



ANNEX I TO THE UPR SUBMISSION BY THE HUMAN RIGHTS CENTRE

Finnish human rights structures regarding non-discrimination and equality

The Non-Discrimination Ombudsman oversees the Non-Discrimination Act that covers discrimination based on age, origin, nationality, language, religion, belief, opinion, political activity, trade union activity, family relations, state of health, disability, sexual orientation, or other personal characteristics. However, the Ombudsman cannot oversee the Act in the area of working life, but this mandate belongs to the Regional State Administrative Agencies.

The Ombudsman for Equality oversees the Equality Act covering discrimination based on gender, gender identity or gender expression. Unlike for the Non-Discrimination Ombudsman, Ombudsman for Equality can oversee the area of working life. In addition, the mandates of the two Ombudsman are different in multiple discrimination. Only the Non-Discrimination can consider cases of intersectional discrimination. The Equality Ombudsman has the power to consider cases of multiple discrimination if one of the grounds for discrimination concern gender, gender identity and gender expression.

The Non-Discrimination and Equality Tribunal is a low threshold judicial body that oversees both the Non-Discrimination Act and the Equality Act. By virtue of the Non-Discrimination Act, it cannot consider cases concerning the working life. However, by virtue of the Equality Act, it has this right. Also, the prerequisites for bringing a case to the tribunal are different in the two Acts. The Non-Discrimination Ombudsman cannot take a case to the tribunal without identifying the victim. The Equality Act does not require this, but unlike in the Non-Discrimination Act, by virtue of the Equality Act the victims themselves cannot take the case to the Tribunal.

In the partial reform of the Non-Discrimination Act, the possibility to expand the mandates of the Non-Discrimination Ombudsman and the Non-Discrimination and Equality Tribunal to the area of working life will be assessed. The prerequisites for bringing a case to the Tribunal will also be considered. However, Equality Act is not covered by the reform.