motivated by the victim's real or perceived sexual orientation, transgender identity or appearance, was 54% higher than in the previous year (from 140 reports of offences to 215 reports).

<sup>87</sup> In 2023, according to a report by the Police University college, there was a total of 1606 reports to the police of crimes suspected to be motivated by hate, by far the highest number on record in the period 2018-2023. By far the most common hate motivation, at 1092 cases, was ethnicity or national origin, followed by sexual orientation, gender identity or expression, in 215 of the reported cases. The third most common ground was religion or other conviction, with 165 reported cases. In 2022, there were 1245 reports to the police of offences suspected to be motivated by hate. In 74,7 % of the cases, the hate motivation was registered as based on ethnic or national origin, whereas the victim's religious background was the motivation in 9,7% of the cases and sexual orientation in 8,7 % of the cases. Transgender identity or appearance was the motivation in 2,6 % of the cases. It should be noted that only 27,5 % of the cases were classified by the police as suspected hate crimes. Between 2022 and 2023 there was a particularly dramatic increase, from 168 to 349 in hate crimes targeting the life or health of the victim. For further details, see [Hate Crime - Police University College](#)

<sup>88</sup> See [Prosecutor files charges in third Oulu racially-motivated stabbing | Yle News | Yle](#)

<sup>89</sup> See [Racist crimes becoming more common, but Oulu attacks still stand out, says researcher | Yle News | Yle](#)

<sup>90</sup> See [Oulu's foreign community shocked by child stabbing | Yle News | Yle](#)

59. It was explained to the ECRI delegation during the visit that flagging a hate crime as such when applicable in the police recording system is obligatory. However, the ECRI delegation was told that there were no means to ensure strict observance of this obligation and that, in cases where the police flagged a crime as a hate crime in their records and drawn the attention of the prosecution service to this, the latter reportedly did not necessarily take hate elements into account in the subsequent proceedings.<sup>91</sup> Communication between the criminal justice system institutions is also made more difficult by the fact that their databases, including as regards hate speech that may attain the level required for criminal liability, are not compatible. Further, the database of the prosecution service does apparently not allow for easy hate crime searches. On a positive note, the Office of the Prosecutor General regularly organises training for prosecutors related to hate crimes.<sup>92</sup>
60. ECRI recommends that the relevant authorities enhance the effectiveness of the criminal justice system in the handling of hate crimes in the light of Recommendation CM/Rec(2024)4 of the Committee of Ministers of the Council of Europe on combating hate crime, in particular by: i) instructing the police to develop further a common approach for the recognition, unmasking and official recording of hate crime and ensure that hate incidents that do not constitute crimes are appropriately recognised; ii) providing police officers with clearer guidance as regards the recording of the circumstances, if any, in which a crime should be re-recorded as a non-hate-based offence in the criminal record of a suspect; iii) updating police recording processes and databases to better allow the recorded data on hate crimes to be disaggregated by targeted groups and crime type, in accordance with existing European human rights and data protection standards; and iv) ensuring to the greatest possible extent that anonymised and disaggregated data are collected and analysed by the police and prosecution services and other criminal justice authorities during the lifecycle of a hate crime, from the point of reporting and recording to prosecution, sentencing and post-conviction support and diversion measures.
61. According to a report published in 2021 by the Ministry of Justice,<sup>93</sup> a hate crime can, in principle, be any offence committed based on a hate motive. The hate motive may be part of the statutory definition of a specific offence, or it may provide grounds for penalty enhancement if the hate motive is not included in that definition. ECRI welcomes the publication of such report as providing useful guidance for relevant professionals.
62. The level of trust in the police among the general population is reportedly very high. However, according to civil society sources, there is significant underreporting of hate crimes when the victim belongs to certain groups of concern to ECRI. This suggests that there is room for improvement in the level of trust between those groups and the police. While recognising the police has undertaken some measures to increase trust among the groups concerned,<sup>94</sup> ECRI considers that an independent survey about trust levels in the police among groups of concern to it,

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<sup>91</sup> A claim made for the grounds for increasing the punishment always requires factual evidence of the existence of a hate motive related to the crime, and different standards of proof apply to police investigations and the consideration of charges. This means that even if the police have flagged a crime as a hate crime, a prosecutor still must determine whether there is sufficient evidence to make such a claim in court.

<sup>92</sup> Such training sessions were organised, for instance, on 4-5 March 2024, 12-14 September 2022 and 22-24 March 2021.

<sup>93</sup> See [https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/163385/OM\\_2021\\_20\\_SO.pdf?sequence=1&isAllowed=y](https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/163385/OM_2021_20_SO.pdf?sequence=1&isAllowed=y)

<sup>94</sup> For example, Finland's Strategy on Preventive Police Work 2019–2023 (extended to 2024 – see [Finland's Strategy on Preventive Police Work 2019–2023 - Valto](#)) includes co-operation with ethnic and religious minority groups (see e.g. page 27), as co-ordinated by the National Police Board. As regards co-operation with specific groups, the police are represented on the National Advisory Board on Romani Affairs and its sub-boards. Further, in co-operation with the Roma community, the police have drafted a handbook on police-Roma cooperation entitled "Police and Roma – Questions about non-discrimination and co-operation". Another example of promoting relations with specific vulnerable minority groups is the Rainbow Police of Finland (see <https://www.sateenkaaripoliisit.fi/about-us/>), an association of former and current police promoting equality of sexual and gender minorities within the police organisation, and in all fields of police operations.

including Sámi, may constitute a valuable building block for policies aimed at increasing the reporting of hate incidents and encourages the authorities to commission such a survey.

### III. INTEGRATION AND INCLUSION

#### A. Migrants

63. The share of persons with a foreign background living in Finland has increased very significantly in the last 30 years. Since 1993 when that share was 1,3 % (67 125 persons) it has increased every single year until the end of 2023, which is the most recent year for which statistics are available. In ECRI's present reporting period, the share rose from 7,7 % in 2019 (423 494 persons) to 10,2% in 2023 (571 268 persons).<sup>95</sup>
64. ECRI notes that the 2023 government programme signals a “paradigm shift” in Finland’s asylum and integration policy. Proposed legislative measures include restrictions on access to territory, increased use of “cessation” to end protection status, shorter residence permits for beneficiaries of international protection, and longer required residence period to obtain citizenship. Further, the government programme prescribes a change in the integration system from emphasising the newcomers' rights to a stronger focus on their responsibilities and obligations.
65. According to its programme, which is reflected in the reformed Act on the Promotion of Immigrant Integration (Integration Act, 681/2023), in force since 1 January 2025, the Government hopes to ensure the opportunities for integration by increasing immigrants’ own responsibility for their integration and by introducing obligations into the system. The Government intends, for instance, to implement a replacement of social assistance and labour market support with integration support for immigrants, which will include an incentive and an obligation to integrate. The net level of labour market support is to be lowered to correspond to the basic component of basic social assistance. Sufficient and verified knowledge of the Finnish or Swedish language should increase the labour market support to the current level.
66. According to the Government, the reform will facilitate the path of immigrants towards employment and improve the access of immigrant women and others outside the labour force to services. A major change the new Integration Act brings is that the overall responsibility for the integration of migrants will move from the national level to the municipalities, which – as of 2025 – have the responsibility of organising services for immigrants. Municipalities will also be responsible for assessing the need for integration services of parents receiving child home care allowance and for, alone or together with other municipalities, preparing a programme for promoting integration, in co-operation with regional authorities or agencies, such as the Centres for Economic Development, Transport and the Environment (ELY Centres),<sup>96</sup> the wellbeing service counties,<sup>97</sup> and the offices of the Social Insurance Institution of Finland (Kela). Such a programme, which can be specific to one or several municipalities, should be reviewed by the municipal council(s) at least every four years and should be considered when the municipal budgets are prepared. Civil society organisations, including immigrant associations, labour market organisations and church representatives, may be involved in the conceptualisation and implementation of the programme.
67. While all immigrants have the right to basic information about Finland and initial stage guidance and advice, individual integration measures and services are specified in co-operation with the immigrants themselves based on their

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<sup>95</sup> Finland counted 37 618 people with an immigrant background in 1990, compared to 423 494 in 2019 and 571 268 at the end of 2023. See [Population 31 Dec by Year, Area and Information. PxWeb.](#)

<sup>96</sup> See [Front page - ely en - ELY-keskus](#)

<sup>97</sup> See [Wellbeing services counties - Ministry of Social Affairs and Health](#)

needs/families' needs. Specific groups whose needs of support for their integration must be addressed are unemployed jobseekers and immigrants who receive social assistance<sup>98</sup> other than temporarily. For these groups, their first integration plan<sup>99</sup> must be drawn up no later than three years after the first residence permit or residence card has been issued or the right of residence has been registered. Immigrants who fail to comply with their integration plan, participation in language learning or passing a final test within a prescribed time, may face reductions in benefit payments.

68. In ECRI's view, intercultural integration and inclusion policies should send a clear message that integration and inclusion are about a two-way process for both foreign nationals and the majority population and contain measures to mobilise the entire society to facilitate, support and promote integration and inclusion. Against this background, it is important to place particular emphasis on positive incentives to promote integration and inclusion.
69. ECRI recommends that the Finnish authorities review and develop policies based on positive incentives, including through legislative measures where necessary, to improve the integration and inclusion of foreign nationals residing in Finland. In this context, the authorities should seek inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level. If necessary, Council of Europe support should be sought.
70. In this context, ECRI welcomes the ongoing project entitled "Building an Inclusive Integration Approach in Finland",<sup>100</sup> a project funded by the EU Commission and co-ordinated by the Council of Europe. During the visit to Finland, the ECRI delegation was informed that the project commenced in September 2022 and would continue until March 2025. The main objective of the project is to strengthen the competence of local and regional actors in promoting good relations between population groups. Seven municipalities are parties to the project, namely Hämeenlinna, Tampere, Turku, Vaasa, Vantaa, Kuopio and Oulu. In the course of the visit, ECRI's delegation met with representatives of the Turku local authorities and was impressed with their progressive approach to integration, including as manifested by the Turku 2022-2025 integration programme.<sup>101</sup>
71. Integration training offered to any migrant with a valid residence permit includes language training, studies in social and working life skills, as well as career guidance. The aim of the language training is to achieve a B1 level of one of the national languages (Finnish or Swedish). The 2023 government programme stresses the importance of being able to integrate in either of the national languages, with a stated aim of 5-10 % of immigrants integrating in Swedish.<sup>102</sup> Similarly, efforts will be made to place more so-called quota refugees in Swedish-speaking municipalities.
72. ECRI commends the integration website<sup>103</sup> maintained by the Centre of Expertise in Immigrant Integration at the Ministry of Economic Affairs and Employment, which contains useful information for anyone who, in the course of their work, is involved with immigrants' integration or with refugee reception and considers it as a **good practice**.

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<sup>98</sup> Last-resort social benefit for securing a client's financial means of subsistence when his/her resources or income are considered insufficient to meet essential living costs.

<sup>99</sup> See [Who is an integration plan drawn up for? | Integration](#)

<sup>100</sup> See [Building an inclusive integration approach in Finland - Intercultural cities programme](#)

<sup>101</sup> See <https://ihturku.fi/wp-content/uploads/2023/08/Turun-kaupungin-ohjelma-kotoutumisen-edistamiseksi-2022-2025.pdf> (in Finnish language).

<sup>102</sup> The share of Swedish-speakers in Finland is about 5,2%. There is no precise definition of what qualifies as integration through Swedish.

<sup>103</sup> See [www.integration.fi](http://www.integration.fi)

## Education

73. All foreign children who reside permanently in Finland must attend compulsory education,<sup>104</sup> whereas asylum seeking and other foreign children not residing permanently have the right, but not the duty, to attend education.
74. ECRI notes that the Ministry of Education and Culture launched a programme and an action plan<sup>105</sup> to strengthen the basic skills and language instruction of migrant pupils and pupils with migrant backgrounds. One objective is to ensure that pupils who have recently moved to Finland have the capabilities to pursue further studies by, among other things, reinforcing their language skills. The action plan runs from 2022 to 2026. In ECRI's view, this is a positive development.
75. However, the actual teaching of Finnish to pupils with a migration background (known as S2 Finnish classes), including those who have stayed longer in Finland, has caused some controversy because some pupils have reportedly been put in S2 classes only because teachers perceived them as having a migrant background, despite them having grown up in Finland or for other reasons being fluent in Finnish and therefore not being in need of the lower teaching level of S2. During the visit, it was explained to the ECRI delegation that being placed in a S2 class may bring obstacles later if the pupils wish to attend high school and university. A recent study reveals that 1/5 of S2 pupils master Finnish well enough to have studied in a regular mother tongue level class.<sup>106</sup> ECRI encourages the authorities to make it clear to school managements that recommendations for placement of children in S2 classes should be based on performance assessments rather than migrant background/citizenship.
76. At the same time, during the visit to Finland, the ECRI delegation went to the primary school in Pääskyvuori (a district forming a suburb of the city of Turku), where most pupils have a mother tongue other than the country's national languages, and where many pupils attended S2 education. ECRI's delegation was impressed with how migrant children, many of them recently arrived in Finland, were actively supported in their efforts to learn Finnish and in general to get ready to attend schools on equal terms with native pupils. The school assessed newly arrived pupils' existing skills. Most newcomers then started school in a preparatory class. This lasted for a maximum of 12 months, after which the pupils were placed in the appropriate ordinary grade for their age.

## Employment

77. The difference in employment rates between foreign and Finnish men is not significant, but those of foreign women are much lower than those of Finnish women.<sup>107</sup> The 2024 action plan for combating racism and promoting equality and the Integration Act both have as a goal to raise employment rates among immigrant women, which is positive.
78. In June 2024, an 2024-2027 action plan for the employment and integration of people displaced from Ukraine was adopted. It comprises a set of 30 different measures.<sup>108</sup>

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<sup>104</sup> In 2021 the age until it is compulsory to attend education was extended until 18 years of age.

<sup>105</sup> See [Maahanmuuttaneiden oppilaiden perustaitoja vahvistetaan laajalla toimenpideohjelmalla vuosina 2022-2026 - OKM - Opetus- ja kulttuuriministeriö](#) (in Finnish language).

<sup>106</sup> <https://www.hs.fi/politiikka/art-2000009345016.html> (in Finnish language).

<sup>107</sup> In 2023 among 15-64 year-olds, 71,4% of foreign male citizens in Finland, were employed, against 74,2% among the Finnish male citizens. The corresponding ratio for foreign women was 58,4% against 75, 4% among Finnish women. The corresponding figures for 2022 were 74,0 % against 74,8% among men and 62,0% against 74,6% among women. For 2021 they were 71,6% against 73,7% among men, and 53,0 % against 72,9% for women.

<sup>108</sup> See [Action Plan to Help People Who Have Fled Ukraine is now published also in English - Finnish Government \(valtioneuvosto.fi\)](#)

79. According to a survey,<sup>109</sup> many immigrants experienced discrimination in employment. The Government's plans to terminate residence permits for immigrants who lose their job and do not manage to find a new one within three months is a further cause of concern,<sup>110</sup> which the largest trade union confederation in Finland, SAK,<sup>111</sup> also objected to.<sup>112</sup> According to some commentators, the Government's policies seem paradoxical, because on the one hand they are meant to attract foreign top talents to the labour market, while on the other hand it is tightening work-based residency rules.<sup>113</sup> ECRI invites the authorities to reconsider their plans and, in consultation with employers and employee organisations, conduct a needs analysis in sectors with a high workforce shortage.
80. Research shows that discrimination against people with a real or perceived migration background on the labour market is an issue in Finland. According to a FRA survey on the experiences of people of African descent in the EU, published in 2023, 53% of jobseekers of African descent had felt racially discriminated in Finland when looking for a job in the five years preceding the FRA survey and 47% when already at work.<sup>114</sup> Research at the University of Helsinki published in 2020 shows similar results, namely that job applicants with a Finnish name were 1.45 to 3.94 times more likely to be invited for job interviews than people with a non-Finnish name. According to the same research, those with a non-Finnish but European name fared better than those with a non-European name.<sup>115</sup> Civil society interlocutors met by ECRI's delegation pointed to the difficulties faced by job applicants with Arab or Russian-sounding names. Further, according to a FRA survey on the experiences of Muslims in the EU, published in 2024,<sup>116</sup> 41 % of Muslim respondents in Finland had experienced discrimination when looking for a job in the last 12 months and 40% had experienced discrimination at work. ECRI strongly encourages the authorities to pay increased attention to groups of people with a real or perceived migration background and other groups of concern to ECRI, facing particular challenges in the labour market and develop a coherent set of objectives and measures for increasing their employment rate and their working conditions.

### *Housing*

81. According to the above-mentioned FRA survey on the experiences of people of African descent in the EU, 36% of survey respondents reported having been discriminated when looking to buy or rent accommodation in the five years preceding the survey.<sup>117</sup> Civil society representatives met by ECRI's delegation during the visit reported similar discrimination against Muslim tenants, which is also confirmed by FRA in its 2024 survey on the experiences of Muslims in the EU, according to which 43% of respondents in Finland had experienced discrimination in access to housing, i.e. when trying to rent or buy accommodation, which is among the highest rates in the EU in this regard. ECRI encourages the authorities to develop policies on housing that set out measures to prevent and combat

<sup>109</sup> Survey results available at [https://www.tek.fi/sites/default/files/attachments/international\\_experts\\_2024\\_results.pdf](https://www.tek.fi/sites/default/files/attachments/international_experts_2024_results.pdf)

<sup>110</sup> See [Utlänningar trivs allt sämre i Finland – Dennis Kelley vet varför – Samhälle – svenska.yle.fi](https://www.svenska.yle.fi/utlanningar-trivs-allt-samre-i-finland-dennis-kelley-vet-varfor-samhalle-svenska.yle.fi) (interview in English, text in Swedish).

<sup>111</sup> Central Organisation of Finnish Trade Unions (SAK), with more than one million members.

<sup>112</sup> Including one of its larger members, the Industry Union, see <https://www.teollisuusliitto.fi/en/2024/08/amendments-to-the-aliens-act-increase-risk-of-labour-exploitation/>

<sup>113</sup> See [APN Podcast: Finland's foreign worker paradox | Yle News | Yle](https://www.yle.fi/uutiset/aiheesta_vaihtamalla/2023-11-14/apn-podcast-finland-s foreign-worker-paradox-yle-news-yle)

<sup>114</sup> See pages 41-42 of the publication at [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2023-being-black-in-the-eu\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2023-being-black-in-the-eu_en.pdf)

<sup>115</sup> See [When the Name Matters : An Experimental Investigation of Ethnic Discrimination in the Finnish Labor Market](https://www.yle.fi/uutiset/aiheesta_vaihtamalla/2023-11-14/when-the-name-matters-an-experimental-investigation-of-ethnic-discrimination-in-the-finnish-labor-market)

<sup>116</sup> See [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2024-being-muslim-in-the-eu\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2024-being-muslim-in-the-eu_en.pdf) page 53.

<sup>117</sup> See page 42 of the FRA publication, available at [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2023-being-black-in-the-eu\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2023-being-black-in-the-eu_en.pdf)

discrimination against people with a real or perceived migration background and other groups of concern to ECRI.

### Healthcare

82. Factors that may negatively affect migrants and other foreign nationals' effective access to healthcare include language barriers<sup>118</sup> and difficulties in using digital services, including for medical appointments. These are among factors which may explain that immigrants make less use of health services, especially occupational healthcare ones.<sup>119</sup> As an example of the need to mitigate such challenges, the SVK association of Russian-speakers as a main activity provides technical and linguistic support for its members in the use of digital applications,<sup>120</sup> including in the healthcare sector.
83. ECRI recommends that the authorities redouble their efforts, in co-operation with relevant associations, to ensure that necessary interpretation services are available in practice throughout the healthcare system, and promote the availability of information about access to healthcare in multiple languages, including on websites for making medical appointments and by developing online applications for translation of central terminology related to health.

### Residence permits

84. Between 1 January 2019 and 29 October 2024, a total of around 142 270 men and 115 570 women have been granted a permanent or long-term residence permit that was still valid on 29 October 2024. In 2023, there were 113 197 applications for residence permits registered, and 62 057 in the first six months of 2024. The number of first-time residence permits issued increased, in particular permits based on family ties and for studies, while such based-on employment decreased.<sup>121</sup>
85. By means of amendments to the Aliens Act, which entered into force in January 2025, residence permits for international protection were made temporary and shorter in validity,<sup>122</sup> from the current four years for both refugees and beneficiaries of subsidiary protection, to three years for refugees and one year<sup>123</sup> for beneficiaries of subsidiary protection.<sup>124</sup> The duration of the renewals of international protection permits was reduced to three years for asylum and two years for subsidiary protection.

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<sup>118</sup> According to Section 5 of the Act on the Rights and Status of Patients (785/1992), available at [Laki potilaan asemasta ja oikeuksista 785/1992 - Ajantasainen lainsäädäntö - FINLEX @](#) (in Finnish language) provides that interpretation must where possible be organised if the health professional does not know the language used by the patient. According to the renewed Integration Act, interpretation and translation costs will be included in an imputed specified government transfer paid to local authorities based on the number of integration clients in their area. The transfer will be based on an estimate of costs rather than actual costs.

<sup>119</sup> See [Health and social services for immigrants - THL](#)

<sup>120</sup> See <https://www.svklitto.fi/fi/digituki> (in Finnish language).

<sup>121</sup> Report of the fact-finding mission to Finland by Mr David Best, Special Representative of the Secretary General on Migration and refugees, 21-23 May 2024, paragraph 30, available at <https://rm.coe.int/report-of-the-fact-finding-mission-to-finland-by-mr-david-best/1680b18ac9>

<sup>122</sup> This corresponds to the minimum validity allowed by EU legislation. The adopted amendments are available at <https://www.finlex.fi/fi/laki/alkup/2024/20240666> (in Finnish language). Information about the changes in legislation is available in English at the website of the Immigration Service: [Changes to international protection permits as of 2 January 2025 | Maahanmuuttovirasto](#)

<sup>123</sup> The extension permits are permits which follow the initial permit granted. This means that the beneficiary of subsidiary protection would first receive a one-year permit, then would have to apply for an extension permit of two years, and then for potential further extension permits until they are eligible for permanent residency or citizenship.

<sup>124</sup> The full presentation of the Proposal by the Ministry of the Interior, including explanatory notes and proposed legislative text (in Finnish), [Ulkomaalaislain muuttamista koskeva hanke, Hankenumero SM037:00/2023](#), <https://intermin.fi/hankkeet/hankesivu?tunnus=SM037:00/2023>. As for the adopted amendments, see [Kansainvälinen suojelu muutetaan väliaikaiseksi – turvallisuus huomioidaan entistä paremmin - Sisäministeriö](#)

86. According to the 2023, government programme, education-based residence permits is planned to be revoked if the permit-holder resorts to social assistance. The social insurance institution (Kela) would be obliged to provide such information to the Immigration Service. On a positive note, a permanent residence permit will be issued upon application to those who have completed a master's degree in Finland and have sufficient knowledge of Finnish or Swedish.

#### *Naturalisation*

87. Between 1 January 2019 and 29 October 2024, a total of approximately 24 400 men and approximately 28 390 women were granted citizenship.
88. Provisions on naturalisation are laid down in the Nationality Act (359/2003).<sup>125</sup> Among the other main criteria is satisfactory oral and written skills in the Finnish or Swedish language. With amendments adopted to the Act in 2024,<sup>126</sup> the number of years of residence in Finland required for naturalisation rose from five to eight years for applications launched after 1 October 2024, which remains in line with Article 6 (3) of the Council of Europe's Convention on Nationality (ETS No. 166) ratified by Finland in 2008. Naturalisation is facilitated for certain categories of foreign nationals, such as spouses of Finnish citizens.<sup>127</sup>

#### *Family reunification*

89. Family reunification requires that the general conditions for issuing a residence permit under the Aliens Act (301/2004) and the conditions for residence permits based on family ties are met.<sup>128</sup> Following various earlier amendments and other administrative measures, family reunification is significantly more difficult to obtain than in the past, including for unaccompanied children. A precondition for issuing a residence permit is that the income of the foreign national concerned is secured. However, in certain situations, the requirement of sufficient means of subsistence does not apply.<sup>129</sup> Nonetheless, in its 2023 concluding observations, the United Nations Committee on the Rights of the Child expressed serious concern about current practices regarding unaccompanied children and family reunification, including obstacles relating to legal and income requirements for family reunification.<sup>130</sup> The Finnish Non-Discrimination Ombudsman has studied how unaccompanied children's right to family reunification is applied. The result show that only half of the children who are granted international protection are reunited with their families and that applications for family reunification are being refused on grounds that are not explicitly laid down in legislation.<sup>131</sup> ECRI invites the authorities to take action in the light of the recommendations made by the Committee on the Rights of the Child in this regard.
90. ECRI notes that the 2023 government programme includes plans to further tighten the conditions for family reunification.<sup>132</sup> ECRI trusts that any such initiative in

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<sup>125</sup> See [Kansalaisuuslaki 359/2003 - Ajantasainen lainsäädäntö - FINLEX @](#) (in Finnish language).

<sup>126</sup> See bill available at [https://www.eduskunta.fi/FI/vaski/HallituksenEsitys/Sivut/HE\\_27+2024.aspx](https://www.eduskunta.fi/FI/vaski/HallituksenEsitys/Sivut/HE_27+2024.aspx) (in Finnish language).

<sup>127</sup> See [Citizenship application for adults | Maahanmuuttovirasto](#)

<sup>128</sup> See [Moving to Finland to be with a family member | Maahanmuuttovirasto](#) for present terms and conditions.

<sup>129</sup> Namely, if the sponsor is a child or if: (1) the residence permit application on the basis of family ties has been submitted within three months of the date on which: (a) the sponsor has been notified of the decision on the asylum granted to him or her; or (b) the sponsor has been notified of the decision on his or her admission to Finland under the refugee quota; (2) the sponsor's family has been formed: a) before the sponsor arrives in Finland, if he or she has been granted asylum; or (b) before the sponsor is admitted to Finland under the refugee quota; and (3) family reunification is not possible in a third country with which the sponsor or family member has special ties.

<sup>130</sup> See paragraph 39 (b) of the UN CRC's concluding observation's, available at <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhsuVBUBTyZJAKnGyrcWDKEEjVMPBVcAoCqvc0IPYdpqsZG3BhVn5%2FLtdR%2BuF%2FhVe8Ei6tMxuNATGxVx55q%2F0YnkEID7m%2BJMguHsbUqwX3vKZ>

<sup>131</sup> The report from the Non-discrimination ombudsman, 2 March 2020: [Report of the Non-Discrimination Ombudsman: The rights of a child are not realised in family reunification decisions | Non-Discrimination Ombudsman \(yhdenvertaisuusvaltuutettu.fi\)](#)

<sup>132</sup> See Chapter 10.3 of the [Government Programme - Finnish Government \(valtioneuvosto.fi\)](#)

future will be subject to appropriate review in the light of relevant Council of Europe and other international standards.

### *Political participation*

91. As a rule, EU citizens who are at least 18 years of age, as well as citizens of Norway and Iceland, have the right to vote in municipal, county, and European Parliament elections. Further, adult third country citizens are also allowed to vote and run in county and municipal elections, under certain conditions.<sup>133</sup> In ECRI's view, this is **good practice**, as is the availability of information on the rules for county and municipal elections in a large number of languages.<sup>134</sup>

### **B. Roma**

92. The Roma are a linguistic and cultural minority that has lived in Finland for over 500 years. Their estimated population is around 10,000. While the Roma are present throughout the country, about half of them live in Southern Finland, and around 4 000 live in Helsinki.<sup>135</sup> Their status as a national, traditional, minority is enshrined in the Constitution, granting them the legal right to preserve and develop their own language and culture.
93. It emerged during the visit to Finland that a form of discrimination experienced by a number of Roma in Finland is denial of access to public places, such as restaurants. The Finnish Roma's traditional dress style reveals their identity, which at times results in such discrimination and racist attitudes.<sup>136</sup> ECRI encourages the authorities to address such discrimination and attitudes against Roma, in particular Roma women and girls, when accessing public places, including restaurants, and raise awareness about existing relevant criminal and civil law anti-discrimination provisions.
94. A surveillance and information-gathering operation named KURI1<sup>137</sup> was conducted by the Helsinki Police Department between 2013 and 2015, targeting the Roma community. During this operation, which only became publicly known in 2021, the police stopped Roma individuals, documented their possessions, tracked their movements, and noted their social connections. The police justified the operation by citing a wish to prevent an escalation of ongoing violent conflicts among Roma families. However, the operation faced criticism from Finland's National Police Board itself<sup>138</sup> and the Non-Discrimination Ombudsman for potentially constituting ethnic discrimination and violating non-discrimination principles.<sup>139</sup> During the ECRI visit to Finland, some civil society actors noted that this resulted in many Roma's loss of trust in the police.
95. While understanding the specific context of the KURI1 operation and recognising that lessons have been learnt from it, ECRI nonetheless strongly encourages the authorities to continue to implement measures aimed at preventing the development of any racial profiling and any other discriminatory practices by police officers, including by strengthening police oversight, taking due further account of the relevant recommendations made by the Non-Discrimination Ombudsman, the decision of 7 September 2022 of the Supreme Administrative Court

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<sup>133</sup> See [Electoral rights of foreign nationals in municipal elections of Finland - Vaalit](#)

<sup>134</sup> See [Information in different languages - Vaalit](#)

<sup>135</sup> Kimmo Granqvist (2021) Critical evaluation of Romani inclusion strategies in Finland and Sweden, *Journal of Contemporary European Studies*, 29:1, 33-44, DOI: 10.1080/14782804.2020.1801394 <https://doi.org/10.1080/14782804.2020.1801394>.

<sup>136</sup> Kimmo Granqvist (2021) Critical evaluation of Romani inclusion strategies in Finland and Sweden, *Journal of Contemporary European Studies*, 29:1, 33-44, DOI: 10.1080/14782804.2020.1801394 <https://doi.org/10.1080/14782804.2020.1801394>.

<sup>137</sup> Kuri means discipline in Finnish and can be considered offensive in this context.

<sup>138</sup> News Article: Helsinki police reprimanded over ethnic profiling of Roma, 2021. <https://yle.fi/a/3-11966953>

<sup>139</sup> See follow-up and recommendations issued by the Non-discrimination Ombudsman in this case: [Non-Discrimination Ombudsman's recommendations to the Helsinki Police Department regarding discriminatory Kuri1 operation against the Roma | Non-Discrimination Ombudsman](#)

(KHO:2022:106), which considered that a stop-and-search action by police officers in Helsinki amounted to racial profiling,<sup>140</sup> ECRI's General Policy Recommendation No. 11 on combating racism in policing and General Recommendation No. 36 of the United Nations Committee on the Elimination of Racial Discrimination (CERD) on preventing and combating racial profiling by law enforcement officials.

96. The central public sector structure for developing Finland's Roma inclusion policies is the National Advisory Board on Romani Affairs (RONK).<sup>141</sup> It facilitates co-operation between the Roma community and public authorities, and oversees four State-funded Regional Advisory Boards.<sup>142</sup> The Boards' duties include monitoring and promoting the Roma's economic, social, and cultural conditions, enhancing equality and participation in society, and preventing discrimination.<sup>143</sup> RONK has also initiated studies in relation to Roma, such as in recent years on employment and entrepreneurship (2019), the well-being of Roma children and the realisation of the rights of the Roma (2023). ECRI notes that while the work of RONK is commendable, its work seems to be excessively dependent on co-ordination by its Secretary General, a senior specialist at the Ministry of Social Affairs and Health, who is the only civil servant working full time on Roma issues.
97. At present, Finland is implementing its third National Roma Policy (Rompo 3), running from 2023 to 2030. It aims to promote the equality, inclusion, and participation of the Roma community, while eliminating antigypsyism and discrimination against Roma. It focuses on education, employment, housing, and health, and includes measures to strengthen the Roma's social, linguistic, and cultural rights. According to the Government, it drafted Rompo 3 in a participatory manner during the years 2021-2022, with over 100 Roma persons participating in online workshops in which the policy measures were jointly designed. Further, the Government adopted a resolution to support the National Roma Policy for 2023–2030.<sup>144</sup>
98. ECRI recommends that the authorities ensure that appropriate human resources are dedicated to the implementation of the National Roma Policy (Rompo 3) and the National Advisory Board on Romani Affairs (RONK).

### *Employment*

99. In Finland, the employment policies and measures for Roma are linked to the EU Framework for national Roma inclusion strategies and jointly implemented by different relevant Ministries. Unemployment remains a critical issue among the Roma, particularly for young people aged 18 to 29, with three out of four being unemployed, while the overall unemployment rate among Roma is estimated to be around 30 %. Despite increasing educational levels, Roma face significant barriers to entering the labour market.<sup>145</sup> Reportedly, Roma vocational students frequently encounter discrimination when seeking on-the-job learning positions, and middle-school students often miss out on work experience opportunities due to employer prejudices.<sup>146</sup> ECRI notes that the 2023 government programme contains a

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<sup>140</sup> The decision of the Supreme Administrative Court, which concerned a case of racial profiling of two women of African descent who were groundlessly stopped in the context of the police's efforts against street prostitution, is available at <https://kho.fi/fi/index/paatokset/ennakkopaatokset/1662440009521.html>

<sup>141</sup> See [About the Advisory Board - \(romani.fi\)](#). Initially named Advisory Board on Gypsy Affairs, the name was changed to its current form in 1989.

<sup>142</sup> See [Alueelliset romaniasiain neuvottelukunnat -](#)

<sup>143</sup> National Advisory Board on Romani Affairs. <https://romani.fi/en/front-page>.

<sup>144</sup> Finland's National Roma Policy (ROMPO) 2023–2030 <http://urn.fi/URN:ISBN:978-952-00-8345-8>

<sup>145</sup> Mid-term evaluation of the EU Framework for national Roma integration strategies up to 2020, European Commission. <https://op.europa.eu/en/publication-detail/-/publication/a1e33b4f-17af-11e9-8d04-01aa75ed71a1/language-en>

<sup>146</sup> Roma civil monitor: Civil society monitoring report: Lessons learnt from implementing the National Roma Policy 2018-2022, and recommendations for the new national strategic framework for Roma equality, inclusion, and participation 2023-2030 in Finland, May 2023, p. 20. <https://romacivilmonitoring.eu/wp-content/uploads/2023/08/RCM2-2022-C3-Finland-CATALOGUE.pdf>

reference to Roma, namely a pledge to increase their participation in working life. However, no new action seems to have been taken.<sup>147</sup>

100. ECRI recommends to the authorities to take measures to strengthen action against antigypsyism and discrimination against Roma in employment, in particular as concerns recruitment and vocational training. Such action should encompass awareness-raising and the provision of incentives for private employers of Roma, as well as the promotion of Roma employment in the public sector.

#### *Education, health and housing*

101. Between 2020 and 2024, the education level of Roma children in Finland has shown some improvement. However, the education levels among Finland's Roma population is significantly lower than that of the general population. Roma civil society reports ongoing challenges in Roma education, including systematic "downward" guidance of Roma pupils.<sup>148</sup> ECRI encourages the authorities to redouble their efforts to further improve the situation of Roma children in the education sector.
102. The Covid-19 pandemic highlighted existing disparities in healthcare access for Roma. It appeared that they faced challenges accessing information about preventive measures and healthcare services.<sup>149</sup> One positive initiative is the "Know and Act" cards designed by the Finnish Institute for Health and Welfare. These provide updated information on Roma health and culture to health and social services authorities.<sup>150</sup> ECRI considers such an initiative a **good practice**.
103. Studies show that Roma face difficulties in securing quality housing due to socio-economic challenges and discrimination by some private landlords,<sup>151</sup> though overall their housing situation is considered to have improved in recent years.<sup>152</sup> ECRI encourages the authorities to take further action to facilitate access of Roma to decent housing and address any discrimination against Roma by private landlords.

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<sup>147</sup> According to the Government Programme (page 73), available at <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/165044/Programme-of-Prime-Minister-Petteri-Orpos-Government-20062023.pdf?sequence=4>, an action plan will be implemented to increase the participation of under-represented groups in working life, such as persons with disabilities, the Roma, various immigrant groups, and immigrant women.

<sup>148</sup> Roma civil monitor: Civil society monitoring report: Lessons learnt from implementing the National Roma Policy 2018-2022, and recommendations for the new national strategic framework for Roma equality, inclusion, and participation 2023-2030 in Finland, May 2023, p. 18. <https://romacivilmonitoring.eu/wp-content/uploads/2023/08/RCM2-2022-C3-Finland-CATALOGUE.pdf>

<sup>149</sup> Falling off the Radar? Reaching Out to the Finnish Roma Community during the COVID-19 Pandemic, Marko Stenroos, Laura Musta, and Natalia Skogberg, 2023. <https://www.mdpi.com/2076-0760/12/3/183>

<sup>150</sup> Roma civil monitor: Civil society monitoring report: Lessons learnt from implementing the National Roma Policy 2018-2022, and recommendations for the new national strategic framework for Roma equality, inclusion, and participation 2023-2030 in Finland, May 2023, p. 21. <https://romacivilmonitoring.eu/wp-content/uploads/2023/08/RCM2-2022-C3-Finland-CATALOGUE.pdf>

<sup>151</sup> Finish Institute for Health and Welfare: Roma living conditions, inclusion and discrimination. <https://thl.fi/en/topics/migration-and-cultural-diversity/linguistic-and-cultural-minorities/the-roma/roma-living-conditions-inclusion-and-discrimination>

<sup>152</sup> Roma Civil Monitoring. <https://romacivilmonitoring.eu/countries/finland/>

## INTERIM FOLLOW-UP RECOMMENDATIONS

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The two specific recommendations for which ECRI requests priority implementation from the authorities of Finland are the following:

- (§ 35) ECRI recommends that the authorities prepare and bring to Parliament a comprehensive bill that expressly acknowledges the right of intersex persons to bodily integrity and prohibit the performance of medically unnecessary surgeries (often referred to as “sex-normalising” surgery) and other non-therapeutic treatments until such time as the intersex child is able to participate in decisions, based on the principle of free and informed consent. The preparation of such legislation should include consultations with relevant experts and health care professionals, intersex children and their parents or guardians, and take due account of ECRI’s General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons and other relevant Council of Europe standards.
- (§ 55) ECRI recommends that the authorities take action to counter racist and LGBTI-phobic hate speech, including online and such perpetrated by public figures, by setting up a special working group comprising representatives of all relevant authorities, the equality bodies, civil society organisations, academia and, as much as possible, the media, to develop a detailed programme of concrete and measurable actions against hate speech, including where necessary by revising legislation. In developing such programme of actions, inspiration should be drawn from ECRI’s General Policy Recommendation No.15 on combating hate speech and the Council of Europe Committee of Minister’s Recommendation CM/Rec (2022)16 to member States on combating hate speech.

A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report

## LIST OF RECOMMENDATIONS

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The position of the recommendations in the text of the report is shown in parentheses.

1. (§ 2) ECRI recommends that steps be taken to amend the Act on Equality between Women and Men in order to explicitly include sex characteristics as a discrimination ground.
2. (§ 10) ECRI recommends, in line with its General Policy Recommendation No. 10 on combating racism and racial discrimination in and through school education, that teachers in Finnish schools be provided with suitable initial and ongoing training in issues relating to human rights, including the prohibition of discrimination. Such training should cover, inter alia, relevant international and European human rights standards and the use of the existing teaching materials developed for teaching human rights, including the right to equality.
3. (§ 13) ECRI recommends that action be taken so that schools set up a compulsory system to monitor racist and LGBTI-phobic incidents and share with the relevant school authorities appropriately disaggregated data on these phenomena in order to devise long-term policies to counter them.
4. (§ 16) ECRI recommends that the Finnish authorities ensure that courses on the history and culture of the indigenous Sámi people and Roma are systematically taught in school education.
5. (§ 23) ECRI recommends that the authorities issue detailed guidelines and offer suitable training to staff working in healthcare facilities concerning the level of health care to which irregularly present migrants are entitled to. In such guidelines and during such training, it should also be made clear that it is prohibited to share with immigration and law enforcement authorities any personal data or other information about persons suspected of irregular presence or work. In doing so, the authorities may draw inspiration from ECRI's General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination.
6. (§ 27) ECRI recommends that the authorities prepare and adopt a national LGBTI equality strategy, accompanied by a national action plan, with an appropriate budget for its implementation. The strategy and the action plan should be prepared in close consultation with civil society actors, as well as with local and regional authorities. This action plan should include concrete measurable goals, with an accompanying timeline for their implementation and impact evaluation. In the preparation of the action plan, the authorities should draw on ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons. If necessary, Council of Europe support should be sought.
7. (§ 35) ECRI recommends, as a matter of priority, that the authorities prepare and bring to Parliament a comprehensive bill that expressly acknowledges the right of intersex persons to bodily integrity and prohibit the performance of medically unnecessary surgeries (often referred to as "sex-normalising" surgery) and other non-therapeutic treatments until such time as the intersex child is able to participate in decisions, based on the principle of free and informed consent. The preparation of such legislation should include consultations with relevant experts and health care professionals, intersex children and their parents or guardians, and take due account of ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons and other relevant Council of Europe standards.
8. (§ 55) ECRI recommends, as a matter of priority, that the authorities take action to counter racist and LGBTI-phobic hate speech, including online and such perpetrated by public figures, by setting up a special working group comprising representatives of all relevant authorities, the equality bodies, civil society

organisations, academia and, as much as possible, the media, to develop a detailed programme of concrete and measurable actions against hate speech, including where necessary by revising legislation. In developing such programme of actions, inspiration should be drawn from ECRI's General Policy Recommendation No.15 on combating hate speech and the Council of Europe Committee of Minister's Recommendation CM/Rec (2022)16 to member States on combating hate speech.

9. (§ 60) ECRI recommends that the relevant authorities enhance the effectiveness of the criminal justice system in the handling of hate crimes in the light of Recommendation CM/Rec(2024)4 of the Committee of Ministers of the Council of Europe on combating hate crime, in particular by: i) instructing the police to develop further a common approach for the recognition, unmasking and official recording of hate crime and ensure that hate incidents that do not constitute crimes are appropriately recognised; ii) providing police officers with clearer guidance as regards the recording of the circumstances, if any, in which a crime should be re-recorded as a non-hate-based offence in the criminal record of a suspect; iii) updating police recording processes and databases to better allow the recorded data on hate crimes to be disaggregated by targeted groups and crime type, in accordance with existing European human rights and data protection standards; and iv) ensuring to the greatest possible extent that anonymised and disaggregated data are collected and analysed by the police and prosecution services and other criminal justice authorities during the lifecycle of a hate crime, from the point of reporting and recording to prosecution, sentencing and post-conviction support and diversion measures.
10. (§ 69) ECRI recommends that the Finnish authorities review and develop policies based on positive incentives, including through legislative measures where necessary, to improve the integration and inclusion of foreign nationals residing in Finland. In this context, the authorities should seek inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level. If necessary, Council of Europe support should be sought.
11. (§ 83) ECRI recommends that the authorities redouble their efforts, in co-operation with relevant associations, to ensure that necessary interpretation services are available in practice throughout the healthcare system, and promote the availability of information about access to healthcare in multiple languages, including on websites for making medical appointments and by developing online applications for translation of central terminology related to health.
12. (§ 98) ECRI recommends that the authorities ensure that appropriate human resources are dedicated to the implementation of the National Roma Policy (Rompo 3) and the National Advisory Board on Romani Affairs (RONK).
13. (§ 100) ECRI recommends to the authorities to take measures to strengthen action against antigypsyism and discrimination against Roma in employment, in particular as concerns recruitment and vocational training. Such action should encompass awareness-raising and the provision of incentives for private employers of Roma, as well as the promotion of Roma employment in the public sector.

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## APPENDIX: GOVERNMENT'S VIEWPOINT

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The following appendix does not form part of E01/07/2025CRI's analysis and proposals concerning the situation in Finland.

ECRI, in accordance with its country-by-country procedure, engaged into confidential dialogue with the authorities of Finland on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version (which, in line with ECRI's standard practice and unless otherwise indicated, could only take into account developments up until 20 March 2025, date of the examination of the first draft).

The authorities also requested that the following viewpoint be reproduced as an appendix to the report.

## **Comments by the Government of Finland to the Report of the European Commission against Racism and Intolerance (ECRI) on Finland on the sixth monitoring cycle**

The Government of Finland wishes to express its appreciation for the work of the European Commission against Racism and Intolerance (ECRI) and values the constructive dialogue held in the context of the sixth monitoring cycle. The Government respectfully requests that the following comments be included as an appendix to the ECRI's report on Finland, adopted on 1 July 2025.

### **Undocumented migrants' right to health care**

Page 10, paragraph 19 states that *"At present, irregularly present migrants in Finland have the right to urgent social and health care services, as well as, since changes in legislation that entered into force on 1 January 2023, to healthcare services which, according to a healthcare professional, cannot be deferred."*

The Government provides the following clarification:

At present, irregularly present migrants in Finland have the right to urgent social and health care services, as well as, since changes in legislation that entered into force on 1 January 2023, to *non-urgent healthcare services deemed necessary by a healthcare professional.*

In the Government's understanding, this latter formulation reflects the wording that is generally used in the context of undocumented migrants' access to non-urgent medical care.

Page 11, paragraph 20 states that *"...a bill for this purpose was under preparation in early 2025."* The Government wishes to note that the bill was submitted to Parliament in May 2025.

### **Intersex children**

The Government would like to submit the following additional information to page 13, paragraphs 31–35, dealing with intersex children:

In 2021, the Ministry of Social Affairs and Health appointed a working group, composed of ministry officials, to reform Finland's transgender legislation. The working group was also tasked with submitting necessary proposals to strengthen the right to self-determination of intersex children, in accordance with the child's best interests and personal integrity, as well as their age and level of development. In its assessment, the working group found that a stronger knowledge base would be required in order to propose any legislative action, as there is very little officially compiled information available on interventions to modify sex characteristics. In the view of the working group, any legislative measures to strengthen self-determination could be implemented as part of an ongoing project aimed at strengthening the right to self-determination of clients and patients, including children and young people.

The working group proposed an authority-led study on practices relating to the modification of sex characteristics of intersex children. It also proposed, among other things, ensuring the provision of appropriate information to intersex children and their parents, as well as the provision of gender diversity training to professionals working with children.

The Ministry of Social Affairs and Health has not yet made any decisions regarding the measures that may be undertaken as a consequence of these proposals. No such measures are included in the Government Programme either. The aforementioned project on strengthening the right to self-determination of clients and patients has been delayed.

However, in 2023, as part of the implementation of the National Child Strategy, the Finnish Medical Society published a Good Practice Consensus Recommendation on the provision of initial information in situations where a foetus, newborn, or child under the age of one is found or suspected to be intersex.

The Recommendation notes that the body of an intersex person does not, *per se*, require any medical intervention. It further notes that while certain variations of intersexuality are associated with situations requiring medical treatment, neither intersexuality itself nor the individual features of a person's body constitute an illness or a disorder. The Recommendation

also stresses that parents should be clearly informed as to which interventions are essential to the child's health and which can be postponed until such time as the child is capable of making an independent decision.

#### **Conversion practices**

On page 14, paragraph 36, concerning conversion practices, the Government provides the following information:

A legislative project aimed at prohibiting conversion practices was launched in the Ministry of Justice in June 2025.

#### **Draft legislation on Holocaust denial**

On page 17, paragraph 46, footnote 69, dealing with draft legislation on Holocaust denial, the Government provides the following information:

In the government proposal submitted to Parliament on 15 May 2025, it was proposed that the denial of the Holocaust and other serious international crimes be punishable by a fine or by imprisonment for a maximum of two years. The proposal is currently under consideration by Parliament.

#### **Roma population**

Page 26, paragraph 92 of the report states that the estimated Roma population is around 10,000. The Government would like to clarify that the estimated Roma population in Finland is approximately 10,000–12,000.

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The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body which specialises in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance in Europe; it prepares reports and issues recommendations to member States.