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HUMAN RIGHTS CENTRE



Human Rights Centre Annual Report 2016 Summary

Human Rights Centre
Annual Report 2016
Summary

Layout frame: **Werklig Oy**
Layout: **Suomi Design Oy**
Illustrations: **Ilja Karsikas**
Pictures: **Hanne Salonen Eduskunta / Riksdagen**

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1

**Finland's National Human
Rights Institution**

THE HUMAN RIGHTS CENTRE and its Human Rights Delegation, together with the Parliamentary Ombudsman, constitute Finland's National Human Rights Institution (NHRI). NHRIs are statutory bodies for the promotion and protection of human rights. Their responsibilities, composition and methods of operation are defined in the so-called Paris Principles, which were adopted by the UN General Assembly in 1993. According to the Paris Principles, national human rights institutions should be established by law, be autonomous and independent, and have a pluralist composition. They must be vested with a broad mandate to protect and promote human rights at national level, and they should also have adequate resources and powers of investigation.

The International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, which changed its name into the Global Alliance of National Human Rights Institutions (GANHRI) in 2016, granted Finland's NHRI an 'A' status in 2014. Institutions accredited with 'A' status are considered to be in full compliance with the Paris Principles. The status entitles Finland's NHRI to participate and take the floor in the sessions of the UN Human Rights Council and to vote in the meetings of GANHRI.

The Human Rights Centre (HRC) was established through an act which entered into force on 1 January 2012 (Act on the Amendment of the Parliamentary Ombudsman Act, 535/2011) and began its operations on 1 March 2012. The HRC operates autonomously and independently, although administratively it is part of the Office of the Parliamentary Ombudsman. According to law, the HRC has the following tasks:

- to promote information provision, training, education and research on fundamental and human rights
- to draft reports on the implementation of fundamental and human rights
- to propose initiatives and give statements for the promotion and implementation of fundamental and human rights
- to participate in European and international cooperation related to the promotion and protection of fundamental and human rights
- to perform other comparable tasks associated with the promotion and implementation of fundamental and human rights.

The HRC does not handle complaints or other individual cases.

Under the UN Convention on the Rights of Persons with Disabilities, the HRC also has the statutory special duty to promote, protect and monitor the implementation of the Convention and the rights of persons with disabilities in collaboration with the Human Rights Delegation and the Parliamentary Ombudsman. This is the first joint duty assigned to Finland's NHRI as a whole.

The Parliamentary Ombudsman appoints the Centre's Director for a four-year term, after having received a statement on the matter from Parliament's Constitutional Law Committee. Parliamentary Ombudsman Petri Jääskeläinen appointed Sirpa Rautio, Master of Laws trained on the bench, for a second term as the Director of the HRC on 21 December 2015. Her new four-year term began on 1 March 2016.

The Human Rights Delegation functions as a statutory national cooperative body of fundamental and human rights actors, deals with fundamental and human rights matters of a far-reaching significance and principal importance and yearly approves the HRC's plan of action

and annual report. The Delegation has 20 to 40 members, who are appointed by the Parliamentary Ombudsman on the basis of applications. The Ombudsman appoints the members for four years at a time after hearing the view of the Director of the HRC, who chairs the Delegation. The Delegation elects a vice chairperson from among its members.

The Parliamentary Ombudsman oversees that authorities and civil servants obey the law and fulfil their obligations. The Ombudsman's oversight also covers other actors entrusted with public authority. The duties of the Ombudsman are defined in the Constitution of Finland and in the Parliamentary Ombudsman Act. As part of his duties, the Ombudsman pays particular attention to the implementation of fundamental and human rights. He also has the special responsibility to monitor how the police employ coercive measures affecting telecommunications and conduct undercover operations. At Parliament's request, he also oversees that the rights of children are implemented. The Ombudsman also acts as the National Preventive Mechanism (NPM) under the Optional Protocol to the UN Convention against Torture. The NPM is responsible for conducting regular visits to places where persons are deprived of their liberty.

Finland's NHRI adopted its first joint long-term operative strategy in June 2014. The strategy forms the basis for developing cooperation to achieve common objectives.

Main objectives in the strategy of Finland's NHRI:

1. General awareness, understanding and knowledge of fundamental and human rights is increased, and respect for these rights is strengthened.
2. Shortcomings in the implementation of fundamental and human rights are recognised and addressed.
3. The implementation of fundamental and human rights is effectively guaranteed through national legislation and other norms as well as through their application in practice.
4. International human rights conventions and instruments should be ratified or adopted promptly and implemented effectively.
5. Rule of law is implemented.

Cooperation between the HRC and the Office of the Parliamentary Ombudsman is close also in practice. The HRC is administratively connected to the Office of the Parliamentary Ombudsman, and they have shared premises. The HRC's Director weekly attends the meetings of the Office's management team, and the Centre's experts participate in the Office's internal working groups. The parties also collaborate, for example, in providing training, drafting reports, issuing statements and, in particular, promoting and monitoring the implementation of the rights of persons with disabilities.



2

Operation of Human Rights Centre in 2016

2.1 Overview

THE HUMAN RIGHTS CENTRE'S Plan of Action 2016 established the priorities of the Centre's activities. They included human rights education and training, particularly the production of HRC's own educational contents, the promotion and monitoring of the rights of persons with disabilities in accordance with HRC's new special duty, and launching the work of the new Human Rights Delegation after it was appointed on 17 March 2016.

Overall, these plans were implemented successfully, although the performance of the statutory duty of promoting and monitoring the rights of persons with disabilities did not commence until the second half of 2016, after Finland had ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) in June. The production of educational and training contents on fundamental and human rights progressed well, and by the end of the year the HRC had prepared a series of lectures and related material on fundamental and human rights. In September, the HRC drew up its first parallel report on the implementation of fundamental and human rights as part of the UN Universal Periodic Review. Finnish Government's report was reviewed in May 2017.

This chapter describes the HRC's activities in 2016 in relation to its statutory tasks and Plan of Action.

2.2 Promotion of information provision, training, education and research

The Human Rights Centre's task is to promote information provision, training, education and research on fundamental and human rights as well as cooperation in these issues. Through its activities, the HRC promotes national fundamental rights, fundamental rights of the European Union and international human rights. It also monitors their development and implementation in Finland.

As in previous year, information and communication activities were carried out alongside

the other tasks of the public servants working at the HRC and with the help of temporary resources. Information was provided through established channels, such as the HRC website, newsletters and social media. A communications strategy and plan were prepared with the help of an external expert.

2.2.1 Information provision

Website

The Human Rights Centre's website (www.ihmisoikeuskeskus.fi) provides information on the HRC and its Delegation. It also includes topical press releases and news on fundamental and human rights issues, HRC publications and statements, educational videos and links to the websites of other human rights actors.

In its Plan of Action 2016, the HRC committed to producing a diverse range of material in forms that are as accessible as possible. The HRC participates in the website redesign project of the Office of the Parliamentary Ombudsman. The project was launched at the end of 2016 and is due to be completed during 2017. One of its aims is to improve the accessibility and usability of the websites.

Human Rights Centre's newsletters

During the year under review, the HRC regularly published domestic and international newsletters.

The international newsletter contains news concerning, for example, the UN, the EU, the European Union Agency for Fundamental Rights (FRA) and the Council of Europe, including significant rulings of the European Court of Human Rights. During the year, six issues of the international newsletter were published, approximately every two months.

Topics covered in the domestic newsletters included Finland's reports to the bodies monitoring human rights treaties, national policy

programmes, reports and studies on fundamental and human rights, and important court decisions. One of the newsletters included short summaries of the annual and activity reports of the supreme overseers of legality and special ombudsmen. The domestic newsletter was also published six times during the year.

The newsletters are targeted at anyone who is interested in current affairs in the field of fundamental and human rights. They are published in Finnish and in Swedish. Readers can receive the newsletters directly via e-mail by subscribing to them on the HRC website. The newsletters are sent for example to the Parliament's Constitutional Law Committee, the Supreme Court and the Supreme Administrative Court, the Ministry for Foreign Affairs and HRC's other stakeholders. The newsletters are also published on the HRC website and the Edilex legal information service (www.edilex.fi).

To receive the HRC newsletters on topical human rights issues by e-mail, sign up for the newsletters on the Centre's website at www.ihmisoikeuskeskus.fi.

Social media

The Human Rights Centre uses its Facebook page to provide information on its own activities and other topical matters concerning fundamental and human rights. At the end of the year, the HRC Facebook page had 1,824 likes, while in 2015 the corresponding figure was 1,343. To increase its social media visibility and to reach a wider audience, the HRC also set up a Twitter account (@FIN_NHRI) in December 2015. Twitter is mainly used as a channel for providing information about HRC's own events.

Publications

With its publications, the Human Rights Centre aims to raise awareness of fundamental

and human rights and to support the related education and training. The HRC's publications are free of charge, and most of them are freely available on its website. The authorities and various organisations and companies have used the publications in their own activities.

HRC's publications in 2016:
(available in print and electronic format, unless otherwise indicated)

- *Human Rights Centre Annual Report 2015* (full text available in Finnish and Swedish, a summary available in English)
- *Human rights action plans - experiences from Finland and abroad* (in Finnish and Swedish)
- *Access to rights for people with disabilities: advisory services of disability organisations.* (in Finnish and Swedish, available in electronic format only)
- Translation into Finnish of *The Corporate Responsibility to Respect Human Rights - An Interpretive Guide*. Second edition. (Available in print only.)
- *What are human rights? Second edition.* (In Finnish, updated electronic version in Swedish.)
- *What is human rights education? Second, updated edition.* (In Finnish, in Swedish only updated electronic version.)
- Brochure on human rights education (in Finnish, available in print only)
- HRC's international newsletter (6 issues in Finnish and Swedish, available in electronic format only)
- HRC's national newsletter (6 issues in Finnish and Swedish, available in electronic format only)



ABOVE: Seminar participants were interested in the publications of the Human Centre, ODIHR and FRA.

2.2.2 Education and training

Promoting education and training on fundamental and human rights has been one of the Human Rights Centre's priority activities during all of its years of operation. Among other things, the HRC has published the first national baseline study on human rights education in Finland, promoted human rights education and training based on the results of the study, and supported communication, cooperation and coordination between different actors. The promotion of human rights education and training is also one of the objectives set in the common strategy of Finland's National Human Rights Institution. In 2016, the HRC's special objective was to prepare its own educational and training material.

Expert work

The 2014 report Human Rights Education in Finland included the recommendation that the Government should adopt an action plan to promote human rights education. In 2017, the Government adopted the second national action plan on fundamental and human rights. An HRC representative participated as an expert in the Government network of contact persons for fundamental and human rights, which prepared the action plan. The HRC provided the network with expert support, in particular, regarding the action plan's section on human rights education and training.

During the year, expert support was also provided to a teacher training project on de-

mocracy and human rights education, funded by the Finnish National Agency for Education. The project helped all teacher training institutions in Finland implement projects on democracy and human rights.

In the autumn of 2016, all educational institutions providing basic education in Finland began implementing new curricula in accordance with the national core curriculum adopted in 2014. In line with the HRC's statements, human rights education plays a more prominent role in the new curricula both in terms of the contents of certain subjects and the whole operating environment. The HRC will monitor the implementation of the policies on human rights education included in the curricula.

During the year, the HRC also provided expert assistance to its international partners. It helped the Danish Institute for Human Rights to plan and implement a course on human rights education by sharing its views on the promotion of human rights education and training in Finland and the experience it has gained in the process. Other NHRIs were also interested in the new curricula, the Government's action plan and the collaboration among various operators in Finland.

Lecture series on fundamental and human rights

During the year, the Human Rights Centre created a series of lectures on fundamental and human rights. It includes five lectures (approximately 1.5 hours each) on the following topics: introduction to fundamental and human rights, the UN's human rights system, the Council of Europe's human rights system, the fundamental rights dimension of the EU and fundamental rights in the Constitution. When preparing the lectures, the HRC received help from the members of the Human Rights Delegation, key human rights organisations, representatives of the Office of the Parliamentary Ombudsman and researchers in the field of law. The presentation slides were published as PDF documents, and the lectures were recorded and made avail-

able as videos. Some expert interviews were also filmed for the series. The whole package was published on the Human Rights Centre's website in early 2017.

Cooperation

In addition to the Ministry of Education and Culture and the Ministry of Justice, the Human Rights Centre's key partners in human rights education and training include the Finnish National Agency for Education. The HRC is engaged in regular dialogue with active stakeholders in the field.

At university level, human rights education and training are provided by faculties of law and the Åbo Akademi Institute for Human Rights. In the spring of 2016, the HRC organised a series of meetings with these entities to exchange views on the status and development of human rights education and training in Finland.

In Finland, numerous organisations are involved in human rights education. Some of their activities concern human rights education, global education as well as democracy education. To clarify these closely related concepts and meet the stakeholders, the HRC organised in the autumn of 2016 a round table discussion in collaboration with the Ministry of Justice and Kepa, an umbrella organisation in the field of development cooperation. The HRC also organised several other meetings with organisations involved in human rights education and kept in contact with them throughout the year.

Among education and training providers, the HRC collaborated in 2016 with the Haaga-Helia university of applied sciences. Haaga-Helia organised its very first training module on human rights education and training for youth workers. The HRC also cooperated with the faculties of education at the University of Oulu and the University of Helsinki to plan and implement lecture visits and related discussions.



Reaching education and training professionals

In addition to lecture visits, other efforts were also made to reach professionals and students in the field of education and training through their professional and student organisations. In 2016, the HRC gave a talk at the Winter Days of the union of Finnish teachers of religious education (SUOL ry).

Education and training professionals were also reminded of the international Human Rights Day (10 December) by placing an announcement in the Opettaja trade union magazine for educators. The editorial staff of Opettaja were also kept informed of on-going projects on human rights education.

Towards the end of 2016, the HRC also began preparing for the Educa trade fair organised in late January 2017. The Educa trade fair is the largest event in the education and training sector in Finland, attracting some 15,000 visitors. A separate exhibition booth on human rights education was designed in collaboration with various organisations. The HRC and relevant authorities also organised programme on the event stage.

2016 was an active year for education and training on fundamental and human rights.

The Human Rights Centre:

- produced a series of five lecture videos
- published other material to support human rights education and training
- provided training and gave lectures
- organised events
- provided expert assistance for other authorities.

Events

Events are an important way of providing information and training on topical fundamental and human rights themes. The HRC frequently plans and organises events together with other actors. In 2016, events were organised in cooperation with, for instance, the Ministry for Foreign Affairs, Ministry of Justice, the Non-Discrimination Ombudsman and civil society organisations. In total, the events attracted approximately 800 participants.

To reach a wider audience, most of the seminars organised during the year were streamed live online. Interpretation in various spoken languages and sign language was also available when necessary.

The HRC organised the following events in 2016:

Seminar and consultation event regarding the preparation of the Government’s national action plan on fundamental and human rights, 4 February

The event was organised in cooperation with the Ministry of Justice and the Government network of contact persons for fundamental and human rights as part of the preparation of the action plan on fundamental and human rights. The network drafting the action plan wanted to gather views from various parties regarding concrete objectives and proposals for measures to be included in the action plan and offer an opportunity for open discussion on Finland’s most important human rights challenges. The Director of the HRC opened the event with a talk on the fundamental and human rights situation in Finland.

Seminar on children’s privacy protection in digital media, 14 March

The topics covered at the seminar included legal rules on the protection privacy, children’s inclusion in digital media and the responsibilities of businesses regarding children’s data protection. In addition to the HRC, the seminar was organised by the Central Union for Child Welfare, the

Ombudsman for Children, the Finnish Society on Media Education, the Mannerheim League for Child Welfare, Save the Children Finland, the National Institute for Health and Welfare and the Council for Mass Media. The event was opened by Ombudsman for Children Tuomas Kurttila, and one of the speakers was Data Protection Ombudsman Reijo Aarnio.

Round table on human rights education, democracy education and global education, 10 October

At the event, professionals and experts discussed the contents of the concepts 'human rights education', 'democracy education' and 'global education'. The seminar was organised in collaboration with the Ministry of Justice and Kepa, an umbrella organisation for development cooperation.

Seminar on the use of the EU Charter of Fundamental Rights, 17 October

The aim of the seminar was to provide the participants with a comprehensive overview of how to use the EU Charter of Fundamental Rights in the administration of justice and to help them employ the FRA's annual fundamental rights report and the Charter as tools in their work. Organised in collaboration with the Ministry of Justice, the seminar was targeted at legal experts who encounter fundamental and human rights issues in their work. Speakers included Senior Legal Adviser Gabriel N. Toggenburg from the FRA and Petri Helander, temporary Justice of the Supreme Administrative Court.

Anniversary seminar "50 years of UN Human rights conventions", 24 October

Together with the UN Association of Finland and the Ministry for Foreign Affairs, the HRC organised a seminar to celebrate the 50th anniversary of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The purpose was to discuss the development and current status of the international human rights system

and its significance in the development of Finnish legislation and society. Speakers included UN Special Rapporteur Philip Alston, Minister Elisabeth Rehn and Parliamentary Ombudsman Petri Jääskeläinen.

Seminar on the rights to political participation of persons with disabilities, 31 October

The purpose of the seminar was to bring together experts from different institutions and organisations to discuss challenges and good practices concerning the political participation of persons with disabilities. It was organised in cooperation with the OSCE's ODIHR and the Ministry for Foreign Affairs. Speakers at the seminar included Timo Soini, Minister for Foreign Affairs, and Katja Pehrman, Finland's Ambassador to the OSCE.

Seminar "Hate speech - What is it and how to tackle it?", 29 November

The seminar approached hate speech from the viewpoint of international norms, the stories of people who have experienced it, the media and political actors. Speakers and panellists included journalists and representatives of the Council of Europe, national authorities, civil society organisations and political parties. The seminar was organised by the Finnish League for Human Rights, Council of Europe and its European Commission against Racism and Intolerance (ECRI) in collaboration with the HRC and the Ministry for Foreign Affairs.

Publication of the report "As a person with disabilities, I am a second-class citizen", 12 December

The report on the experiences of discrimination in the daily life of persons with disabilities was published in a seminar organised by the Non-Discrimination Ombudsman, the HRC and the Discrimination Monitoring Group. The seminar also considered actions needed in society to ensure that persons with disabilities have genuine and equal access to services, education and work.



ABOVE: Member of the European Parliament Helga Stevens, Executive Director Markku Jokinen (Finnish Association of the Deaf), Secretary General Pirkko Mahlamäki (Finnish Disability Forum) and sign language interpreters are discussing before the beginning of the seminar on the rights to political participation of persons with disabilities.

Training and lectures

Even though the Human Rights Centre is not a training organisation, its Director and experts often visit training events, seminars and other events to speak about fundamental and human rights. Some of the HRC's lecture visits have already been mentioned above.

During the year, various student groups as well as domestic and foreign visitors of different levels visited the HRC to learn about its activities. For example, in May the HRC, the Parliamentary Ombudsman and the Chancellor of Justice met representatives of the Congress of Local and Regional Authorities of Europe.

2.2.3 Research

The Human Rights Centre's resources hardly enable it to pursue its own research. In 2016, the HRC launched a study on the promotion of research on fundamental and human rights in collaboration with the Northern Institute for Environmental and Minority Law (NIEM) of the University of Lapland Arctic Centre. The initial stimulation of the study was a fundamental and human rights research seminar organised in 2015, where NIEM conducted a preliminary mapping of Finnish research on fundamental and human rights. The HRC funds the study and is a member of its steering group. The project



ABOVE: UN Special Rapporteur Philip Alston spoke at the jubilee seminar organised by the HRC, Finnish UN Association and Ministry for Foreign Affairs.

will map the current state of research in different fields and determine future research needs.

The HRC also participated in planning the next seminar on fundamental and human rights research with the Åbo Akademi Institute for Human Rights. The seminar will be held in 2017.

2.3 Reports on the implementation of fundamental and human rights

In the autumn of 2015, the Human Rights Centre conducted a broad round of interviews with the lawyers and other advisory staff of organisations representing persons with disabilities. The aim was to map advisory services comple-

menting the services provided by the authorities and to identify the most common problems disabled people encounter in their daily lives. The report *Access to rights for persons with disabilities: advisory services of disability organisations* was published on the HRC's website on 10 June 2016, when the Convention on the Rights of Persons with Disabilities (CRPD) entered into force in Finland.

2.4 Initiatives and statements

In 2016, the Human Rights Centre submitted to various ministries and international bodies several statements, comments and communications on matters within its areas of responsibil-

ity. In its statements, the HRC takes into account the Parliamentary Ombudsman's statements to ministries and parliamentary committees to avoid overlapping work, in accordance with the strategy of the NHRI. In compliance with its

Plan of Action, the HRC's statements focused particularly on the rights of vulnerable groups, such as people with disabilities, elderly people and immigrants. The statements are listed in the box below.

Statements by the HRC in 2016:

- Statement to the Unit for Democracy, Language Affairs and Fundamental Rights at the Ministry of Justice on a draft decree on an advisory board for non-discrimination matters
- Statement to the Ministry of Economic Affairs and Employment on a draft Government Integration Programme for 2016–2019
- Statement to the European Union Agency for Fundamental Rights (FRA) on the implementation of Article 33(2) of the CRPD concerning the national monitoring mechanism in Finland
- Statement to HelpAge International on the protection of the rights of elderly people in Finland
- Statement to the UN Special Rapporteur on the rights of persons with disabilities on operating policies that take disability into consideration
- Statement to the UN Office of the High Commissioner for Human Rights (OHCHR) on the implementation of Article 5 of the CRPD on equality and non-discrimination
- Statement to GANHRI and its partners on collaboration between NHRIs and parliaments
- Parallel report on Finland's third universal periodic review
- Communication to the Minister of Family Affairs and Social Services on including the reform of the Act on legal recognition of the gender of transsexuals in the Government's action plan on fundamental and human rights.

In addition, responses were submitted to questionnaires and queries sent by, for example, ENNHRI, Council of Europe, FRA and UNHCR.

2.5 Participation in European and international cooperation

In accordance with its statutory tasks, the Human Rights Centre participates in European and international cooperation on the promotion and protection of fundamental and human rights as the main representative of Finland's National Human Rights Institution. The most important bodies for cooperation are the NHRI networks ENNHRI and GANHRI and international organisations such as the human rights bodies of the UN, the bodies of the Council of Europe, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the EU Agency for Fundamental Rights (FRA).

Over the past few years, the ENNHRI secretariat in Brussels has considerably expanded its activities. ENNHRI aims to support the establishment, development and accreditation of NHRIs and to impact human rights policy and the implementation of human rights in Europe. It also supports cooperation among NHRIs by organising joint events and training and facilitating the exchange of information and experiences. Cooperation between NHRIs and international organisations often takes place through ENNHRI, although the HRC also engages in direct cooperation with international organisations.

The HRC actively participates in ENNHRI's working groups and training events on various themes. During the year, representatives of the HRC participated in the CRPD Working Group, Business and Human Rights Working Group, Economic and Social Rights Working Group and an advisory working group for a project on the human rights of older persons in longterm care. The working groups usually meet once a year. They also exchange information and experiences via e-mail groups.

Since the beginning of its operations, the HRC has participated in cooperation within NHRI networks. From 1 March 2016 onwards, the HRC has been a member of the European Coordinating Committee (ECC) and the

GANHRI Bureau. Its term lasts for three years. During the year, ECC convened three times. The HRC also participated in the meetings of ENNHRI's General Assembly held in March (Geneva) and October (Zagreb).

In October, the HRC participated for the first time in the meeting of the GANHRI Bureau in Berlin. Items on the agenda included administrative and financial matters, GANHRI's new strategy, cooperation projects as well as challenges associated with the accreditation process and the related decisions on the withdrawal of 'A status'. Representatives of the UN High Commissioner for Human Rights and the UN Development Programme (UNDP) also talked about the focus areas of their activities and opportunities for cooperation.

The HRC continued its close cooperation with the European Union Agency for Fundamental Rights. The Director of the HRC has participated in the activities of the FRA as an independent representative of Finland since 2015. Together with the FRA and the Ministry of Justice, the HRC organised an event at the Finnish Parliament on the FRA's annual report and the EU Charter of Fundamental Rights.

During the year, the Finnish NHRI, its structure and activities were showcased in Sweden, where the establishment of a NHRI is currently under consideration. The HRC shared its experiences at the Swedish Parliament in March and at the Raoul Wallenberg Institute in June, together with a representative of the Office of the Parliamentary Ombudsman. In September, the Swedish Parliamentary Committee on the Constitution came to Finland for an excursion. The committee also visited Parliament and the Office of the Parliamentary Ombudsman. The Estonian Chancellor of Justice and other personnel from the Chancellor's Office also visited Finland to learn about the Finnish model.

In June, the Director of the HRC gave a speech at a side-event of the UN Conference of States Parties to the CRPD in New York about the promotion and monitoring of the CRPD in Finland and participated in a seminar on

the role of NHRIs in fragile states and conflicts held at the UN. The seminar was organised by GANHRI, OHCHR, UNDP and the Permanent Mission of Germany to the UN.

In September, the Director of the HRC gave a speech at a meeting of the OSCE Human Dimension Committee in Vienna on the role of human rights institutions as defenders and promoters of human rights.

The HRC is actively involved in cooperation within the networks of NHRIs. It is serving as a member of the ECC and GANHRI Bureau for a three-year term.

2.6 Cooperation with other fundamental and human rights actors

In addition to the actors represented in the Human Rights Delegation, the Human Rights Centre also cooperates with other authorities, organisations and researchers working with fundamental and human rights matters. The cooperation involves, for instance, meetings, information exchange, advocacy and the organisation of events. Its key partners among the authorities are the Government network of contact persons for fundamental and human rights, the Ministry for Foreign Affairs' network specialising in human rights in foreign policy, the Unit for Democracy, Language Affairs and Fundamental Rights at the Ministry of Justice, and the Unit for Human Rights Policy and the Unit for Human Rights Courts and Conventions at the Ministry for Foreign Affairs.

Since February 2014, the HRC has organised joint meetings for the autonomous and independent authorities responsible for monitoring fundamental and human rights. These are the Parliamentary Ombudsman, the Chancellor of Justice of the Government, the Ombudsman for Children, the Ombudsman for Equality, the Data Protection Ombudsman and the Non-Discrimi-

nation Ombudsman. In 2016, these actors met twice.

2.7 Cooperation with Parliament

The Human Rights Centre maintains a dialogue with Parliament through, for example, statements, committee hearings, events, meetings and international visits. The celebration of the UN Human Rights Day has become a traditional event where the HRC presents its own activities to Parliament and provides information on various topics. In 2016, the theme of the event was human rights education.

2.8 Functioning as the national monitoring mechanism for the UN Convention on the Rights of Persons with Disabilities

The UN Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol entered into force in Finland in June. According to Article 33(2) of the CRPD, States Parties shall designate or establish an independent mechanism to promote, protect and monitor the national implementation of the Convention. In Finland, this mechanism consists of the Parliamentary Ombudsman, the Human Rights Centre and its Delegation. This is the first joint duty assigned to Finland's NHRI as a whole.

During the year, the HRC participated in international and European cooperation regarding the CRPD. This included a meeting between the EU CRDP Framework and national monitoring mechanisms, a forum organised by the European Commission to discuss the implementation of the CRPD, and the Conference of States Parties to the CRPD held in New York in June.

A new expert on disability matters started working at the HRC in October. The Office of the Parliamentary Ombudsman established and appointed at the end of the year an internal team on disability matters. The HRC is also included in the team. The team's tasks include mapping the contents of the work of the independent mechanism at the Office and the HRC and to consider

potential ways to collaborate with and involve the Disability Rights Committee of the Human Rights Delegation.

The promotion and monitoring of the UN Convention on Persons with Disabilities commenced at the HRC in 2016 when the Convention and its Optional Protocol entered into force in Finland. The Parliamentary Ombudsman is responsible for protecting the implementation of the CRPD.

2.9 Other tasks associated with the promotion and implementation of fundamental and human rights

2.9.1 Promoting the bringing into force of human rights conventions and monitoring the implementation of Finland's international human rights obligations

The duties of the Human Rights Centre also include other tasks which are associated with the promotion and implementation of fundamental and human rights but are not explicitly stated in its statutory tasks. According to the Government Bill on establishing the HRC, the most important one of these would be to follow independently that Finland complies with international human rights conventions, implements the recommendations and decisions given by international monitoring bodies and enforces the judgements of the European Court of Human Rights.

The HRC performs this duty by monitoring the implementation of the recommendations put forward by international monitoring bodies and decisions issued on complaints and communications from individuals and groups. It also gives written and oral opinions in connection with periodic reporting and regularly replies to the questionnaires and queries of UN human

rights bodies concerning the human rights situation in Finland.

The HRC's Plan of Action 2016 stated that the HRC will develop a systematic way of monitoring fundamental and human rights. Participating in international periodic reporting, publishing newsletters and gathering information for them, preparing for the new duty of monitoring disability issues, and monitoring the recommendations put forward in the study on human rights education have all contributed to the development of general monitoring.

During the operating year, the HRC did not issue statements associated with periodic reporting on conventions. A list of the Centre's other statements to UN bodies can be found in section 2.4.

During 2016, some matters concerning the ratification of international human rights conventions were being prepared by the Government. The HRC followed, in particular, the final stages of the CRPD ratification and shared information on the process on its website, newsletters and Facebook.

Meetings with the UN treaty monitoring bodies are another way for NHRIs to take part in monitoring and promoting the implementation of human rights obligations. Finland's seventh periodic report on the implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was considered at the session of the Committee against Torture in Geneva in November. The Committee monitors the implementation of the Convention. In connection with the session the Committee held a meeting with the NHRI and the National Preventive Mechanism (NPM). Representatives of the HRC and the Parliamentary Ombudsman participated in the meeting.

Universal periodic review

A key part of the Human Rights Centre's fundamental and human rights monitoring was its parallel report on Finland's third universal periodic review (UPR), compiling information

on the development of human rights in Finland. The UPR is a fairly new mechanism employed by the UN Human Rights Council. In the process, UN Member States report on the human rights situation in their countries and give recommendations to other countries every four and a half years. The review is based on each country's national report, information provided by the UN human rights mechanisms and reports submitted by the NHRI and civil society organisations.

In its report, the HRC evaluated particularly the implementation of the rights of vulnerable persons and the Government's efforts to take fundamental and human rights into account in its own activities. The HRC considered positive developments to include the ratification of the CRPD, the drafting of the second national action plan on fundamental and human rights and the reform of non-discrimination legislation.

On the other hand, the HRC concluded in its report that the rights of many vulnerable groups should be better promoted and protected in the drafting and implementation of laws and policy programmes. For example, the on-going reform of social and health care services may have a significant impact on the implementation of the rights of persons with disabilities. In the report, the HRC also expressed its concerns over amendments to the Aliens Act, which restricted asylum seekers' access to legal aid under the Legal Aid Act and made the requirements for family reunification more stringent. As regards gender minorities, the HRC noted that current legislation on the legal recognition of gender should be amended by removing the requirement of infertility from the preconditions for legal recognition.

Human rights education is also a central theme in the HRC's report. According to the HRC, regional and local authorities should be more closely engaged in fundamental and human rights work, and public servants should be provided with training on fundamental and human rights. Human rights education and training should be promoted in higher education

while respecting the autonomy of universities.

The Human Rights Council began the third cycle of periodic reviews in the spring of 2017, and Finland was among the first countries to be reviewed. The review focuses, for instance, on the progress achieved with respect to recommendations issued in the previous cycle. Other countries may also give new recommendations. The reviewed country can choose to either accept or note the recommendations. NHRIs accredited with an 'A status' have a special role, because they can take the floor immediately after the reviewed country when the outcome report is being adopted. Before Finland's national report is considered, NHRIs and civil society organisations can also take part in a meeting with the permanent representations of States and give them information on the human rights situation in Finland and affect the recommendations to be issued to Finland.

In 2016, the HRC as the representative of Finland's NHRI submitted to the UN the first parallel report on Finland's universal periodic review.

2.9.2 Second national action plan on fundamental and human rights

During the year under review, the Government drafted a national action plan on fundamental and human rights. The plan was adopted in early 2017. The action plan was the second of the kind, and its aim is to promote the public authorities' obligation to guarantee the observance of fundamental rights and liberties and human rights, as laid down in the Constitution. The action plan determines the priorities of fundamental and human rights policy for the current term of government and defines 43 projects that include concrete objectives and actions across administrative branches.

The action plan focuses on the themes of fundamental and human rights education and training, equality, right to self-determination, and fundamental rights and digitalisation. The HRC participated in the preparation of the action plan as an expert. It also organised, in collaboration with the Ministry of Justice and the Government network of contact persons for fundamental and human rights, a seminar and consultation event for civil society organisations

and other stakeholders in February to support the preparation of the action plan.

The HRC also participated in the work related to fundamental and human rights action plans at international level, when an expert from the HRC was interviewed for a study launched by the Dutch NHRI to evaluate the Dutch national action plan on human rights, for example, by comparing the action plans of different countries.



3

Operation of the Human Rights Delegation in 2016

3.1 Overview

The Human Rights Centre's Delegation functions as a national cooperative body of fundamental and human rights actors, deals with fundamental and human rights issues of a far-reaching significance and principal importance, and yearly approves the HRC's plan of action and annual report. The Delegation's meetings are prepared by its working committee. The Delegation and the working committee are chaired by the Director of the HRC.

At its meetings, the Delegation discusses the current activities of the HRC. In addition, the members of the Delegation inform others about events and training sessions they have organised and about other current affairs.

3.2 End of the term of the first Delegation

The term of the first Human Rights Delegation ended on 31 March 2016. In its last meeting in February, the Delegation adopted the HRC's Annual Report 2015 and issued a statement on the restrictions of legal protection for asylum seekers. The Delegation expressed its deep concern about the Government's proposal for amendments to the Aliens Act regarding sections on legal aid and the time-limit for lodging an appeal.

Appointed until the end of the Delegation's term, the section on human rights education and training and the section for monitoring the implementation of fundamental and human rights ('monitoring section') convened once at the beginning of the year. The working group planning the establishment of the Human Rights Delegation's Disability Rights Committee held its last meeting in 2015.

During its term, the human rights education and training section supported the HRC's and the Delegation's advocacy, information exchange and coordination activities with respect to human rights education and training in Finland. In its last meeting, the section discussed, among other things, the action plan on

fundamental and human rights that was being prepared by the Government and the drafting of non-discrimination plans in educational institutions.

The last meeting of the monitoring section focused on Finland's upcoming periodic reporting duties. Members also shared their experiences regarding the section's work. During its term, the section discussed, in particular, international reporting processes and the direction of the monitoring of fundamental and human rights at national level.

3.3 Appointment and activities of the new Delegation

The Parliamentary Ombudsman appointed a new Human Rights Delegation for the term from 1 April 2016 to 31 March 2020 after hearing the Director of the Human Rights Centre. The Delegation has 38 members. According to law, the Delegation must be composed of representatives of civil society, fundamental and human rights research and other actors involved in promoting and safeguarding fundamental and human rights. The members were selected on the basis of an open application procedure and their personal expertise, ensuring that the composition of the Delegation meets the legal requirement mentioned above. The Delegation includes the representatives of the supreme overseers of legality, special ombudsmen and the Sámi Parliament.

The new Delegation began its work by discussing guidelines and policies for its future activities. It also heard representatives of various ministries who briefed the Delegation on the preparation of topical fundamental and human rights documents, such as the report on Finland's third universal periodic review and the second national action plan on fundamental and human rights. During these visits, the members of the Delegation also expressed their own views and comments.

In accordance with the HRC Plan of Action, a joint workshop was organised for the mem-

bers of the old and new Delegations in April to provide a forum for the exchange of experiences. After the workshop, the new Delegation held an inaugural meeting and elected a vice chairperson and the members of its working committee.

In its second meeting in June, the Delegation discussed a survey sent to its members to map their views on the Delegation's working and operating methods, its tasks and the fundamental and human rights issues to be discussed. The aim of the survey was to set the course for the Delegation's future work. Based on the survey, members considered the Delegation to have multiple roles: on the one hand, it was considered to provide an opportunity for discussion and information exchange; on the other hand, members wished that the Delegation would also try to have an external impact and broadly help the human rights perspective to take root in society. Many members actively offered their expertise to the Delegation. Key issues that members wanted to discuss included the rights of asylum seekers and refugees, immigration and the rights of the elderly and persons with disabilities. Broader themes included the need to clarify the roles and responsibilities of different fundamental and human rights actors and the monitoring of the implementation of rights with indicators and policy programmes. Members hoped that the Delegation would employ flexible working methods.

In its second meeting, the Delegation also approved the rules of procedure of its permanent section, the Disability Rights Committee, and elected five people to the committee from among its members.

The Delegation held its third meeting in September. It adopted the HRC's Plan of Action for 2017 and its own indicative working plan for the years 2016–2018. There was strong support for making the fundamental and human rights discussion based on the annual reports of the supreme overseers of legality, special ombudsmen and other actors an annual meeting

theme.

In its last meeting of the year, the Delegation discussed the Government's second national action plan on fundamental and human rights. The public servant responsible for the project at the Ministry of Justice presented the draft action plan. Comments on the draft were made to the Ministry of Justice and the network of contact persons for fundamental and human rights both orally and in writing. Eeva Nykänen, a member of the Delegation, also talked about the fundamental and human rights' aspects of the on-going health and social services reform.

The new Human Rights Delegation began its work on 1 April 2016.

3.4 Disability Rights Committee

The Disability Rights Committee of the Human Rights Delegation and the Human Rights Centre held an informal meeting in September to discuss the committee's future activities and working methods. The official inaugural meeting was held on 19 October 2016. The five Delegation members appointed to the committee elected Kalle Könkkölä as the chair of the committee and Elina Akaan-Penttilä (currently Nieminen) as the vice chair. At least four external experts will later be appointed to the committee. The committee's expert members also include representatives of the Parliamentary Ombudsman and the HRC.

At the inaugural meeting, the committee decided to first focus on planning its work for the next year. It set as its general objective improving the status and equality of persons with disabilities in Finland, for example, by contributing to and exerting influence over legislative work.

In the two following meetings, the committee discussed its future activities based on concrete proposals. Possible forms of activ-

ity were considered to include meetings with cooperation partners and the organisation of various consultation and other events. Smooth cooperation with the HRC and the Parliamentary Ombudsman was also considered important.

In the meetings, the committee also discussed the human rights issues faced by persons with disabilities and selected the following three themes for its action plan: inclusion, accessibility, and social and health care services.



Abbreviations

ABBREVIATIONS

CRPD

Convention on the Rights of Persons with Disabilities

ECC

European Coordinating Committee

ECRI

European Commission against Racism and Intolerance

ENNHRI

European Network of National Human Rights Institutions

EU

European Union

FRA

European Union Agency for Fundamental Rights

GANHRI

Global Alliance of National Human Rights Institutions

HRC

Human Rights Centre

NHRI

National Human Rights Institution

NIEM

Northern Institute for Environmental and Minority Law

NPM

National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

ODIHR

OSCE Office for Democratic Institutions and Human Rights

OHCHR

Office of the United Nations High Commissioner for Human Rights

OSCE

Organisation for Security and Cooperation in Europe

UN

United Nations

UNDP

United Nations Development Programme

UNHCR

The UN Refugee Agency

UPR

Universal Periodic Review

IHMISOIKEUSKESKUS
MÄNNISKORÄTTSCENTRET
HUMAN RIGHTS CENTRE



00102 Eduskunta
Helsinki, Finland
www.humanrightscentre.fi