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Committee on Economic, Social and Cultural Rights

Seventh periodic report submitted by Finland under articles 16 and 17 of the Covenant, due in 2020* **

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** The annex to the present report may be accessed from the web page of the Committee.

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Introduction

1. This report is submitted under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights ratified by the Government of Finland on 19 August 1975. The report covers the period from December 2014 to March 2020. For the report opinions were requested from authorities, the Supreme Overseers of Legality, specialised Ombudsmen, the Government of Åland, advisory boards, churches and non-governmental organisations.
2. Due to the COVID-19 infectious disease pandemic, the Government, jointly with the President of the Republic, declared on 16 March 2020 emergency conditions referred to in section 3, paragraphs 3 and 5 of the Emergency Powers Act (1552/2011) in Finland. Because the situation cannot be managed with the regular powers of public authorities, the Government is entitled to exercise powers under the Emergency Powers Act. The purpose of the Act is to protect the population, to secure its livelihood and the national economy, to maintain legal order and fundamental and human rights, and to safeguard the territorial integrity and independence of the state in emergency conditions.
3. Parliament passed Decrees on the use of powers under the Emergency Powers Act on 18 March and 27 March. One of them lays down provisions on the functioning of healthcare and social welfare units, on healthcare and social welfare services and health protection, on derogations from the terms and conditions of employment relationships, on restricting the right concerning dismissal, on the obligation to work, and on the provision or suspension of instruction and education. The other Decree provides that the sale of medicines, goods and services used in healthcare services may be restricted in the whole country. Both Decrees will remain in force until 13 May 2020. Finland also applies exceptional, fixed-term restrictions on the right of peaceful assembly and the right to liberty of movement.
4. The Chancellor of Justice has paid particular attention to the realization of ESC rights and, in particular, the need to ensure that matters relating to income security are dealt with without delay as the number of clients and cases to be dealt with rapidly increases as a result of the COVID-19 pandemic.
5. Further information on the Emergency Powers Act is provided in the Government's seventh periodic report on the implementation of the International Covenant on Civil and Political Rights.

Reply to paragraph 2 of the list of issues (E/C.12/FIN/QPR/7)

6. Finland adopted, as the fourth country in the world, a National Action Plan for the implementation of the UN Guiding Principles on Business and Human Rights in 2014. According to the Action Plan, Finland has sought to build awareness of business and human rights by, for example, producing guides and reports, providing training and creating dialogue between different stakeholders.
7. Finland has also implemented related regulation of the European Union (EU) on disclosure of non-financial information and import of conflict minerals. According to the Programme of Prime Minister Sanna Marin's Government (December 2019-), the Ministry of Economic Affairs and Employment will obtain a report on the businesses' due diligence obligation. A corresponding obligation is promoted on the EU level.
8. The central organisations of wage earners, for example, advocate adoption of a national act on corporate responsibility. According to the opinion of the Federation of Finnish Enterprises, regulation should be developed in an internationally consistent way so as to ensure equality between companies and neutral competition.
9. Legal aid is provided to persons with a municipality of residence in Finland and to persons domiciled or habitually resident in another Member State of the EU or the European Economic Area (EEA) or if the matter is to be heard before a Finnish court or if there are special reasons for legal aid to be provided. Legal advice, as a part of legal aid, shall be provided regardless of the prerequisites laid down above, if the conditions laid down in the Convention on International Access to Justice are met.

10. Legal aid is provided on application, for free or against a deductible, on the basis of the economic situation of the applicant. Applicants are provided legal aid notwithstanding any restrictions arising from their available means, if they prove that they cannot pay the cost of proceedings, because the cost of living is higher in the EU or EEA Member State of their domicile or habitual residence than in Finland. In a matter concerning the recognition or enforcement of a court decision in Finland which has been given in a state that is a Contracting Party to the Convention on International Access to Justice, the applicant shall be entitled to legal aid free of charge if he or she has received legal aid or been granted an exemption from the payment of expenses or fees in the process where the decision was given.

Reply to paragraph 2 of the list of issues

11. The Constitution of Finland guarantees the right of the Sámi as an indigenous people to maintain and develop their own language and culture. The Sámi have linguistic and cultural autonomy in the Sámi Homeland. The Act on the Sámi Parliament (974/1995) lays down provisions on autonomy. In matters pertaining to its tasks, the Sámi Parliament shall represent the Sámi in national and international connections.

12. According to section 9 of the Act on the Sámi Parliament, the authorities shall negotiate with the Sámi Parliament in all far-reaching and important measures which may directly and in a specific way affect the status of the Sámi as an indigenous people and which concern, for example, community planning, state lands, conservation areas and wilderness areas or mining in the Sámi Homeland. Several other acts governing land use contain further provisions on the consideration of the rights of the Sámi as an indigenous people in different processes.

13. In order to fulfil its obligation to negotiate, the relevant authority shall provide the Sámi Parliament with the opportunity to be heard and discuss matters. In 2017, the Ministry of Justice prepared, together with the Sámi Parliament, a memorandum gathering best practices on the implementation of the obligation to negotiate. In some situations the authorities have considered that an ordinary consultation adequately fulfils the obligation to negotiate. However, in this case the purpose of the obligation to negotiate, i.e. a genuine dialogue, is not realised. The purpose of the memorandum was to clarify the matter and provide practical examples of the implementation of the obligation to negotiate.

14. According to the Programme of Prime Minister Sanna Marin's Government, the work on reforming the Act on the Sámi Parliament will be continued.

15. The Ministry of Agriculture and Forestry has applied the obligation to negotiate under the Act on the Sámi Parliament by providing the Sámi Parliament with an opportunity of participating in the preparation of matters already at an early stage by, for example, selecting a representative of the Sámi Parliament for preparatory working groups. The working groups have discussed proposals made by the Sámi Parliament and, if necessary, consulted experts on Sámi affairs. The Ministry of Agriculture and Forestry seeks to achieve consensus with the Sámi Parliament already before the actual negotiations. This was the case when the maximum allowed number of reindeer was confirmed under the Reindeer Husbandry Act (848/1990). Determining the number of reindeer was prepared in a working group whose term expired in December 2019.

16. Finnish environmental legislation has adopted the principle of prohibition of weakening of rights or alternatively the duty to protect the rights of the Sámi. For example in relation to mining, the impact assessment is carried out in cooperation with the Sámi Parliament and local reindeer cooperatives. In addition, Finland has developed Akwé:Kon Guidelines in connection with the Biodiversity Convention, which has been used in particular in the governance of nature parks and wilderness areas. It would be possible to use the Guidelines in the environmental impact assessment and in relation to land use in general.

17. Finland has acknowledged the climate vulnerability of indigenous peoples. The Government provides funding for a project SAAMI – Adaptation of Saami people to the climate change in order to obtain adequate scientific information for decision-making. Key results of the research project were presented this year. Finland is planning to start to prepare its new adaptation plan in accordance with the Climate Change Act, where the

results of the SAAMI project will be taken into account. Furthermore, effective international and national climate policy decreasing emissions will ensure actions protecting the Arctic climate: snow, ice and nature.

18. During the Finnish Chairmanship of the Arctic Council (2017–2019), the Sámi Parliament acknowledged that Finland has ensured well the dialogue and cooperation with indigenous peoples, including the Sámi Parliament, in relation to the use of their traditional knowledge and climate change. The Government of Finland is committed to continue strengthening the Arctic Council in relation to climate change and protection of the rights of the indigenous peoples. In addition, the Sámi people are represented, for example, in the National Commission for Sustainable Development and in the Finnish delegation to the UN climate change negotiations.

19. The Sámi Parliament points out that the rights of the Sámi as an indigenous people have not been adequately promoted and protected for the Sámi to be able to own and use their lands, areas and natural resources or to freely determine over their use. According to the Sámi Parliament, legislative development has partly even impaired the rights of the Sámi and significant legislative reforms for improving the situation have not been completed successfully because, for example, the negotiations under the Act on the Sámi Parliament have, as held by the Sámi Parliament, been carried out inadequately.

Reply to paragraph 4 of the list of issues

20. According to Statistics Finland's Labour Force Survey, there were 32,000 more employed people and 17,000 fewer unemployed people in August 2019 than one year earlier. The trend of the employment rate was 72.5% and the trend of the unemployment rate was 6.7%.

21. In August 2019, the employment rate, i.e. the proportion of the employed among persons aged 15 to 64, stood at 73.5%.

22. Women and men are equally represented in the labour market. Men's employment rate was 74.2% and women's 72.8%.

23. The share of fixed-term employment has remained unchanged. 84% of all employment contracts were permanent and 16% temporary in 2018. The share of temporary employees was 19% among female and 13% among male employees.

24. In Finland, the general rate of part-time work is 17%. Women usually work full-time.

25. However, women work part-time more often than men (women 21% and men 10%). Part-time work is common in female-dominated industries, such as retail and health and social service sectors. Only 16% of working mothers are part-timers.

26. The gender pay gap between men and women is 16% throughout the labour market. This concerns earnings for regular working hours. The Government and the social partners have since 2006 been carrying out an Equal Pay Programme in order to bridge the gender pay gap. Many factors influence the pay gap. A part of the gender pay gap can be explained by the fact that women and men work in different fields and jobs. There are structural differences between the genders: lower wages are often paid in female-dominated fields and jobs. Fewer women than men progress to senior management levels.

27. The Equal Pay Programme 2016–2019 included the most important factors pertaining to equal pay and measures to amend these issues. The purpose of the Programme was also to implement the principle of equal pay laid down in the Act on Equality between Women and Men (609/1986, the Equality Act). The Programme has studied and reinforced the effectiveness of equality plans and pay surveys.

28. The gender pay gap is closing quite slowly. An overall evaluation of the Equal Pay Programme 2016–2019 was carried out. The Programme is generally seen as necessary. The previous programmes (2011–2015) have not been deemed particularly successful in reducing the pay gap between men and women. It is difficult to distinguish the effect of the Equal Pay Programmes and the effects of other factors. The evaluation report proposes that future measures for reducing the pay gap should be focused on the most effective measures. Finland needs to find means to bridge the gender pay gap and also new measures are needed. The report proposes that increasing pay openness and transparency may be one

solution. In the Equal Pay Programme pay openness can be developed by measures taken by social partners and measures taken in workplaces.

29. There is a clear gender segregation in the Finnish labour market and young people's educational choices. The Programme seeks to change the traditional gender division in education and the labour market by increasing the number of professions in which both women and men are equally represented and, on the other hand, by increasing the share of women in management and leadership positions. The Equal Pay Programme carried out a research project *Breaking down the barriers: Reasons for young people's educational choices and ways of reducing gender segregation in educational and occupational fields (2017–2019)*. The study attempted to challenge stereotypical expectations of gender roles. It developed recommendations and practices so that in future female/male-dominated fields could be more attractive to both genders.

30. Preparation for the Equal Pay Programme included in the current Government Programme was discontinued in February 2020 due to a lack of consensus between employer and worker organisations on measures to narrow the gender pay gap. The work on wage equality will continue in line with the Government Programme regardless. The Government's special attention will be given to enhancing gender equality in work and family life.

31. The Ombudsman for Equality received a total of 86 contacts concerning discrimination on the basis of pregnancy and parental leave in 2016, a total of 121 contacts in 2017, and a total of 143 contacts in 2018. The figures relating to parental leave discrimination also include contacts by men.

32. In March 2018, the Ombudsman for Equality launched a campaign called *Forerunner*, targeted at employers to promote pro-family practices.

33. In October 2017, the Ombudsman for Equality launched a campaign called *Pregnancy discrimination is no child's play* to combat discrimination on the grounds of pregnancy and parental leave. The campaign provides information on pregnancy discrimination both to employees and employers. The campaign was visible at cinemas, on TV channels and in the social media.

34. The Government of Åland has prepared an equality and non-discrimination plan. On the basis of the equality and non-discrimination plan, the Government of Åland is taking active measures to prevent discrimination against women in the labour market.

35. According to NGOs, the Equal Pay Programme has not succeeded in bridging pay gaps.

Reply to paragraph 5 of the list of issues

36. The Act on the National Pension Index (456/2001) provides that the adequacy of basic social security shall be assessed at the end of each government term. In April 2018, the Institute for Health and Welfare, commissioned by the Ministry of Social Affairs and Health, invited a third evaluation group on the adequacy of basic social security to carry out a third adequacy assessment of basic social security.

37. The Evaluation report on the adequacy of basic social security concludes that the basic social security level for the unemployed, in particular, has dropped between 2015 and 2019 as a consequence of the index cuts and reductions in benefits resulting from the activation model for unemployment benefits which was introduced by the previous Government in 2018. The basic social security levels for recipients of pensions, sick leave allowance and parental daily allowance, on the other hand, have each remained nearly constant. Social security for students has become increasingly loan-based. For the unemployed in particular, social assistance fills in the gaps left by weakening basic social security levels. The role of social assistance in filling in the gaps in the basic social security provided for the unemployed has increased significantly between 2015 and 2019. Once the social assistance is taken into account, the income level of those relying on basic social security has not decreased but instead remained nearly constant.

38. According to the Social Assistance Act (1412/1997), social assistance is last-resort financial assistance under social welfare. It is used to ensure the person and family at least

the minimum income needed for a life of human dignity. This is based on the provision of the Constitution under which those who cannot obtain the means necessary for a life of dignity have the right to receive indispensable subsistence and care.

39. The responsibility for social assistance has been divided between two authorities. The Social Insurance Institution is responsible for basic social security and municipalities for supplementary and preventive social assistance. Municipalities are also responsible for providing other social welfare services for persons in need.

40. The activation model that reduced the unemployment allowance was abandoned starting from 1 January 2020 at the proposal of the new Government. An overall reform of social security will be launched during spring 2020.

41. The province of Åland has not made cuts to social benefits. The province has raised the single parent supplement to the child benefit.

42. NGOs note that the cuts carried out during the government term 2015–2019 particularly affected the position of low-income people.

43. According to the Evangelical Lutheran Church of Finland, the level of basic social security is too low and the church's deaconess work seeks to fill in the gaps in social security.

Reply to paragraph 6 of the list of issues

44. According to the Ministry of Social Affairs and Health, the prevalence of mental disorders has not increased. Awareness of mental disorders and demand for treatment have increased, along with the number of sick leave days and the relative share of disability pensions resulting from mental disorders. For example, health surveys among university students have shown that young persons, in particular, experience more psychological stress that is less serious than an illness but manifests in sleeping problems, anxiety and depressive symptoms.

45. Treatment for mental disorders has constantly increased. The number of consultations in out-patient special health care have increased annually over the past 10 years. During this period, consultations in out-patient child psychiatry have increased by 90%, those in youth psychiatry by 70% and those in adult psychiatry by 35%. At the same time, the need for psychiatric in-patient care has slightly decreased. However, there are shortcomings in the access to treatment of mild and intermediate mental disorders especially within basic health care.

46. The Government Programme outlines that the legislation on the right to self-determination and on mental health and substance abuse services will be reformed in order to improve mental health services and their availability.

47. The National Mental Health Strategy 2020–2030 was published in February 2020. Its focus areas include mental health as capital for individuals and society, mental health of children and young people, mental health rights, appropriate and extensive services, and good mental health management. A suicide prevention programme will be drafted as part of the strategy.

48. Asylum seekers are entitled to an initial medical examination at reception centres and to urgent and necessary treatment. Pregnant women and minors will receive treatment on the same grounds as municipal residents. Migrants who have a residence in a municipality have the same rights to health services as other municipal residents. Studies on migrants have shown that migrants do not use mental health services more frequently than the rest of the population, although some of them have a larger need for services. Largest municipalities have units specialised in cultural psychiatry or migrants' mental health services.

49. A project for developing national mental health policies for refugees (PALOMA) of the Institute for Health and Welfare developed, between 2016 and 2018, a model for mental health work with refugees and individuals from comparable backgrounds. Its continuation project (PALOMA2) between 2019 and 2021 aims at launching and establishing centres of expertise focused on refugees as part of the service structure.

50. Finland has continued the work to reduce suicides. The latest official cause-of-death statistics date from 2018. The suicide death rate was 14 (per 100,000 persons) in 2016, 15 in 2017 and 15 in 2018. Slightly fewer suicides were committed in 2018 than in 2017. The suicide death rate has decreased in ten years by over 20%, more among men than among women.

51. The new Alcohol Act (1104/2017) entered into force at the beginning of 2018, and the impact assessment of the reform anticipated that the overall alcohol consumption and harmful effects of alcohol might increase as a result of the reform. It is still too early to draw actual conclusions on the overall consumption and alcohol-related harm.

52. The new Government Programme emphasises the importance of preventing addictions and separately the objective of decreasing the overall alcohol consumption. In practice, the Government will prepare a comprehensive strategy to prevent addictions, which will be divided into two parts:

- Firstly, operative and preventive substance abuse work will be continued within the administrative structures and according to the principles under the Act on Organising Preventive Substance Abuse Work. The Institute for Health and Welfare will continue the implementation of the Action Plan on Preventive Substance Abuse Work by making it more targeted under the direction of the Ministry of Social Affairs and Health. The development focus is, in particular, on interfaces between substance abuse prevention, substance abuse services and new social and health care structures as well as on harmonised policies in the promotion of wellbeing, health and security;
- Secondly, the strategy includes the Government's policy lines which will be prepared separately for tobacco, drugs and gambling policy at the Ministry of Social Affairs and Health.

53. The effects of the overall reform of the Alcohol Act will be evaluated in the middle of the government term, in which case the need for any further measures to decrease the overall alcohol consumption will be investigated. The strategy preparation will be combined with the reform of the Mental Health Strategy and the Substance Abuse Services Act (41/1986).

54. According to the Ombudsman for Children, several reports have found shortcomings in the cooperation between child welfare and psychiatric care. The Supreme Overseers of Legality have also concluded in their decisions that there are major shortcomings in the availability of child and youth psychiatric services in different hospital districts.

55. Pursuant to section 15 of the Child Welfare Act (417/2007), health centres and hospital districts shall provide expert assistance in child-specific and family-specific child welfare and, where necessary, arrange an examination of the child and health care and therapy services for the child. A corresponding provision is included in section 69, subsection 2 of the Health Care Act (1326/2010), stipulating that inadequate health care services cannot be a reason for placing a child in child welfare. In practice, the lack of examination and treatment facilities for children with psychiatric symptoms necessitates placement of children outside the home.

56. A study concerning a cohort of persons born in Finland in 1997 revealed that 64% of children placed outside the home had been diagnosed with a mental disorder, while the proportion for children not placed outside the home was 17%. Of persons put in placement as teenagers, even 69% had a diagnosis indicating a mental disorder. The study results show how important cooperation is between child welfare and psychiatric services.

57. Asylum-seeking children are also entitled to health services, including mental health services, while persons illegally residing in the country have a statutory right only to urgent health care services.

58. According to Finland's official statistics, the number of suicides among children and young persons has increased from 2015 to 2018. For statistics see Table 1, Annex.

59. Preventive social and health services for children and young persons play a key role in the prevention of their suicides, especially individual student welfare services under the Student Welfare Act (1287/2013). The allocation of resources to ensuring the actual availability of services varies between municipalities and is also partly inadequate.

60. Substance use and mental health problems among children and young persons of comprehensive school age are connected with behaviour problems at school, such as unauthorised absences and absences for sickness as well as restlessness. School thus has a key role in noticing children's and young persons' problems and in addressing them early.

61. The newest School Health Survey shows that alcohol consumption has decreased among young persons and the number of young teetotallers has increased between 2008 and 2019. The data collection for the School Health Survey was carried out in 2018, meaning that the survey results do not reliably reflect the effects of the amendments to alcohol legislation.

62. Even though young persons' alcohol consumption has statistically decreased, the Ombudsman for Children draws attention to the fact that in addition to substance use, various social and health problems cumulate more and more on the same children and young persons.

63. According to the Association of Finnish Local and Regional Authorities, the availability of mental health services is inadequate and access to treatment varies between regions. An online service called Mental Hub is a service open to everybody, providing reliable information, service counselling, self-treatment programmes and Internet therapies. The Mental Hub provides information on mental health in foreign languages. The website of the Mental Health Finland contains information e.g. on difficult life situations, crises and coping with them, mental disorders as well as on seeking for help and recovery, also in foreign languages.

64. NGOs consider that mental health services available to asylum seekers are not adequate. They also pay attention to increased mental health problems among young persons.

65. Deaconess work and pastoral counselling as well as family counselling of the Evangelical Lutheran Church help people suffering from mental problems regardless of their religious conviction. Congregations also provide support for asylum seekers.

Reply to paragraph 7 of the list of issues

66. In Finland the ICESCR has been enforced by a Decree and there are numerous and very detailed statutes with the status of a national act that concern economic, social and cultural rights. In practice, courts refer to these statutes in their case law. Regardless of the hierarchical status of an act bringing a treaty into force, human rights conventions binding on Finland always have the status of a constitutional act in the hierarchy of statutes. The authorities should apply human rights-friendly interpretation in their activities.

67. The Ministry of Justice has annually provided training related to economic, social and cultural rights to the personnel of state legal aid offices.

Reply to paragraph 8 of the list of issues

68. The National Human Rights Institution of Finland consists of the Parliamentary Ombudsman, the Human Rights Centre and the Human Rights Delegation. The duties of the NHRI are defined in the Act on the Parliamentary Ombudsman (197/2002), and its mandate covers economic, social and cultural rights. The NHRI is an autonomous and independent authority whose operational priorities are not controlled by the Government. The financial resources for the NHRI are covered by Parliament's budget, and appropriations are granted by Parliament. The budget of the NHRI increased to EUR 6,805,000 in 2019. In 2020, the budget will increase to EUR 7,145,000, including six new posts. The Finnish NHRI was granted the highest A-status in 2014 and 2019 by GANHRI.

Reply to paragraph 9 of the list of issues

69. The Finnish Climate Change Panel, an independent scientific panel, stated in June 2018 that Finland should decrease its emissions by 85–100% before 2050 to meet the global targets set in the Paris Agreement. By 2030 the decrease would need to be 44–66%

from the level of 1990. Statistics Finland has reported that in 2018 Finnish overall emissions were 56.5 million tons of CO₂ equivalents. The emissions were 2% greater than a year before. In comparison to the level of 1990, Finnish emissions were 21% lower.

70. The Government is committed to combat the climate crisis as part of the European Union. In addition, the Government has set a progressive target to become carbon neutral by 2035. Measures will be taken to guarantee just transition. The Government has defined in its governmental action plan a number of measures to reach carbon neutrality. The measures include updating the Finnish Climate Change Act (609/2015), introduction of a carbon taxation reform, reduction of traffic emissions, diminishing food waste, diminishing emissions of housing and supporting circular economy. Finland will, for example, stop using coal in 2029, stop using oil in heating in public spaces in 2024 and increase the use of wind power. In addition, a new climate impact assessment requirement for legislative processes will be introduced.

71. In addition, the Government has supported the participation of individuals in taking climate action by introducing an emissions calculator and mechanism, which enable individuals to follow-up their personal climate commitments. The Government will introduce a new climate round table for stakeholders. The purpose is to strengthen the participatory rights and legitimacy in relation to climate policy. Furthermore, youth participation will be guaranteed.

72. The Government is committed to increasing climate funding as part of its international development cooperation, taking into account its responsibility under the Paris Agreement. The aim is to provide half of the climate funding to adaptation through NGOs and funds. Investments and loans will also be given in the future to strengthen climate funding.

73. The Association of Finnish Local and Regional Authorities notes that Finnish municipalities have voluntarily set on themselves climate targets that are even more ambitious than those of the state and work to achieve them in cooperation with municipal residents and businesses in their region in a socially and economically sustainable manner.

74. The Evangelical Lutheran Church of Finland also tries to contain climate change e.g. by a strategy titled Carbon Neutral Church by 2030.

75. The central organisations of wage earners (AKAVA, SAK and STTK) consider that the labour movement should be better included in the planning and follow-up of climate and energy strategies. In addition to emission targets, employment impacts should be taken into account.

Reply to paragraph 10 (a) of the list of issues

76. The total income of the richest decile, measured in disposable income, is at EUR 111,775 times 240,200 households, that is roughly EUR 26.7 billion (year 2017). Meanwhile, the total income for the lowest four deciles is roughly EUR 31.4 billion. This yields a ratio of 0.86 (the richest decile divided by the four lowest deciles).

Reply to paragraph 10 (b) of the list of issues

77. Taxes and social security contributions totalled EUR 99.1 billion in 2018. That is almost 81% of the general government total revenues (EUR 122.6 billion in 2018).

Reply to paragraph 10 (d) of the list of issues

78. The expenditure ratio (the ratio of expenditure to GDP) was 53.6% in 2018 and 54.2% in 2017. The proportion of general government social spending was 72% of the total spending in 2017. Please see Table 2 in Annex from the General Government Fiscal Plan for 2020–2023, where items 5–10 are here considered to be social spending.

79. Finnwatch points out that Finnish tax legislation still includes gaps allowing for tax evasion and Finland has not used all feasible means to ensure fair and effective taxation. A

study produced by Finnwatch in 2016 estimated that the overall costs of tax evasion amount to 430 to 1,400 MEUR.

Reply to paragraph 11 of the list of issues

80. According to the Government Programme, Finland aims to reach the official development assistance (ODA) target level of 0.7% as a proportion of gross national income (GNI). In 2019, Finland spent 989 MEUR in development cooperation. This corresponded to 0.41% of the GNI. According to the State Budget 2020 and the spending limits decision 2021–2023, development cooperation appropriations in 2020–2023 are: 2020; 0.41%, 2021; 0.42%, 2022; 0.41%, 2023; 0.42% of Finland's GNI.

Reply to paragraph 12 of the list of issues

81. Reference is made to the Common Core Document (CCD) by the Government submitted in February 2020. The CCD describes the measures adopted by Finland to promote non-discrimination and equality. It also describes the new Non-Discrimination Act (1325/2014) (please see the CCD, paras 361–364) as well as the tasks of the Non-Discrimination Ombudsman (see the CCD, paras 271–274), the Ombudsman for Equality (see the CCD, paras 275–278, 368) and the National Non-Discrimination and Equality Tribunal (see the CCD, paras 369–374).

82. Compliance with the Non-Discrimination Act is overseen by the Non-Discrimination Ombudsman, the National Non-Discrimination and Equality Tribunal and the occupational safety and health (OSH) authorities. Supervisory authorities may handle any discrimination cases related to the exercise of economic, social and cultural rights which fall within the scope of application of the Non-Discrimination Act.

83. Compliance with the Equality Act is overseen by the Ombudsman for Equality. The Ombudsman for Equality is authorised to submit a case of unlawful discrimination against an individual to the National Non-Discrimination and Equality Tribunal for consideration.

84. The mandate of the National Non-Discrimination and Equality Tribunal covers the monitoring of all grounds for discrimination. The Tribunal acts independently and autonomously and handles and decides matters falling within its competence under the Non-Discrimination Act and the Equality Act.

85. For statistics on discrimination cases, see Table 3 in Annex. The table shows all cases based on the Non-discrimination Act, not only those related to economic, social and cultural rights. The former Ombudsman for Minorities and the National Discrimination Tribunal dealt only with complaints against discrimination based on ethnic origin outside working life. The National Non-Discrimination and Equality Tribunal has been operative as from 8 September 2015. The Tribunal has dealt with a large number of complaints against discrimination related to economic, social and cultural rights, e. g. housing, early childhood education and basic education.

86. A study was launched in January 2019 to find out the effects of the Non-Discrimination Act on the legal protection of discrimination victims, prevention of discrimination and promotion of equality. The study will produce recommendations for developing non-discrimination legislation and guidance for promoting equality. The information can be used in a partial reform of the Non-Discrimination Act, on which a decision was made in the new Government Programme. The study will be finished in November 2020.

87. The Association of Finnish Local and Regional Authorities has promoted the implementation of the Non-Discrimination Act in municipalities by a project which examined the drafting of equality plans in municipalities and collected best practices. A guidebook for promoting equality was produced in Finnish and Swedish. The project was carried out in connection with the Rainbow Rights project of the Ministry of Justice, but the project part for which the Association of Finnish Local and Regional Authorities was responsible dealt with all grounds for discrimination under the Non-Discrimination Act.

88. According to the Finnish League for Human Rights, the current structure of legislation makes identification of multiple discrimination difficult. The division of competence between the National Non-Discrimination and Equality Tribunal and the Non-Discrimination Ombudsman and the Ombudsman for Equality may have a negative impact on access to justice.

Reply to paragraph 13 of the list of issues

89. The primary objective of Finland's Policy on Roma (ROMPO2) for 2018–2022 is to support the positive progress seen in the social integration of the Roma and in Roma linguistic, cultural and social rights. The policy is based on the premise that Finland's current legislation and comprehensive service system provide a good foundation for promoting the equality of the Roma population. One of the proposals made in the policy is to initiate a Romani language revitalisation programme.

90. The National Advisory Board on Romani Affairs, which operates in conjunction with the Ministry of Social Affairs and Health, serves as a cooperation body between the Roma and the authorities. The Board's tasks include monitoring the development of the Roma population's opportunities for civic participation and living conditions. The Board has influenced the development of Finnish legislation and administration in Roma affairs.

91. The Finnish National Agency for Education has a Roma Education Unit tasked to develop the education of the Roma and promote the Romani language and culture. The Agency allocates discretionary government transfers from the budget of the Ministry of Education and Culture to municipalities for supporting Roma children's basic education and early childhood education and care.

92. During the 2010–2011 academic year, the Finnish National Agency for Education conducted a review of the situation of the basic education of Roma pupils. The review indicated a clear improvement in the situation of Roma pupils. A majority of Roma pupils have excellent, good or satisfactory results in basic education. Municipalities' development actions have contributed to the transfer to secondary education, particularly to vocational education and training. However, a considerably small number of the Roma continue to general upper secondary education. The Agency also conducted a survey on the state of early childhood education and care and primary education among Roma children between 2018 and 2019.

93. A working group considering how to promote migrants' education and employment has been operating since 2016. The working group submitted its third and last report to the Minister of Education in January 2019. The report emphasises issues related to the availability and qualifications of teachers, the importance of early childhood education and care, the situation of preparatory education for basic education as well as challenges related to the knowledge and instruction of Finnish and Swedish. The recommendations supplement the proposals drafted in 2016 and 2017.

94. In 2019, the Ministry of Economic Affairs and Employment commissioned the following study in relation to the goals of the Policy on Roma: Employment, entrepreneurship and labour market integration of the Roma. The study that was completed in autumn 2019 focuses on the development during the past ten years. According to the results, prejudices and discrimination against the Roma are still persistent in the labour market, even though their labour market position has improved. An increase in the level of education of the Roma and positive attitudes towards education have positively influenced the employment and labour market position of the Roma. The number of entrepreneurs is also estimated to have grown. On the other hand, the unemployment rate is still higher than among the majority population.

95. Four factors preventing or slowing down employment of the Roma include low level of education, limited work experience, cultural factors and discrimination in the labour market. For example, visible cultural characteristics, such as the Roma outfit, still cause prejudice in working life. In particular, prejudices are targeted against the traditional costume of Roma women.

96. The study observations will be taken into account as far as possible in the development of services supporting the employment and entrepreneurship of the Roma. As

in the case of everybody else, services for the Roma are organised according to individual service needs. The goal is to better identify the need for positive special treatment, where necessary.

97. The Ministry of Environment is carrying out the development proposals set forth in Roma housing surveys commissioned by the Ministry in 2012 and 2018 in accordance with the housing-related measures of the Policy on Roma. According to the surveys, the equality of the Roma has improved in housing. However, cultural factors make it difficult and slower for the Roma to find apartments. The Ministry of Environment is responsible for coordinating the housing team in the implementation of the Policy on Roma.

98. As part of the implementation of the Policy on Roma, the Institute for Health and Welfare carried out a Roma Wellbeing Study called Roosa in 2017 and 2018. The study was the first one that examined the wellbeing, inclusion, health and functional capacity of the Finnish Roma. Its objective was to promote the equality of the Roma. A large number of the Roma participated in the planning, implementation and reporting of the study both as employees and experts of the partner panel. Another goal was to produce information for assessing the impact of the Policy on Roma in the future. According to the Policy on Roma, the police will include a section on hate crimes against the Roma in its annual hate crime report to make the phenomenon visible.

99. The Evangelical Lutheran Church of Finland has its own Advisory Board on Romani Affairs and in 2019 it published a guidebook on the Roma at the church to bring attention to the position of the Roma.

100. The Non-discrimination Act of Åland was revised in August 2019. A working paper prepared by the Office of the Åland Ombudsman served as the basis for the revision.

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101. The Act on the Promotion of Immigrant Integration (1386/2010) applies to persons possessing a valid residence permit in Finland. It is thus not applied to asylum seekers.

102. The Government Integration Programme included focus areas, objectives, measures, responsibilities and resources for integration between 2016 and 2019. The Government Integration Programme focused on four focus areas which were based on the Government Programme. The focus areas included a total of nearly 70 measures. Each focus area also covered the measures that the Government approved in its Action Plan of 3 May 2016 to respond to the integration challenge posed by the increasing number of asylum seekers. The Programme's overall objectives included using migrants' cultural strengths to enhance Finnish innovation capacity, enhancing integration through cross-sectoral measures and guaranteeing a good start, increasing cooperation between the state and municipalities in the reception of beneficiaries of international protection, and promoting an open discussion culture that will not tolerate racism. The programme was essentially aimed at accelerating educational and employment pathways among migrants.

103. A statutory inter-ministerial integration cooperation group has convened regularly and steered and monitored the implementation of the Government Integration Programme and other integration-related development. The Government Integration Programme and the integration cooperation group have created a functional framework for regular cooperation between ministries in integration-related issues. This has strengthened the comprehensive approach to the promotion of integration. The Integration Programme has helped in accelerating migrants' educational and employment pathways, enhanced assignment of residence permit holders to municipalities and increased inclusion in housing, social, health and leisure services and in other social activities in cooperation between the civil society and organisations.

104. As required in the Integration Programme, the responsibility for literacy training was transferred to the administrative branch of the Ministry of Education and Culture starting from 2018. From this time on, it has been possible to study literacy either in basic education for adults or in non-formal adult education, for which the Finnish National Agency for Education has issued a curriculum recommendation.

105. Persons needing a school-leaving certificate from basic education for other studies and working life participate in basic education for adults. Literacy training in non-formal

adult education is suitable for everyone regardless of their earlier educational background. It is particularly suitable for those in need of flexible study programmes. Literacy training in non-formal adult education is a new free training opportunity for persons for whose integration municipalities are responsible, such as mothers taking care of their children at home, who were earlier excluded from training.

106. Basic education for adults was remodelled in accordance with the Integration Programme. The reform entered into force in 2018. The remodelled basic education for adults includes work practice programmes and an opportunity to choose vocational studies.

107. The adequacy of basic education for adults was ensured by renewing the financing system starting from 2017 such that education providers receive funding for completed courses. To ensure a sufficient number of student places, the Ministry of Education and Culture also increased the number of student places for private providers of basic education for adults by approximately 1000 places. This meant that the numbers of student places increased by 75% for education providers whose licence includes a limited maximum number of students. In addition, a few private general upper secondary schools for adults and all municipal providers of basic education for adults can increase their student numbers without limitations. The number of students doubled from 2015 to 2017.

108. Municipalities plan and develop integration and employment of migrants as part of their strategic development. Multiculturalism is taken into account in service planning. Migrants' service needs must be considered as a whole, including education, employment, social welfare and health care, housing, and cultural, sports and youth services. Many municipalities, especially large cities and municipalities with a high number of migrants, have developed centres of excellence in migrant integration. The model of establishing centres of excellence in migrant integration combines education, employment and rehabilitation services for migrants. The objective is to accelerate migrants' paths to education, training and employment and to respond to the shortage of skilled labour.

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109. The purpose of the Equality Act is to prevent gender-based discrimination, promote equality between women and men, and improve the status of women, particularly in working life. The Act is now also intended to prevent discrimination based on gender identity or gender expression.

110. The main reforms in 2014 (1329/2014) were the following.

111. As from the beginning of 2015, bans on discrimination based on gender identity or gender expression came into force in the Equality Act. The phrase "gender identity" refers to an individual's own experience of their gender, and the phrase "gender expression" refers to expressing one's gender through clothing, behaviour, or by other means. The anti-discrimination regulations of the Act also apply to discrimination based on the fact that an individual's physical gender-defining characteristics are not unambiguously female or male.

112. Authorities, education providers and other bodies providing education and training as well as employers are obliged to take pre-emptive action in a purposeful and systematic manner against all discrimination based on gender identity or gender expression. The obligation must be taken into account in the preparation of educational institutions' and employers' gender equality plans and in decisions regarding measures to promote gender equality.

113. The obligation for a gender equality plan was extended to comprehensive schools. Education providers are now responsible for ensuring that each educational institution prepares a gender equality plan annually in cooperation with staff and pupils or students. The gender equality plan may be incorporated into the curriculum or some other plan drawn up by the educational institution.

114. It must include: 1) an assessment of the gender equality situation within the institution; 2) the necessary measures to promote gender equality; 3) a review of the extent to which measures previously included in it have been implemented and of the results achieved.

115. Special attention must be given to pupil or student selections, the organisation of teaching, learning differences and the evaluation of study performance, and to measures to ensure the prevention and elimination of sexual harassment and gender-based harassment. Instead of an annual review, the plan may be prepared no less than once every three years.

116. Regulations regarding employers' gender equality plans and pay surveys were made more precise. If an employer regularly has a personnel of at least 30 employees working in employment relationships, the employer shall at least every two years prepare a gender equality plan dealing particularly with pay and other terms of employment, according to which the gender equality measures are implemented. The gender equality plan must be prepared in cooperation with the shop steward, the elected representative, the occupational safety and health representative or other representatives appointed by the employees. Representatives of the personnel must have a sufficient opportunity to participate in and influence the preparation of the plan. Employees must be informed about the gender equality plan and any updates to it.

117. A section regarding pay surveys was added to the Act. The pay survey is used to ensure that there are no unjustified pay differences between women and men who are working for the same employer and engaged in either the same work or work of equal value. If the analysis of different employee groups of the pay survey, which are defined on the basis of competence, duty or some other ground, reveals clear pay differences between women and men, the employer must analyse the reasons and grounds for these differences. If the workplace has established pay systems in which wages consist of pay components, the central components are inspected in order to clarify the reasons for the differences noted. If there is no justification for the pay differences, the employer must take appropriate measures to rectify the situation.

118. Regulations regarding the independent position of the Ombudsman for Equality were also strengthened, and a National Non-Discrimination and Equality Tribunal was established.

119. The main reforms in 2016 (915/2016) were the following.

120. As from 15 November 2016, regulations on the promotion of reconciliation took effect in the Equality Act. The Ombudsman for Equality may now take measures to reconcile a discrimination matter referred to in the Act.

121. In addition, the parties to the reconciliation in a discrimination matter together, or the Ombudsman for Equality with the consent of the parties, may apply for confirmation of reconciliation in a discrimination matter in the National Non-Discrimination and Equality Tribunal. The Tribunal confirms the reconciliation between the parties if the reconciliation is not contrary to law or clearly unreasonable and does not violate the right of a third party. A reconciliation confirmed by the Tribunal shall be enforced in the same manner as a final judgment.

122. In the new Government Programme there is an objective relating to pay transparency: "The elimination of unjustified pay disparities and pay discrimination will be promoted through statutory measures to improve pay transparency. Unjustified disparities in pay between women and men will be addressed more rigorously than at present. The Equality Act will be amended to incorporate rights and meaningful opportunities for staff, staff representatives and individual employees to access pay information and address pay discrimination more effectively."

123. The Equality Programme 2016–2019 of the previous Government improved equality in working life by, for example, an Equal Pay Programme and by measures reducing segregation. More resources will be necessary to reduce segregation in the future.

124. The Government has since 2004 implemented a programme promoting an equal gender representation in the boards of directors and management groups of state-owned companies and this has yielded results, even though the situation varies in individual companies. The equal gender representation in the boards of directors of large and medium-sized publicly listed companies has been assessed and the Government has set a goal to achieve an equal gender representation (women/men at least 40%) by 2020. The objective to investigate whether the programme concerning state-owned companies could be extended to the municipal sector and other publicly-controlled companies requires additional resources.

125. Ways of implementing education have been devised in order to strengthen the integration and employment of migrants, especially migrant women, and allow also persons taking care of children at home to participate in education.

126. Starting from April 2017, employers have received a separate compensation of EUR 2,500 aimed at evening out the costs of parenthood resulting from female employees' family leaves. The compensation is paid to all employers who pay salary for at least one month under an employment contract or collective agreement during a maternity allowance period.

127. The gender equality perspective was considered in the reform of the national core curricula for early childhood education and care e.g. in the definition of objectives, value basis and operating culture for early childhood education and care. The implementation of the national core curricula will be monitored. The New Comprehensive School Programme will increase equality and its development projects will support the development of equal and gender-sensitive education and training and learning materials. Support for equality planning in comprehensive schools and educational institutions will be continued. Segregation was reduced by developing student counselling and work practice programmes for pupils in the upper grades of comprehensive school such that both female- and male-dominated fields were introduced to girls and boys.

128. The obligations under the Istanbul Convention govern most of the actions related to violence against women and intimate partner violence. The national implementation of the Convention is coordinated by a Committee which started its work in spring 2017. The tasks of the Committee are stipulated by a Decree. A national action plan for the implementation of the Istanbul Convention covering years 2018 to 2021 was adopted in 2017. Services have been improved by, for example, increasing financing for shelters by 70% from 2016 to 2019. As a result, the number of places in shelters has increased by 77%. A national 24-hour helpline was launched at the end of 2016.

129. The treatment chain of victims of sexual violence has been extended to different hospital districts and a support centre for victims of sexual violence has started operating in Helsinki.

130. Further support and resources are still needed for developing services and implementing the obligations of the Istanbul Convention, including adequate shelter services.

131. For example, when applications for discretionary government transfers were assessed in the key project of promoting wellbeing and health, attention was paid to the fact whether best practices were also targeted at boys and men. Equal parenthood and the position of the father as a parent was supported by a guidebook for client work at maternity and child health clinics and by raising awareness of the topic and incorporating it into the family centre model. Male-specific professional expertise was included in the work carried out under the child and family services reform programme.

132. Mainstreaming of the gender perspective means that instead of separate projects, gender equality work is made a permanent part of preparation and decision-making. During the previous government term expertise in gender equality increased and systematic gender equality work strengthened within the Government. The number of gender-impact assessments carried out in connection with government proposals was slightly higher than during previous years. Gender-sensitive budgeting was developed and recommendations for amending the budget process were received from a separate project managed by the Ministry of Finance.

133. NGOs note that the final report on the Gender Equality Programme of the previous government term states that inclusion of the gender perspective in key projects and reforms was not realised as planned and the mainstreaming of the gender perspective is progressing variably in the ministries. Several organisations pointed out that fewer than half of the 41 programme measures achieved the set target.

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134. According to the Government Programme, the Government aims to improve equality ambitiously in different sectors of society. A broadly based Action Plan for Gender

Equality will be drawn up to coordinate measures for achieving a gender equal society in various sectors.

135. A monitoring system covering all state administrative sectors will be created for monitoring equality. A gender impact assessment will be a compulsory part of public administrative functions in all government departments.

136. The elimination of unjustified pay disparities and pay discrimination will be promoted through statutory measures to improve pay transparency. Unjustified disparities in pay between women and men will be addressed more rigorously than at present.

137. Discrimination on the grounds of pregnancy will be prevented. Legislation will be clarified to ensure that pregnancy and use of family leave may not affect the continuation of temporary employment. The prospects for improving the job security of employees returning from family leave will be studied, with the findings applied in necessary legislative and other measures. Discrimination will be prevented in recruitment. An investigation of the feasibility of anonymous job applications will be done.

138. An ambitious family leave reform supporting the wellbeing of families will be implemented together with the social partners. The aim is an equal division of family leaves and care responsibilities between both parents in families, stronger non-discrimination and equality in the world of work, and reduced pay disparities between the sexes. Families will have more opportunities for choice and flexibility in taking family leave. The Ministry of Social Affairs and Health has started preparing the family leave reform in autumn 2019.

139. The reform will be implemented in a way that treats everybody equally, including diverse families, and allows for various forms of self-employment. The reform should be implemented in a way that gives mothers and fathers an equal quota of months. Earnings-related leaves allocated to fathers will be prolonged without reducing the share currently available to mothers. Family leave must also include a freely chosen period of parental leave. An increased earnings-related component corresponding to the present share for mothers will be paid to both parents. The reform must satisfy the requirements of the Directive on the safety of pregnant workers and the Directive on work-life balance.

140. Child home care allowance will continue in its present form. The prospects for paying the benefit directly to a grandparent caring for the child will be studied.

141. The Act of Åland on child home care allowance (2015:68) includes a provision expressing that one objective of the Act is to promote equality.

142. The Government monitors discrimination in the labour market. The latest study concerning discrimination in the labour market was published in December 2014.

143. The study gives an outline of the existing research results and formal complaints data on labour discrimination on the grounds included in the Non-Discrimination Act and the Equality Act. In this study, an overall picture was formed of discrimination and unequal treatment in working life. The examined grounds of discrimination were determined based on the grounds prohibited by law, which are gender, age, ethnic or national origin, nationality, language, religion, belief, opinion, political activity, industrial activity, family ties, health, disability, sexual orientation or other personal characteristics.

144. To monitor discrimination, a model was built to enable both comprehensive description of this occurrence and following of its development in future. There are three types of data in the monitoring model. Official data describe labour discrimination reported to the authorities and what has followed from reporting on discrimination. Surveys provide information about either personally experienced or observed discrimination. Register data offer background information on the position of different population groups in the labour market.

145. The various grounds of discrimination gain emphasis in different data. The differences are also due to the divergences and limitations of the data. In official data, the practices of recording cases and data in part affect the reported figures. In surveys, data are not even collected as concerns all the grounds of discrimination prohibited by law or by using legislative terms. In surveys covering the whole population, there is only scant information on some grounds of discrimination, such as that based on ethnic or national origin, disability or sexual orientation. Health, ethnic or national origin, gender and age were, however, the most common groups in several data selected to the monitoring model.

Health is the most general ground of discrimination in official data, such as communications received by OSH authorities (44%) and discrimination suspicions of the police (20 cases). As many as 12% of the wage and salary earners who replied to the Quality of Work Life Survey 2013 had observed discrimination or unequal treatment based on health in their workplace.

146. In communications or labour discrimination suspicions received by OSH authorities, the second most common ground of discrimination was nationality or national or ethnic origin (16%). In addition, one-third of labour discrimination offences or extortion-type labour discrimination offences known to the police were connected to discrimination based on national or ethnic origin.

147. Discrimination or unequal treatment based on surveys had been observed or experienced mostly on the basis of health, age or gender. Nearly ten per cent of wage and salary earners had observed discrimination based either on young or old age in their workplace in 2013. The Quality of Work Life Survey shows that discrimination against aged people has decreased in workplaces on the longer term. However, according to the Eurobarometer, old age is often seen as an obstacle to job search. Discrimination based on gender is clearly more often directed to women than men. Six to seven per cent of wage and salary earners had noticed discrimination against women in their workplace. Only two per cent had observed discrimination against men. According to the Quality of Work Life Survey, observations of discrimination or unequal treatment directed to women in their own work organisation has declined over last 15 years. In OSH authorities' data, 13% of discrimination communications or suspicions were related to gender or family leaves.

148. During the previous government term, the child's individual entitlement to full-time early childhood education and care was restricted to half a day if either parent did not work. This restriction has been removed by legislative amendment 1395/2019 adopted in December 2019. The amendment will take effect on 1 August 2020. According to the Association of Finnish Local and Regional Authorities, several municipalities maintained the individual entitlement to full-time early childhood education and care regardless of the previous Government's policy line.

149. NGOs support a family leave reform which encourages a more equal division of family leaves. There should also be more flexibility in the working time of parents of small children. The Federation of Finnish Enterprises also considers that the reform should make women return from family leave to work more quickly.

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150. One of the key projects during the government term 2015–2019 was Youth guarantee towards community guarantee.

151. The objective of the key project was to decrease the number of young persons excluded from education and working life. It aimed at supporting young people's life management, educational pathways and employment and strengthening cooperation in supporting young people and gathering best practices for nationwide adoption. The related measures made it easier for young people to access education and employment or other activities, promoted inclusion, capabilities and life management and integrated service providers into a coherent cross-sectoral whole.

152. One particular measure was the development of guidance centres and their establishment across Finland. Guidance centres, which have been founded in nearly 100 places, are responsible for the practical implementation of youth guarantee. They are developed as low-threshold cross-sectoral service centres for persons under 30 years of age. At guidance centres the public, private and third sector together offer information, advice, guidance and other support services for employment, education, life management and wellbeing without an appointment. The centres provide services on the basis of the individual need stated by a young person, paying particular attention to responding to young people's need for psychosocial support. The competence of persons working in guidance centres has been developed systematically. Guidance centres regularly carry out self-evaluation and monitoring with regard to activities, meeting of objectives and implementation of indicators. Self-evaluation is supported nationwide. Guidance centres have been financed by funds from the European Social Fund.

153. During the previous government term, key project funding was used to support municipalities' outreach youth work, to develop Vamos Mindset coaching for young persons in difficult situations as well as to support the projects for mastering daily life launched on the basis of consultations with young people and the project of the National Agency for Education for developing flexible basic education.

154. The number of young persons' unemployment periods has decreased considerably since 2015. In 2015, the total number of new unemployment periods among persons under 25 years of age was 178,225. Out of these periods, 101,173 concerned men and 77,049 women. In 2018, the total number of young persons' new unemployment periods was 135,912. The number of men's unemployment periods has decreased by 23,000 and that of young women's by slightly over 18,000.

155. In 2015, a total of 11,139 of the unemployment periods concerned young persons of migrant origin, while in 2018 the same number was 12,490. In 2015, the monthly average number of unemployed young persons whose mother tongue was not Finnish or Swedish was 4,900. In 2018, the figure was 4,575. Even though the number of unemployment periods of young persons of migrant origin has increased, the total number of individuals who have experienced unemployment has decreased. In addition, the activation rate of young persons of migrant origin has increased quite significantly. The activation rate was 56% in 2015 and 67% in 2018. The number of new unemployment periods may be partly explained by improved activation. In 2015, the monthly average number of disabled jobseekers was 1,040, while in 2018 their monthly average number was 573. Between 2015 and 2018, the activation rate of persons with disabilities has increased from 40.8% to 43%. One of the key follow-up indicators of the implementation of youth guarantee is the number of young persons whose unemployment exceeds three months. This indicator follows the share of young persons whose unemployment continues uninterrupted for over three months. One of the key objectives of youth guarantee is to shorten young people's unemployment periods and thereby decrease unemployment.

156. In 2015, on average 37.2% of the unemployment periods of persons under 25 years of age continued for over three months. The figure started to decrease in 2017 when it was 32%. The decrease continued in 2018, when on average 31% of young person were unemployed for over three months. Also in the case of young people, unemployment is generally higher among men than women. The recession that hit the Finnish labour market has especially manifested itself in young men's longer unemployment periods. In 2015, on average 39.7% of young unemployed men were unemployed for more than three months, while the corresponding figure for women was 34%. The improvement in the labour market situation since 2017 is particularly reflected in the better situation of young men. In 2018, on average 31.6% young men were unemployed for more than three months, while the corresponding figure for women was 30.2%. Young men's unemployment periods have clearly shortened quicker than those of young women.

157. For statistics on unemployed jobseekers with Finnish background, see Table 4 in Annex.

158. For statistics on young unemployed jobseekers with foreign background, see Table 5 in Annex.

159. For statistics on persons under 25 years of age whose unemployment exceeds three months, see Table 6 in Annex.

160. Finland does not have a general register on persons with disabilities. Persons with disabilities are entered into a register only when they apply for a benefit or service on account of disability. There are no general register data on the employment situation of persons with disabilities.

161. Long sick leaves increased by 27% between 2016 and 2018. Long sick leaves usually anticipate the risk of disability pension, which is particularly high for unemployed persons. The change of the age structure would not seem to affect the current increase in sick leaves. The decade-long positive development in the number of persons who retired on disability pension started to increase at the beginning of 2018. Nearly half of the approximately 8-percent increase results from mental health reasons and centres around older age groups. On the other hand, working has strongly increased among persons receiving disability pension from the employment pension system over the past ten years.

This development is partly explained by the fact that pension is more frequently granted as a partial pension. Concurrent paid employment has become more common both among persons receiving a partial pension and persons receiving a full pension. On the last day of 2008, a total of 68.7% of persons receiving a partial pension were working, while in 2017 their share was 79.5%. In respect of persons receiving a full pension, the corresponding figures were 9.2% and 12.2%.

162. A rejected application for disability pension only seldom leads to a permanent return to working life. In this kind of situation the path often leads to unemployment, followed by disability pension or a very fragmented career. Medical and professional rehabilitation have been suggested as preventive measures so as to achieve sustainable participation in the labour market. In 2018, the number of persons in employment pension rehabilitation was nearly 18,400 and their share increased by 8% from the previous year. Over the past ten years, the number of rehabilitees has more than doubled. At the end of rehabilitation, 63% returned to work and 11% retired. Nearly 70% of persons who had applied for rehabilitation directly from working life returned to work or found employment immediately after rehabilitation. Rehabilitation of persons receiving pension also has positive effects on employment: nearly half of these persons were employed after rehabilitation.

163. Information on a person's health status may be entered into the client information system of the labour administration only to the extent required for service provision. In this case, the client's appropriately diagnosed disability or long-term illness decreases his or her opportunities for employment. The definition is based on ILO Convention No. 159. Information is not entered when a person has a disability or long-term illness which does not affect his or her opportunities for employment. This means that a significant part of persons with disabilities, for example, may be excluded from the statistics.

164. During the previous government term, a significant positive change was also seen in the employment rate of persons with a long-term illness and unemployed persons with disabilities whose illness or disability reduces their opportunities for employment. On the last day of each month in 2018, the average number of such unemployed persons registered with employment offices was 31,120, which is approximately 5,800 (19%) fewer than a year before, and between January and August 2019 the number of such jobseekers was on average 29,535.

165. The Youth Council of the Sámi Parliament has taken active measures to respond to challenges related to the employment of young Sámi in the Sámi Homeland, including by implementing various projects. In 2015, the Youth Council carried out a project called Oahppoofelaš to comprehensively investigate which fields have jobs now and in the future in the Sámi Homeland. In 2017, the Youth Council started developing Sámi-language information and advice services. Because of studies, many young Sámi have to leave their home municipality and the Sámi Homeland, in which case they cannot similarly maintain contact with their Homeland.

166. Youth organisations consider the youth guarantee and guidance centres as good ways of promoting young persons' employment and preventing exclusion. The continuity of activities should be ensured.

167. Women's organisations have pointed out that women's employment rate is considerably lower than that of men and women are more often engaged in part-time work. Differences in employment and salaries between migrant women and men are greater than among the rest of the population.

168. The Finnish Disability Forum notes that the employment rate of persons with intellectual disabilities is considerably lower than that of the rest of the population and only a small number of persons with disabilities are employed in the open labour market.

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169. The recruitment threshold of persons in the most disadvantaged position in the labour market was lowered by amendments to the Employment Contracts Act on 1 January 2017. In particular, the extension of the probation period and the possibility of a further extension if the employee is absent during the probation period due to disability responded to the employers' wishes for lowering the threshold for recruiting persons with partial work

capacity. The legislative amendment allows for concluding a fixed-term employment relationship with a long-term unemployed without a particular ground, which has increased the opportunities of persons with partial work capacity to integrate into working life. The employment of persons with partial work capacity was further enhanced in a pilot project on work capacity coordinators implemented by employment offices.

170. Pursuant to the Non-Discrimination Act, the employer has to make due and appropriate adjustments for a person with disabilities to be able, equally with others, to find work. In assessing the reasonableness of the adjustments, attention shall also be devoted, in addition to the needs of the person with disabilities, to the employer's financial position and the estimated costs of the adjustments, for example. On request, the employer shall promptly provide a written report on the grounds of its procedures to a person with disabilities, who considers that they have been discriminated against as a result of the denial of reasonable adjustments in applying for employment or public service employment. If necessary, the employer may receive assistance for making adjustments in working conditions. Usually costs are low and larger employers have no need for financial assistance. Assistance has been annually granted to 100–200 employers.

171. A Government Decree on Accessibility to Buildings (241/2017) entered into force on 1 January 2018. The purpose of the minimum requirements for accessibility to buildings is to promote equality between people, i.e. everybody's equal opportunities of participating in social activities, using services, working, choosing their residence and living at home. The Decree contains several specifications to previous accessibility provisions and is thus estimated to considerably improve accessibility to buildings and promote equality.

172. Under the present Act on Disability Services and Assistance (380/1987), persons with disabilities have the right to receive necessary personal assistance e.g. for working and studying. Legislation has not been amended in this respect in the past ten years. National statistics show that the number of persons receiving personal assistance for working is quite small as the majority of persons with disabilities are pensioners and do not participate in working life.

173. The Ministry of Social Affairs and Health intends to reform social welfare activities that support employment of persons with disabilities as well as regulation on work activities for persons with disabilities. The new Government Programme aims at improving the position of persons with partial work capacity and in need of special support. The Government will implement a working capacity programme for people with partial work capacity to ease access to employment. Pilot projects for promoting and supporting the employment of persons with disabilities will be launched as part of this programme.

174. During the past government term (2015–2019), a key project called Career opportunities for people with partial work ability was implemented. The target group of the key project included persons with partial work capacity, including persons with disabilities. The programme has helped to increase the employment rate of persons with partial work capacity, promote more positive attitudes toward their access to employment, improve their access to rehabilitation, and provide publicly accessible information concerning the means, benefits and services helping people to find employment or continue working.

175. NGOs note that persons with disabilities experience discrimination in access to the labour market, in job seeking and in workplaces. NGOs criticise the work activities provided for young persons and adults with intellectual disabilities for which no salary is paid but an incentive pay of 0 to 12 euros per day.

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176. In Finland employers are required to take care of the safety and health of their employees while at work by taking the necessary measures. The employer shall also ensure minimum terms and conditions of employment for the workers.

177. The OSH authorities monitor compliance with the occupational safety and health legislation as well as the minimum terms and conditions of employment at all workplaces. The purpose is to ensure that everyone working in Finland enjoys legal terms and conditions, working hours and pay.

178. When controlling the use of foreign labour, inspectors evaluate the fulfilment of the minimum requirements for employment relationships from various perspectives, including equality and non-discrimination. If workers are forced to work in unreasonable circumstances with no regard for occupational safety and health or in violation of human dignity, they may be considered victims of human trafficking. These victims are commonly foreign workers. There is an assistance system for victims of human trafficking in Finland. Human trafficking is an offence to be investigated by the police.

179. The fight against undeclared work is a part of the national programme to combat the grey economy. This involves networked cooperation both on the national and on the EU level. The OSH authorities also issue advice and guidelines concerning occupational safety and health and the terms and conditions of employment relationships to both employees and employers. There is a national telephone service, which was contacted almost 500 times in 2018 in matters related to discrimination in the workplace. If the information provided by a client gives cause to suspect that the employer has acted in violation of the legislation, the inspector will initiate enforcement measures.

180. Discrimination was monitored in connection with inspections concerning foreign employees' right to work. The inspections resulted in the imposing of nearly 60 obligations due to breaches of the prohibition of discrimination in the workplace based on origin, language or nationality.

181. The OSH authority has a statutory obligation to report to the police if there is a probable cause for suspicion of employment discrimination on the basis of supervision. During 2018, the OSH authority made 21 notifications of allegations of employment discrimination. In five cases, the grounds for discrimination were based on the origin, nationality and/or language.

182. The Finnish League for Human Rights notes that the position of foreign berry pickers is poor from the labour law perspective. The central organisations of wage earners state that berry pickers are not in an employment relationship in Finland and the Seasonal Workers Act does not apply to them. The Ministry of Economic Affairs and Employment as well as the Ministry for Foreign Affairs have signed a letter of intent with several companies in the berry industry. Its objective is to improve and harmonise approaches.

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183. The duties of OSH authorities include preventing occupational accidents and occupational diseases and reducing the adverse physical and mental health impacts of work on employees. The OSH authorities must, by law, be notified of certain types of dangerous work, of diagnosed occupational diseases and of serious occupational accidents.

184. An employee is entitled to at least statutory occupational health care. Irrespective of the number of employees, quality of the work performed and employment contract or working hours, the employer must arrange occupational health care for all of its employees. The employer must take a statutory accident insurance for their employees from an accident insurance company of their choice. The accident insurance compensates expenses and loss of income caused by an accident and occupational diseases. The OSH authorities monitor these obligations and also investigate severe occupational accidents and diseases.

185. The OSH authorities monitor compliance with more than 100 regulations. There are approximately 400 person-years within the OSH authorities. OSH enforcement is mainly carried out by workplace inspections. In 2018, over 26,000 inspections were carried out.

186. The OSH authorities act independently in their enforcement duties. Funds for the OSH authorities are allocated annually in the central government budget. The objectives of the OSH authorities are agreed on in four-year performance agreements.

187. According to the central organisations of wage earners, the coverage of occupational health care services is approximately 90%, but there are coverage gaps especially in small municipalities. The resources of OSH authorities have decreased in recent years, which can be seen in the number of inspections. The Federation of Finnish Enterprises notes that many employers provide their employees with health care services that are more extensive than the occupational health care required by the law.

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188. The Child Welfare Act provides an equal basis for child welfare work and all children are protected on the same grounds regardless of their background. In the provision of child welfare services, consideration is primarily given to the best interests of the child and support is offered to everybody according to their need. An amendment to the Child Welfare Act came into force on 1 January 2020. The amendment strengthens the right of children placed outside the home to good treatment, care and education. The focus of the amendments is on preventive measures, which are intended to prevent the emergence of challenging situations and reduce the use of restrictive measures. The implementation of the Act was supported by training sessions organised in autumn 2019. The Act also enhanced supervision. Regional State Administrative Agencies have been given additional resources and they are obligated to hear children in alternative care during inspection visits. The resources of the Ministry of Social Affairs and Health and the Institute for Health and Welfare for steering child welfare were strengthened during 2019. In autumn 2019, quality criteria for alternative care were published as part of a quality recommendation for child welfare. The Institute for Health and Welfare has launched a project called Ask and Listen for 2019 to 2021 in order to improve the consultation and inclusion of children in alternative care. In addition, an electronic register on alternative care will be developed with the help of the Institute for Health and Welfare.

189. It is the duty of the Chancellor of Justice to supervise the actions of authorities and other bodies assigned to perform public tasks and oversee the realisation of fundamental and human rights. In performing the supervisory duty, the Chancellor of Justice may, for example, investigate and bring up structural issues related to administration and service systems. For this purpose, the Deputy Chancellor of Justice performed inspection visits between 2018 and 2019 which were targeted at municipal child welfare services, regional state administrative agencies steering and supervising municipalities in child welfare issues and at the National Supervisory Authority for Welfare and Health.

190. The information obtained during inspection visits revealed structural problems in the child welfare system. One of the problems was the limited resources of Regional State Administrative Agencies that steer and supervise alternative care placements in child welfare and municipal child welfare services. The same issue had already been brought up at the Office of the Chancellor of Justice between 2013 and 2015. The Ministry of Social Affairs and Health and the Ministry of Finance, which govern the Regional State Administrative Agencies, were notified of the issue of securing the resources of Regional State Administrative Agencies with a supervisory duty by a decision made by the Chancellor of Justice in 2015 (OKV/4/50/2013). Following the inspection visits during 2018 and 2019, the Deputy Chancellor of Justice initiated an investigation of the situation of one Regional State Administrative Agency because of a backlog of complaints concerning child welfare (OKV/8/50/2018). During the processing of the complaint, an additional allocation was included in state budget 2019 for Regional State Administrative Agencies, which enabled the agencies to increase the number of personnel responsible for steering and supervising child welfare.

191. Child- and family-specific child welfare under the Child Welfare Act shall be available in every municipality. Measures under the Child Welfare Act must also be provided for asylum-seeking children. Pursuant to the Child Welfare Act, institutional care may be arranged as substitute care if substitute care for the child cannot be provided in the best interests of the child in family care or elsewhere by means of sufficient supportive measures. The use of family care has increased in recent years but not in the same proportion as the number of children placed in care. One explaining factor is the fact that the increase in placements has focused on children of 13 years of age and older whose placement in family care may not be appropriate or for whom foster families cannot be found.

192. The Ombudsman for Children notes that there are no child-friendly procedures available for children when they use legal remedies. Long processing times of complaints and appeals also constitute a problem.

193. The Deputy Parliamentary Ombudsman and the Chancellor of Justice have drawn attention to the insufficient personnel resources for supervising alternative care in child welfare at Regional State Administrative Agencies. The number of personnel for

supervising child welfare was slightly increased in 2019 at the agencies but the supervision resources are still too small. The fact that the mandate of the authorities overseeing legality does not cover assigned family care is a significant shortcoming.

194. The Ministry of Social Affairs and Health appointed a working group on 14 March 2019 to reform and develop alternative care in child welfare. The working group will be working until 30 June 2020.

195. Supportive measures of non-institutional child welfare have priority over taking into care and alternative care when they are in the best interests of a child. Supportive measures of non-institutional child welfare must, however, be appropriate, feasible and adequate for implementing care in the best interests of the child; if supportive measures of non-institutional child welfare are not appropriate, feasible or adequate for the child, the child must be taken into care.

196. In addition, in urgent situations where a child is in immediate danger, a child can be placed urgently, and when the preconditions for taking into care are satisfied, he or she may be taken into care and placed in alternative care in family care or institutional care. Pursuant to the Child Welfare Act, the child's cultural, linguistic and ethnic background shall be taken into account in the selection of alternative care placement.

197. Urgent social welfare measures may be implemented for asylum-seeking children with no municipality of residence in Finland, if necessary. In this case, urgent placement and other urgent supportive measures, such as financial support, may be considered.

198. Unaccompanied minors who have been issued residence permits are offered accommodation in housing units or group family homes. These children are not automatically placed in alternative care in Finland but measures will be first taken under the Act on the Promotion of Immigrant Integration (1386/2010).

199. The municipality that has placed a child in care, the municipality where the placement is located and the Regional State Administrative Agency are responsible for the supervision of children placed in alternative care in child welfare. A social worker responsible for the child's affairs must supervise that the child's alternative care is in his or her best interests and the child receives the necessary services. In addition, the Office of the Parliamentary Ombudsman conducts supervision and inspection visits in alternative care units.

200. Provision of child welfare services in the Sámi language is challenging for municipalities due to the lack of Sámi-speaking social workers. The situation of non-institutional child welfare services is slightly better since municipalities have managed to recruit Sámi-speaking family workers, for example. Sámi-language alternative care placements, either families or child welfare units, are not available. On the other hand, according to the statistics of the Institute for Health and Welfare, there is no great need for alternative care in the Sámi areas: the number of children in alternative care is fewer than 10 and their mother tongue may also be other than Sámi.

201. Persons who have experienced domestic or intimate partner violence or its threat can receive shelter services in the Sámi language in the Lapland Mother and Child Home and Shelter. Accessibility is a problem because of long distances. The distance to the closest shelter is even 400 km from the furthest Sámi-speaking municipalities.

202. NGOs note that the personnel resources of child welfare services are inadequate and the supervision of alternative care is deficient. The right of asylum-seeking children to child welfare services is not realised adequately.

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203. The general system within which support is provided is described in paragraphs 37–40. In addition, it is possible to receive child- and family-specific child welfare primarily as non-institutional supportive measures. Municipalities may, within their general competence and other statutory duties, implement measures aimed at supporting children, young persons and families with children.

204. The relative poverty of families with children has increased in Finland since the 1990s. The poverty of families with children is associated with the parents' difficulties in

life management, morbidity, low education level and unemployment. On the other hand, in Finland more than half of poor families with children have a guardian who is employed. In 2016, the income transfers received by families with children were in real terms at the same level as in 2000. During the same period, the costs of services used by families with children grew in real terms by 72%. The Ombudsman for Children broadly addressed the poverty problem in its annual report 2018 and proposed several policy measures for reducing child poverty.

205. During the government term 2015–2019, the minimum level of daily sickness allowance was increased. However, in reality the level of basic social security decreased in relation to living costs because the basic social security was subjected to full index cuts and freezes. At the same time, the basic amounts of social assistance have been increased by means of separate legislative projects to make them correspond to the increasing living costs. In 2016, the basic amounts were increased regardless of a negative index development. The level of last-resort assistance has thus significantly approached the level of basic social security.

206. The student financial aid system has been developed such that students are now entitled to general housing allowance and the level of study grant has been harmonised on different education levels. In addition, young persons from low-income families may receive a new supplementary allowance for the purchase of study materials. This allowance reduces the need for applying for supplementary social assistance from municipalities.

207. The previous Government enabled access to rehabilitation without a medical diagnosis for young persons under 29 years of age on the basis of a functional capacity assessment. The amendment also entitles a larger number of people to receive rehabilitation benefits, which particularly improves the financial position of young persons with low functional capacity and may also reduce the number of persons without any income, particularly the number of those under 25 years of age.

208. One of the objectives of the new Government Programme is to reduce poverty and inequalities. The Government aims at, for example, reforming social and health services. One way is to improve the availability of basic-level services. The Government has launched a development programme of social and health centres, including development of social welfare and adult social work. The reform will investigate the situations of young persons who have received social assistance for a long period without primary allowances, develop outreach work and address issues of reaching clients.

209. Another objective of the Government Programme is to promote a child- and family-friendly society and improve services for families with children and secure their income. The level of basic social security benefits, and the single-parent supplement to child allowance, for example, have been increased starting from 1 January 2020.

210. The Government will also launch an overall reform of social security. Reasons for the reform include the low level of basic social security and the system's complexity, which have increased the role of social assistance. The reform will be prepared in a parliamentary committee during two government terms. The Social Assistance Act will also be amended by developing cooperation between the Social Insurance Institution and the municipalities.

211. NGOs note that cuts to the basic social security benefits have weakened the position of those relying on benefits, in particular, and made more people dependent on social assistance.

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212. Finland has implemented programmes targeted at reducing and preventing homelessness between 2008 and 2019. During the programmes, long-term homelessness has decreased by nearly 50%, and the decrease in the number of homeless persons has continued over a few successive years. In the context of the programmes, agreements have been made with cities on the number of apartments to be assigned to homeless persons. Between 2008 and 2018, over 7,000 apartments were assigned to homeless persons. Finland's strategy on homelessness has since 2008 been based on the 'apartment first' principle: a permanent residence is arranged for a homeless person as well as necessary

support services. Hostels have thus been replaced with supported rental housing. There are only a few emergency shelters left across the country.

213. Social rehabilitation is a wide-range social welfare service. Homelessness is one but not the only ground for social rehabilitation. Social rehabilitation is carried out to strengthen social capacity, prevent exclusion and promote inclusion by, for example, assessing the social capacity and rehabilitation needs, giving rehabilitation advice and counselling, coaching in coping with daily functions and for life management as well as by group activities and support for social interaction.

214. Finland's service structure does not include actual social rehabilitation centres but the necessary services are provided for the client in accordance with how a municipality has organised the statutory services, such as social rehabilitation or housing services, and what their actual availability is.

215. During the government term 2015–2019, the Social Welfare Act was amended such that the Social Insurance Institution of Finland will reimburse municipalities or joint municipal authorities in full for costs of emergency accommodation of persons who have received a negative asylum decision.

216. The Association of Finnish Local and Regional Authorities notes that the threat of homelessness has slightly increased following the problems resulting from the transfer of the administrative responsibility for social assistance scheme to the Social Insurance Institution. The costs of preventive social assistance granted for rental debts have increased after the transfer.

217. NGOs draw attention to the homelessness of women and persons who have received a negative asylum decision. The relative share of women among homeless persons has increased in recent years. Legislative amendments carried out in 2015 have led to a situation where more and more persons who have received a negative asylum decision stay in Finland without a legal right to residence. This has increased the need for emergency accommodation.

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218. The service system for the elderly has been strongly developed in recent years. The purpose is to improve the access of older persons to social and health care services of a high quality as well as guidance in using other services that are available to them in accordance with their individual needs and in good time when their impaired functional capacity so requires.

219. The Act on Supporting the Functional Capacity of the Older Population and on Social and Health Care Services for Older Persons (980/2012, the Act on Services for Older Persons) entered into force on 1 July 2013. The purpose of the Act is to particularly ensure timely access to services and adequate and necessary services. Services are based on service needs, and their investigation, evaluation and granting are governed by the Act.

220. Feedback received in 2019 brought up the reduced quality of round-the-clock care. The supervisory authorities consider that the main underlying reasons for shortcomings are inadequate personnel resources and competency gaps. To address these shortcomings, the Government has launched a reform of the Act on Services for Older Persons and intends to introduce a staffing provision into the Act during spring 2020. Other amendments will also be made to the Act to guarantee the right of older persons to necessary services.

221. The rights of older persons are laid down in different acts, including the Constitution of Finland, and in several special acts concerning services. The education of social welfare and health care personnel includes studies in key legislation. The legislation and guidance concerning older persons are addressed in depth in qualifications focusing on services for older persons. These include the practical nurse education for work with the elderly and the University of Applied Sciences qualification in gerontology.

222. Training will be organised on amendments to legislation or on instructions for their application and professionals will be informed of these.

223. A Government key project was carried out between 2016 to 2019 to reform home care services and services provided by informal and family caregivers in order to improve

their equality and coordination. The reform created models for integrating services for the elderly into regional service entities.

224. The Institute for Health and Welfare produces every other year a survey of the situation of the services for older persons which, for example, supports municipalities in the development of services for the aged by providing information from the management perspective.

225. The Office of the Parliamentary Ombudsman has received an allocation for monitoring and promoting the rights of the elderly. In addition, according to the Government Programme, an Ombudsman for Older Persons and an Office of the Ombudsman for Older Persons will be established.

226. The Regional State Administrative Agency of Lapland annually allocates a discretionary government transfer of EUR 480,000 under a decision by the Institute for Health and Welfare to the Sámi Parliament for ensuring social and health services in the Sámi language. The discretionary government transfer is particularly intended to respond to the needs of older population but also to the needs of patients in psychiatric rehabilitation, persons with disabilities and families with children. The discretionary government transfer has been used according to its purpose to cover the costs of social and health services provided in all Sámi languages.

227. The discretionary government transfer has promoted the realisation of linguistic and cultural fundamental rights of the Sámi as an indigenous people in the Sámi Homeland. It has been possible to accommodate the cultural special needs of Sámi clients in the manner of providing the services under the appropriation and in their contents.

228. An Act of Åland on elderly people has been enacted in September 2019. The Act provides, among other things, that social welfare services and health and medical services must be provided to elderly people to a sufficient extent and that their self-determination must be ensured and strengthened in an active manner. The Act includes a guarantee of social services and a duty to notify the competent authorities of elderly people who are obviously unable to take care of themselves and who need social welfare or health care services.

229. NGOs point out that the conditions and availability of support for informal care vary between municipalities. The number of places in service housing is inadequate or the housing costs are too high.

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230. The Government has started preparations for restructuring health and social services, taking into account the work done during previous electoral terms and making sure that constitutional requirements are met. The main objectives of the reform are to reduce inequalities in health and wellbeing and to improve the quality and availability of health and social services. At the same time, it is possible to curb the growth in the costs.

231. The basic principles of the reform are the following:

- There will be 18 autonomous counties, which will receive most of their funding from the central Government. Separate legislation will be enacted on the functioning, finances and governance of the counties. Decision-making power in the regions will rest with directly elected councillors;
- Counties will carry out some of their tasks in cooperation with other counties. Five collaboration areas for specialised services will be created. They will be based on the existing catchment areas for highly specialised healthcare;
- The public sector will be the primary service provider in the counties, with the private and third sector serving as supplementary service providers. Third-sector organisations will be given a stronger role in the promotion of health and wellbeing;
- The reform will take into account regional characteristics where possible. The Government conducted a study in 2019 on special arrangements for Uusimaa, the greater Helsinki region or Helsinki, in cooperation with the cities and municipalities located in the area;

- There will be stronger Government steering which aims to improve the quality and cost-effectiveness of the system as well as equal access to social and healthcare services. The basis of steering is a well-functioning information and data-management system. The Ministry of Social Affairs and Health and the counties will monitor the development of social and health care needs and services together;
- One of the corner stones of the reform is a better service integration. Full service integration in terms of healthcare and social services and basic level and specialised services will ensure that services are not fragmented. The seamless cooperation between different professionals will improve the quality of services;
- In order to secure equal access to services and to reinforce service users' right to self-determination, service vouchers and personal budgets will be developed. In addition, new digital and remote services will be developed in order to increase the supply of home-delivered services and to make services more readily accessible.

232. As a part of the reform, the Ministry of Social Affairs and Health is planning a programme to develop the future social and healthcare centres. The aims of the programme are to strengthen the services in the basic level, to improve service integration and to strengthen people's trust in public healthcare and social welfare services. With the development of social and health care centres, the focus of healthcare services will be shifted from specialised care to primary healthcare. The availability of services will be improved by shortening the maximum waiting time for non-emergency primary health care so that access must be arranged within 7 days.

233. The restructuring of social and health care system will be carried out in stages. The autonomous regions will enable a gradual transition to multi-sectoral counties. This will be prepared in a parliamentary process by the end of 2020. A study will examine which duties of municipalities, joint municipal authorities and the state will be transferred to counties. The Government will prepare the necessary legislation once the parliamentary work has been completed.

234. As part of the reform programme of child and family services, the Central Finland Centre of Excellence in the Social Sector carried out a survey on the need for developing services for Roma children and families in 2017. The survey collected existing information on the current situation of services for Roma children, young persons and families and identified strengths as well as special challenges and areas of development in the services for the Roma population. One of the survey results was that employees in social welfare and health care and in education need Roma-related awareness, information and skills in support of their expertise.

235. In 2018, the Central Finland Centre of Excellence in the Social Sector carried out a study commissioned by the Ministry of Social Affairs and Health which focused on Roma-related development, research and education activities in social welfare and health care. The project identified, for example, bodies responsible for Roma-related research and development activities in social welfare and health and sought to establish the activities by bringing them within the scope of regulation governing the national development of social and health sector.

236. An adult asylum seeker is entitled to receive urgent and necessary health care. Maternity health clinic services are included in necessary health care. A minor asylum seeker is entitled to the same social welfare and health care services as municipal residents. The Ministry of Social Affairs and Health has instructed municipalities about the right of asylum seekers to health services in letters sent to municipalities on 9 February 2016 and 23 August 2017. Refugees have the right to receive the same social and health services as municipal residents. According to the Government Programme, all undocumented migrants will be secured necessary care and treatment.

237. The Åland Health and Medical Care organisation has employed a project worker responsible for integration issues under the AMIF Project Safe Haven. The project aims to improve skills and services in health care to better take into account the special needs of quota refugees. The central organisations of wage earners note that the right of undocumented persons to non-urgent health care services varies between municipalities. In a few cities, Global Clinics, which are run by volunteers, provide limited services free of charge to undocumented persons.

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238. The sexual-health related contents of health education included in school curricula reach all children and young people in Finland. The purpose of health education is to disseminate comprehensive information to everybody regardless of the background of children's families.

239. School and student health care comprises the promotion of sexual health. Student health care also covers a wide range of services promoting sexual health. Legislation ensures that these services are available to all pupils and students.

240. Municipalities must also provide their residents with family planning advice and other services that advocate better sexual and reproductive health. These family planning services are available at health care centres, i.e. accessible to everybody. However, there are significant differences in the scope of services between municipalities.

241. In the province of Åland school health care, mother and child health care, family planning advice for persons under 25 years of age and cervical cancer screening are free of charge.

242. Maternity health clinic services are available to everybody and used by 99.4% of pregnant women.

243. The current Government Programme (2019–2023) includes an experiment on free contraceptives to everyone under the age of 25. Regional differences in the number of abortions are significant in Finland and abortions are more common in less educated population groups. Provision of free contraceptives to persons under the age of 25 will even out nationwide differences in health and wellbeing.

244. Persons with disabilities have the right to decide on matters concerning their own sexuality. They need equal and qualified sexual education and sexual health services in support of their decision-making. The National Action Plan on Sexual and Reproductive Health (2014–2020) pays particular attention to the sexual education of persons with disabilities suitable for their age as well as to equal access to sexual health services. As persons with disabilities may be exposed to actions violating their sexual self-determination, essential areas of sexual education include training on sexual self-determination and safety skills in order to prevent sexual violence. According to the Action Plan, municipalities and joint municipal authorities must ensure, for example, that sexual advice services and materials are available to municipal residents, e.g. in braille, recordings or in clear language.

245. When the service needs of persons with disabilities are investigated, any need for additional services and supportive measures resulting from the disability is taken into account and information is actively provided on available services and supportive measures. Municipalities do not have special services for persons with disabilities in issues related to reproductive health. There are no special services for women and girls of disadvantaged and marginalised groups but they are referred to standard services. Most larger cities have started distributing contraceptives free of charge to all young persons.

246. NGOs note that women with disabilities do not receive enough information on sexual and reproductive health and draw attention to the need for sexual and reproductive health services for undocumented women.

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247. The Ministry of Education and Culture has strengthened equality in education since 2009 by granting financing to education providers for decreasing class sizes. The grants can be used by the education providers in different ways. The grant has been given to schools in areas with high unemployment rates, low educational levels and high rate of persons with another mother tongue than Finnish or Swedish. The aim is to provide all pupils and students the same opportunities to succeed in their studies regardless of their background and starting point. In 2019, the grant was extended also to early childhood education and care in socio-economically challenging areas.

248. The objective of flexible basic education (JOPO) is that the participants receive a school-leaving certificate and apply for further education. In pupil affairs, cooperation has

been intensified with working life and, for example, youth work, school health care, and guidance counsellors.

249. Flexible basic education is organised in groups of 8 to 12 pupils and is primarily intended for pupils on the 9th grade. Tuition follows the curriculum for basic education. An individual learning plan will be drafted for each pupil and, if necessary, an individual instruction plan. A flexible basic education class is not a special class and tuition is not special needs education, but flexible basic education is a form of mainstream education aimed at preventing dropping out from school and promoting performance at school according to the pupil's abilities.

250. The Basic Education Act (628/1998) obligates every local authority to arrange basic education for children of compulsory school age residing in its area and pre-primary education during the year preceding compulsory schooling. This also applies to asylum seekers. Instead, provision of early childhood education and care is not a statutory obligation.

251. The results of the School Health Survey conducted by the Institute for Health and Welfare show that sexual and gender minorities, pupils of migrant origin, children with disabilities and children in alterative care are faring worse at school than pupils on average. They also experience more repeated bullying at school and physical violence as well as discriminatory bullying. According to the survey, they consider that pupil welfare services are more difficult to access as compared to pupils on average. Also Roma children still experience discriminatory attitudes at school.

252. In principle, basic education will be organised in the child's municipality of residence close to his or her living environment. In Finland education is carried out on the basis of a binding national core curriculum. Education provision is also governed by several plans which prevent bullying and discrimination and promote learning and equality.

253. No differences have been observed in the participation in pre-primary or basic education between children of Finnish and Sámi origin.

254. NGOs point out that there are differences between municipalities in the education provision for children with disabilities.

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255. In May 2018, the Ministry of Education and Culture granted funding to the municipality of Utsjoki for a Sámi languages distance teaching project until the end of 2020. With distance teaching, students are able to study Inari Sámi, Skolt Sámi and North Sámi regardless of where they live.

256. Distance teaching is being developed to ensure the teaching of Sámi languages, especially outside the Sámi Homeland. Distance teaching of Sámi languages is provided in municipalities that lack the conditions to arrange face-to-face teaching. Remote connections are also utilised in the early childhood education and care provided in the Sámi languages, as applicable. The objective of the project is to create practices that would establish the teaching of Sámi languages as a permanent activity throughout the country. In the 2018–2019 academic year, 52 students in comprehensive school education studied 2 weekly hours of Sámi languages as subjects complementary to comprehensive school education, and the number of students will increase in the 2019–2020 academic year. Seven new education providers will participate in the project.

257. At the moment, the main problem of Sámi-language instruction is the inadequacy of teachers. A project called Agile University provides studies required for teacher qualification for persons who teach or want to teach the Sámi languages or in the Sámi languages in the future. The project provides basic and intermediate studies in the Inari, Skolt and North Sámi languages, basic studies in literature, and pedagogical studies for teachers. This joint project of the Giellagas Institute and the Faculty of Education at the University of Oulu cooperates with the Sámi Education Institute, the Office on Education and Instruction Material in the Sámi Parliament and municipalities in the Sámi Homeland.

258. The Regional State Administrative Agency of Lapland has given in-service training to teachers in the region in accommodating diversity and promoting mutual respect between

cultures at educational establishments. The University of Lapland has also taken the Sámi culture into account in the basic and in-service training of teachers.

259. The Sámi Parliament is responsible for designing, producing and distributing Sámi-language learning material in Finland. The Sámi Parliament receives an annual allocation of EUR 500,000 for this work. The allocation is used for producing material in all three Sámi languages for all education levels and both for mother-tongue speakers and for pupils reviving their language skills as well as for pupils learning Sámi as a foreign language.

260. The Sámi Parliament notes that the resources are inadequate. The Sámi Parliament considers that the revival work is progressing too slowly, considering the endangered situation of Sámi languages.

261. According to a report produced by the Finnish Education Evaluation Centre in 2016, Sámi languages, especially Inari Sámi and Skolt Sámi, are endangered. This is indicated by the small number of pupils. After this the situation has slightly improved, at least in respect of Inari Sámi as there are now more Inari Sámi-speaking pupils participating in education funded by the Finnish National Agency for Education than in the 2015–2016 academic year.

262. A discretionary government transfer of EUR 240,000 was allocated in 2018 and 2019 to implementing Sámi-language early childhood education and care in the Sámi Homeland. The amount of funding is larger than during the previous years. The Sámi Parliament divides the amount between the municipalities in the Sámi Homeland to ensure Sámi-language early childhood education and care.

263. In addition, the Ministry of Education and Culture grants separate funding for language nest activities to the Sámi Parliament, which distributes it further directly to municipalities. Language nests revive and support language learning mainly among children in families which have lost their language. At the moment, there are language nests operating in Sodankylä, Rovaniemi, Helsinki and Inari.

264. The Ministry of Education and Culture appointed a working group for developing the teaching of and in Sámi languages on 6 February 2020. The working group is tasked to examine the situation of Sámi-language early childhood education and care, Sámi-language cultural and language nest activities, and Sámi instruction and education as well as to make necessary proposals. The working group should make proposals for, for example, developing the teaching of and in Sámi languages, education, early childhood education and care and Sámi cultural and language nest activities and for improving their availability as well as for the availability of teaching and early childhood education and care personnel. In addition, it should make proposals for the availability of Sámi-language learning material, for raising awareness of the Sámi languages as well as of Sámi history and culture and for strengthening Nordic education cooperation in Sámi instruction. The working group will also make proposals on the training needs of Sámi-speaking social and health care personnel. The term of the working group will run until the end of 2020.

265. The Regional State Administrative Agency of Lapland has between 2017 and 2019 annually granted a discretionary government transfer of approximately EUR 2.3 million to the provision of teaching of and in the Sámi language in the Sámi Homeland. The volume of teaching provided and the number of instruction hours have slightly increased as compared to previous years. During spring term 2019, there were a total of 568 pupils studying in the Sámi language or studying Sámi as an optional subject.

266. The lack of qualified Sámi-speaking personnel is also a challenge in Sámi-language early childhood education and care. The Faculty of Education at the University of Oulu has organised kindergarten teacher training accommodating the special needs associated with the Sámi language and culture together with the Sámi Education Institute. The Sámi Parliament, the Giellagas Institute at the University of Oulu and the Sámi University College participated in organising the training. The training started in December 2016 and finished in May 2019. Around 10 kindergarten teachers graduated from the training programme, which improved the situation.

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267. Under section 17 of the Constitution of Finland, the national languages are Finnish and Swedish. In December 2012 the Government adopted a resolution on a Strategy for the

National Languages of Finland. This was the first Government language strategy which expressed the Government's wish to preserve two vital national languages, Finnish and Swedish, far into the future and collected necessary concrete measures for achieving this objective.

268. In November 2015, a national languages network was appointed and tasked to draft an Action Plan for the Strategy for the National Languages of Finland to implement long-term measures. The measures sought, for example, to improve awareness of linguistic rights and the related obligations among the authorities, improve consideration of linguistic rights in legislative drafting and promote the availability of services in Swedish as well as the consideration of linguistic rights in the provision of services. A final report on the Action Plan for the Strategy for the National Languages of Finland was published in May 2019, including brief descriptions by the responsible ministries of how objectives and measures have been implemented.

269. According to the new Government Programme, a revised Strategy for the National Languages will be drawn up to ensure that everyone has the right to receive services in the national languages and to improve the language climate. Furthermore, the Government will draw up a language policy programme that takes account of the other languages spoken in Finland, especially the Sámi languages, the Romani language, the Karelian language and sign languages.

270. The Government submits once during a government term a report to Parliament on the application of language legislation, which discusses the realisation of linguistic rights, the language relations in the country, as well as the development of Finnish and Swedish. The report deals not only with Finnish and Swedish but also with at least Sámi, Romani and sign language. The Government report of 2017 discussed, for example, the prevailing linguistic conditions in Finland, linguistic climate and realisation of linguistic rights in social welfare and health care and made key observations on each topic, highlighting development proposals and key challenges. Efforts have also been made to put the observations into practice in different administrative branches.

271. In October 2018, the Ministry of Justice also published a monitoring system for follow-up indicators of linguistic rights. The indicators are applied to Finnish, Swedish and Sámi speakers, sign language users and, as appropriate, to other language groups. The indicators will be used for monitoring linguistic rights and the national language policy and as a tool in language policy decision-making by different actors. The Ministry of Justice will publish on its website an electronic platform with updated information on the follow-up indicators of linguistic rights in respect of different language groups.

272. The Ministry of Justice has also published brochures and YouTube videos on linguistic rights and tried to increase the authorities' awareness of linguistic rights.

273. According to section 17, subsection 3 of the Constitution of Finland, the rights of persons using sign language and of persons in need of interpretation or translation aid owing to disability shall be guaranteed by an Act. A Sign Language Act (359/2015) entered into force in 2015, imposing an obligation on the authorities to promote the opportunities of sign language users to use their own language and receive information in their own language. The Sign Language Act also seeks to build the authorities' awareness of the sign languages and sign language users as a linguistic and cultural group. Further provisions concerning e.g. sign language users' right to interpretation services can still be found in different special acts.

274. Since 2015, the Ministry of Justice has appointed for a certain fixed period a sign language cooperation group tasked to handle topical issues related to sign language within the Government, ensure smooth flow of information between key actors and increase awareness of the Sign Language Act among different actors and monitor its implementation. The term of the previous cooperation group expired at the end of 2018 and a new group was appointed in May until the end of 2020. In addition to key ministries, key organisations and the Association of Finnish Local and Regional Authorities are represented in the cooperation group.

275. A broad-based advisory board on sign language affairs will be appointed during the present government term to assess the implementation of the Sign Language Act and the realisation of the fundamental rights and non-discrimination of sign language users. In

addition, the Government will investigate the need to amend the legislation on early childhood education and care and on basic education to make them compatible with the Sign Language Act and the UN Convention on the Rights of Persons with Disabilities and continue the programme to revive the Finnish-Swedish sign language. The Government Programme further states that the Government will launch a reconciliation process concerning the violations of the rights of the deaf.

276. Pursuant to the Government Programme, the Government will respect and promote the realisation of the linguistic and cultural rights of all Sámi people and Sámi groups in a way that takes the relevant international conventions into account. As part of this work, the Government will examine the possible ratification of the ILO Convention No. 169 and continue the work to reform the Act on the Sámi Parliament. The Act on the Sámi Parliament is already outdated in some respects. The reform work needs to consider the developments in international law.

277. Prime Minister Juha Sipilä's Government (2015–2019) decided, in cooperation with the Sámi Parliament, to launch a reconciliation process. The Government, the Sámi Parliament and the Skolt Councils of Nellim-Keväjärvi and Näättämö areas have approved a proposal for a Truth and Reconciliation Commission. The Commission will be appointed in spring 2020. The Government Programme also states that the support given to Sámi language nest activities will be reinforced to meet their increased needs.

278. The Regional State Administrative Agency of Lapland annually allocates a discretionary government transfer to recreational activities of Sámi-speaking children and young people. In addition to language, these projects pay attention to cultural characteristics, educational views of the Sámi and to the significance of traditional livelihoods to the growth and identity of young persons. At the moment, for example, there are two ongoing projects: a project on Sámi-language recreational activities and a project on Sámi-language digital youth work.

279. The Reindeer Husbandry Act lays down provisions on actions related to the special protection of Sámi reindeer herding. The provisions on reindeer grazing are less strict in the Sámi Homeland. The fencing obligation under the Reindeer Husbandry Act or the prohibition to allow reindeer to trespass on gardens, yards of permanent residences, or other areas that have been put to use for a special purpose do not apply in the Sámi Homeland.

280. In addition to the general obligation of authorities to negotiate in Sámi affairs, the Reindeer Husbandry Act provides that when planning measures concerning state land that will have a substantial effect on the practice of reindeer herding, the state authorities must consult the representatives of the reindeer herding co-operative in question.

281. The Act on Structural Support for Reindeer Economy and Natural Sources of Livelihood (986/2011) includes an obligation to pay particular attention to the opportunities of the Sámi as an indigenous people to maintain and develop livelihoods that are part of their culture in the Sámi Homeland. The Skolt Act (253/1995) lays down provisions on the promotion of Skolt Sámi culture and livelihoods.

282. According to the Sámi Parliament, there are still challenges in the realisation of the linguistic rights of the Sámi. Hate speech against the Sámi and the Sámi Parliament has recently increased, especially in the social media, which influences the willingness of the Sámi to express their identity. Despite several efforts by the Sámi Parliament, Sámi reindeer husbandry has not been adequately recognised in the Finnish legislation.

283. The Sámi Parliament regards the reconciliation process (see para 277) as a positive development. The Youth Council of the Sámi Parliament has tried to address bullying and discrimination experienced by young Sámi and to eliminate stereotypes by, for example, increasing awareness in Finnish society.

284. The Evangelical Lutheran Church of Finland and the Orthodox Church have translated literature into Sámi languages and organised activities in the Sámi and Romani languages, for example. The Orthodox Church provides an opportunity of completing basic studies in Skolt Sámi.

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285. Finland has actively advocated open science and research. Projects managed by the Ministry of Education and Culture have created a basis for multi-actor and multi-disciplinary cooperation in open science.

286. An external evaluation carried out on the impact of the Open Science and Research Initiative (ATT) concludes that the project was nationally and internationally a dynamic, multi-actor and multi-level facilitator of the transformation towards open science and research. The impact was examined from the perspectives of interest stimulation, strategy development and daily practices. The evaluation concludes that the ATT Initiative applied a comprehensive, inclusive and practical approach to project work. According to the evaluation, Finland is seen as a forerunner in open science and research. International target groups have suggested that the ATT Initiative should be conceptualised and exported to Europe and globally to carry out national-level transformations.

287. Following the ATT Initiative, the scholarly community has continued to promote open science. In 2017, the Finnish Universities' Council of Rectors UNIFI implemented an Open Science and Data Action Plan serving the whole scholarly community. The national promotion of open science from the starting point of the scholarly community was coordinated by the Federation of Finnish Learned Societies.

288. The operating methods and standards used are compatible with those used internationally. Finland generally applies 'FAIR principles' which have been developed to specify the concept of transparency in terms of research and the metadata in particular; in other words, the citing of data. FAIR is an acronym that stands for findable, accessible, interoperable, and reusable.

Reply to paragraph 31 of the list of issues

289. In 2014 the Government of Finland Human Rights Report (VNS 6/2014) assessed both Finland's international human rights activities and national implementation of fundamental and human rights. The Human Rights Report particularly highlighted four themes: combating hate speech limiting the freedom of expression, promoting the equality of persons belonging to sexual and gender minorities, safeguarding the rights of persons with disabilities, and implementation of economic, social and cultural rights. The Human Rights Report outlined that Finland's second National Action Plan on Fundamental and Human Rights should be prepared during the following government term.

290. Finland's second National Action Plan on Fundamental and Human Rights 2017–2019 was published in 2017. The objective of the Action Plan was to promote the constitutional obligation of the public authority to guarantee the observance of fundamental and human rights. The measures taken under the Action Plan were designed to act on identified problems with fundamental and human rights and to complement the work being carried out in various policy sectors to promote fundamental and human rights. A further objective of the Action Plan was to ensure consistency of Finland's national and international fundamental rights and human rights policies.

291. The areas of emphasis were fundamental and human rights education, equality, the right to self-determination as well as fundamental rights and digitalisation. The Action Plan included a total of 43 measures which were spread across the administrative branches of all ministries.

292. The legal basis of the Action Plan comprised the fundamental rights guaranteed by the Constitution of Finland, the international and regional human rights treaties ratified by Finland as well as the Charter of Fundamental Rights of the EU. The Action Plan took particular note of policies outlined in the Human Rights Report of 2014, the recommendations to Finland from international human rights treaty bodies, the Government Programme's policies, the views of the Supreme Overseers of Legality and Ombudsmen, as well as the areas of concern raised by NGOs.

293. The Committee's concluding observations have been taken into account in the Action Plan which contains several measures that promote economic, social and cultural

rights, including measures supporting their equal realisation, such as projects promoting housing and measures targeted at schools.

294. The third Action Plan, for 2020–2023, is being prepared and will focus on the development of fundamental and human rights indicators.
