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HUMAN RIGHTS CENTRE



Human Rights Centre Annual Report 2012



**Human Rights Centre
Annual Report 2012**

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Foreword



Sirpa Rautio

DIRECTOR, HUMAN RIGHTS CENTRE
CHAIR OF HUMAN RIGHTS DELEGATION

The founding of the Human Rights Centre at the beginning of 2012 is a significant step in the history of fundamental and human rights in Finland. After extensive discussions and debates Finland finally has a national human rights institution whose tasks include promoting and safeguarding fundamental and human rights on the national level as well as international cooperation in the field of human rights.

Even though the resources of the Human Rights Centre are more limited than was originally planned, its role and significance as a human rights actor should not be underestimated. As its first director, I am optimistic that the centre will contribute to a more effective fundamental and human rights work in Finland, increase general awareness and create a positive culture in the field of fundamental and human rights. We have had a promising start in several respects and cooperation with various actors has also started off well.

The founding of the Human Rights Centre took place at the same time when Finland adopted the first National Action Plan on Fundamental and Human Rights which had been agreed on in the Government Programme. The drafting of the action plan is an important milestone as this had been recommended since 1993 when the United Nations organised a World Conference on Human Rights in Vienna. The same conference adopted 'Paris Principles',

according to which Finland's national human rights institution was designed.

Along with the founding of the Human Rights Centre, other important human rights actors were also established. A Panel of Fundamental and Human Rights Actors consisting mainly of representatives of non-governmental organisations and a Government Network of Contact Persons for Fundamental and Human Rights consisting of the ministries' officials were set up to monitor the implementation of the action plan. The latter one will probably be a permanent institution and act as an important partner for the Human Rights Centre also in the future. The new structures and the action plan can together contribute to a more systematic monitoring of the fundamental and human rights situation.

In addition to the new actors, Finland has a large number of other actors active in the sector of fundamental and human rights. Chancellor of Justice and ombudsmen who are members of the Delegation present their activities in this first annual report of the Human Rights Centre. Considering the tasks of the centre and the delegation in generating synergy and cooperation between various actors, it is natural that the first report does not only concentrate on the centre's own operations but also describes Finland's fundamental and human rights structures.

Even though Finland in principle implements fundamental and human rights quite well, we also have problems and challenges we need to tackle in the future. At the moment, one of the greatest challenges is to enact a comprehensive act on non-discrimination which will provide an adequate and effective legal protection regardless of the ground for discrimination. The existing legislation puts victims of discrimination in an unequal position depending on the ground for discrimination, and on the whole, the legislation is ambiguous and difficult to understand. Another future challenge is to ensure that all the services provided by society which are important in terms of the implementation of human rights are equally available in different parts of Finland and that also the rights of persons in a vulnerable position are realised in full.

In discussions on fundamental and human rights, it is good to remember that when compared internationally, Finland implements several rights particularly well. One of these is the right to comprehensive education free of charge. In general, Finland has emphasised economic, social and cultural rights along with civil and political rights. However, these are often not perceived as human rights in domestic discussions.

Human rights-based thinking has not yet been completely adopted, neither in public administration nor in public discussion. There is still a lot of work to do in the field of human rights education and training. The Human Rights Centre's key project during its first year of operation is to conduct a comprehensive study on the situation of human rights education in the Finnish education sector. The study will be used for drafting an action plan which will also clarify the centre's role in human rights education.

At the initial stages of operation, the Human Rights Centre as well as the whole national human rights institution have been subject to rather high expectations. Some of these may be unrealistic considering the available resources. The centre has met the expectations and challenges well and sought from the very beginning to develop fruitful cooperation and find its own areas of strength. On the whole, the new actor has been received very favourably. Here I would also like to express my thanks for good cooperation in particular to the whole personnel of the Office of the Parliamentary Ombudsman and the members of the Human Rights Delegation.



Pentti Arajärvi

VICE CHAIR OF HUMAN RIGHTS DELEGATION

The Human Rights Centre has a Human Rights Delegation whose tasks include dealing with fundamental and basic rights issues of far-reaching significance and principal importance. The Delegation has considered that a particular attention should be paid to the individual's access to his or her rights, i.e. how human rights are implemented.

Human rights are rights of an individual and in some cases also rights of groups. This means that their implementation or non-implementation usually needs to be viewed at the level of an individual, which poses various problems.

The most traditional monitoring system of conventions is periodic reports drafted by contracting states, which are often supplemented by shadow reports of independent organisations, at least in good European practice. The monitoring practice provides the country being examined with information on the deficiencies and development needs it has in the field of application of the convention concerned. In the best case, this also provides rather a good overview of the convention's implementation.

Other monitoring systems have also been established. The International Labour Organization ILO has its own monitoring system. The conventions against torture are monitored by a monitoring committee, which visits institutions where inappropriate treatment and prohibited procedures are most likely to occur.

The monitoring may also be based on complaints. Finland has internationally excelled in this area as it is the only contracting state that has accepted the right of representative non-governmental organisations to file complaints under the European Social Charter. However, there are also conventions without any monitoring system.

As regards the protection of an individual, the strongest and most significant monitoring system is an individual complaint. The individual complaint system is typically arranged so that a state gives a separate notice that it applies the complaint system. An example of this is the UN's International Covenant on Civil and Political Rights, but during the recent years, the individual complaint system has also been introduced into several other conventions of the UN system. One of the oldest examples of individual complaint systems is found in the European Convention on Human Rights where the individual complaint is not an optional but an obligatory system.

The individual complaint system guarantees a good outcome from the individual's perspective and the member states receive information on the convention's application and interpretation. A potential problem could be that information is scattered and random as the issues brought up within the scope of the monitoring system depend on the complaints filed by indi-

viduals. An overview of the convention's interpretation is formed slowly as the guiding effect related to the reporting system is missing.

International retrospective monitoring of human rights is not always sufficient. The implementation of human rights needs to be overseen also at the national level, i.e. in Finland. This monitoring may be proactive or retrospective.

Human rights are monitored proactively by the Parliament's Constitutional Law Committee in connection with the legislative process. According to Section 74 of the Constitution of Finland, one of the Committee's duties is to give an opinion of a bill in respect of human rights. The Committee also issues statements to other parliamentary committees. This procedure has in fact been used to amend bills to render them compatible with Finland's human rights obligations.

The human rights perspective is seldom brought up in connection with provisions lower than an act in the hierarchy of statutes. In the case of lower provisions, the compatibility with human rights obligations is in principle guaranteed through the officials' professional competence and through the oversight exercised by the Chancellor of Justice of the Council of State in the decision-making of the Council of State.

Retrospective monitoring is more transparent. Finland has no Constitutional Court, and even if it had one, it would probably have no jurisdiction over human rights conventions. These conventions are drafted and monitored internationally, which should also be the case.

In Finland, human rights conventions are validated by the Parliament to the extent that they

belong to the scope of legislation. In the hierarchy of statutes, conventions are comparable to an ordinary act. The competence of courts to disregard a provision of an ordinary act provided for in Section 106 of the Constitution applies only to provisions that are contrary to fundamental rights. As a state, Finland is always internationally bound by human rights conventions.

The only bodies that have been explicitly entrusted with duty to monitor human rights on the national level are the Parliamentary Ombudsman and the Chancellor of Justice of the Council of State (Sections 108 and 109 of the Constitution). In principle, authorities may also apply the interpretation favourable to human rights established by the Constitutional Law Committee.

The issues presented above are not surprising. Without a broader examination, one could assume that the situation of national monitoring is similar in all states.

If human rights monitoring bodies establish that Finland has acted reprehensibly in terms of human rights, it is important that a court decision can be rectified and that there is also the desire to do this whenever possible. Indemnity can be paid to the suffered party and often the decision may be revoked. In this respect, Finland certainly has room for improvement. The Parliamentary Ombudsman has recommended, for example, that a compensation should be offered for erroneous or reprehensible procedures. The compensation could be of a material or immaterial nature.



Petri Jääskeläinen

PARLIAMENTARY OMBUDSMAN

I am very pleased that the long-pending plan for establishing a national human rights institution in Finland has been carried out. A Human Rights Centre with a Human Rights Delegation has now been established by law as part of the Office of the Parliamentary Ombudsman.

It was thought for long that the national human rights institution should be established in connection with the Office of the Parliamentary Ombudsman, in particular. This was a suitable starting point since in Finland the Ombudsman has an exceptionally strong mandate in the field of fundamental and human rights.

According to the Constitution of Finland and the Act on the Parliamentary Ombudsman, the Ombudsman's duty is not only to supervise but also to promote the implementation of fundamental and human rights. This is manifested in all the Ombudsman's actions. In his decisions, initiatives and inspections the Ombudsman does not only assess the legality of the authorities' actions, but also whether they could have better promoted the implementation of fundamental and human rights by acting otherwise. In addition, this perspective is always included in the Ombudsman's statements and proposals related to the development of legislation or shortcomings in the authorities' actions either in individual cases or on a more general level.

However, when examined from the perspective of the Paris Principles, the Ombudsman's

activities lack certain essential aspects. First, the Ombudsman's activities in education, training and research related to the promotion of fundamental and human rights on a general level have been very limited. Second, the institution of the Ombudsman lacks a pluralist composition. Third, the Ombudsman's competence is limited to authorities, officials and individuals performing public duties. Purely private actors fall outside the scope of competence. The new structures remove all these shortcomings.

The statutory tasks of the Human Rights Centre include the general task of information provision, education, training and research on fundamental and human rights. The Human Rights Delegation consists of 40 members which represent the civil society, research institutes specialised in fundamental and human rights and other actors engaged in promoting and protecting fundamental and human rights. The members do not only include representatives of various non-governmental organisations and ideological, linguistic and minority groups but also the supreme guardians of the law, all special ombudsmen as well as representatives of various fundamental and human rights delegations. The Human Rights Delegation consequently also functions as a national cooperation body in the field of fundamental and human rights. The tasks and competence of the Human Rights Centre and the Human Rights Delegation also cover purely private actors.

The Human Rights Centre operates autonomously and independently, although it is administratively part of the Office of the Parliamentary Ombudsman. The Ombudsman appoints the Director of the Human Rights Centre after having received a statement from the Constitutional Law Committee. The same appointment procedure is applied to the selection of a substitute for the Deputy Ombudsman. The Ombudsman also appoints a Human Rights Delegation for a four-year term at a time.

When the establishment of a national human rights institution was prepared, it was debated whether the Human Rights Centre should be even more independent from the Ombudsman. When assessing independence, it is important to remember that the national human rights institution consists of three components, i.e. Human Rights Centre, Human Rights Delegation and Parliamentary Ombudsman. Each institution consisting of several units must have an internal organisation and certain internal distribution of competences. As regards the institution's independence, it is essential that it is independent from all external actors.

Independence is an important cornerstone of the Finnish Ombudsman institution established and guaranteed by the Constitution. It is

exactly the Ombudsman's independence and status that guarantee the independence of the entire human rights institution from all public bodies and other external actors.

I consider the institutional structure we have adopted as very successful. Even though the resources of the Human Rights Centre are limited, together with the personnel of the Ombudsman's Office and the Human Rights Delegation the institution comprises more than 100 people.

According to my understanding, effective protection of fundamental and human rights requires general education, training, research and information provision activities and the possibility of issuing statements and taking initiatives as well as the possibility of tackling individual violations of fundamental and human rights and inspecting the activities of authorities and closed institutions. Finland's national human rights institution covers all these tasks. The adopted structure also provides excellent conditions for information flow, interaction, coordination of tasks and a common strategy between the different parts of the institution.

The practical experiences received from Finland's national human rights institution during its first year of operation are very promising.



1

Finland's National Human Rights Institution

1.1

Establishing the Finnish Institution

The idea of establishing a national human rights institution was brought up in Finland at the beginning of the 21st century. At that time, the quarters dealing with fundamental and human rights noted on different occasions that our system was scattered and lacked coordination and that the resources for promoting fundamental and human rights through information provision, training and research were scarce.

A Human Rights Centre (HRC) was established through an act (Act on the Amendment of the Parliamentary Ombudsman Act 197/2002, Act 535/2011 of 20 May 2011) which entered into force on 1 January 2012.

The act provided a response to the discussion on whether Finland needs a national human rights institution, and if so, what kind of institution should be established.

Several proposals and reports had been presented on the issue, such as a report drafted by Åbo Akademi University in 2002 (Report on the need for a human rights institution in Finland) and a report by the Finnish League for Human Rights (Report on the views of key domestic actors on the development needs of Finland's human rights field and on a potential need to establish a national human rights institution). Both reports were commissioned by the Ministry for Foreign Affairs of Finland.

An Advisory Committee on International Human Rights (IONK) appointed by the Foreign Ministry drafted a proposal for establishing a national human rights institution in Finland on the basis of the reports and discussions. Various parliamentary committees supported the establishment on several occasions, also in connection with the related bill. In the Government Report on Human Rights Policy issued in 2009 (Government Report 7/2009), the Government backed the establishment of a national human rights institution as part of the Office of the Parliamentary Ombudsman.

The establishment proceeded rapidly after the Ministry of Justice appointed a working group on 26 June 2009 to examine 'whether a national human rights institution and its advisory board, which would focus on the general promotion of fundamental and human rights in Finland, could be established as part of the Office of the Parliamentary Ombudsman by taking the 'Paris Principles' into account'.

The working committee suggested that an autonomous and independent Human Rights Centre should be established as part of the Office of the Parliamentary Ombudsman. It was proposed that the HRC could be responsible for expert, training, statement-issuing, advisory, reporting, monitoring and information provision tasks which would cover the fundamental rights guaranteed by the Constitution as well as the human rights included in international human rights conventions, including the EU's framework of fundamental and human rights.

The working group further suggested that the HRC should have a director selected by the Parliament, a personnel consisting of at least ten officials and a human rights delegation appointed by the Parliamentary Ombudsman. The HRC's statutory tasks would cover, along with the Ombudsman's tasks related to overseeing legality, the tasks belonging to a human rights institution in accordance with the Paris Principles established by the UN.

A government bill on the topic was given in May 2011 (20.5.2011/535). The content was largely based on the proposal by the Ministry of Justice's working group, although significant changes had been made to a few issues.

The most salient amendment concerned the HRC's resources. The government bill stressed that the centre should have a strong expertise and broad-based competence and stated that the resources must be proportional to the statutory tasks. It was also noted that "...this will be a new organisation and there is no experience of the real amount of its work". The government decided to propose that at the initial stage, the

HRC should have at least two expert officials along with the director.

According to the government bill, the HRC would promote information provision, training and research on fundamental and human rights as well as cooperation in these issues. The centre would draft reports on the implementation of fundamental and human rights and take initiatives and give statements for the promotion and implementation of these rights. The HRC would also participate in European cooperation in the field of promoting and protecting fundamental and human rights. In addition, the centre would be responsible for other similar tasks related to the promotion and implementation of fundamental and human rights, such as independent monitoring of the implementation of international human rights conventions. Emphasis would be placed on tasks related to the implementation of fundamental and human rights in Finland.

There is a clear disparity between the extent of the tasks and the resources available, which was obviously also known to legislator. In fact, the government bill states that the HRC should have broad discretionary powers to decide on which concrete fundamental and human rights issues or situations it should concentrate at any given time or which issues and situations it should bring to the government's attention, for example. According to the bill, the centre will independently decide on the measures it deems necessary.

1.2 The Finnish Model

The working group of the Ministry of Justice was entrusted with the task to find out how Finland's national human rights institution could be established to the connection of the Office of the Parliamentary Ombudsman by taking the Paris Principles into account.

The model enjoyed a wide support and no other options were considered at this stage. The

working group deemed that among the human rights bodies in Finland, the Parliamentary Ombudsman corresponds most closely to the national human rights institution referred to in the Paris Principles.

The Ombudsman fulfils the requirement of administrative and economic independence. Furthermore, the Ombudsman's statutory task to handle complaints corresponds to the optional task of handling complaints referred to in the Paris Principles, which was an important factor in judging the location for the institution.

However, according to the working group's judgement, the Ombudsman would not fulfil the requirement of plurality defined in the Paris Principles. Even though the Ombudsman has an extensive task of monitoring fundamental and human rights along with his task of overseeing legality, he does not have a broad obligation to promote fundamental and human rights through information provision, training, education and research, for example. Further tasks not included in the Ombudsman's duties are systematic reporting on Finland's fundamental and human rights situation and paying attention to private-sector actors.

For the above-mentioned reasons, the entity formed by the Parliamentary Ombudsman, the Human Rights Centre and the Human Rights Delegation provide a suitable basis for Finland's national human rights institution. As stated in the government bill, 'the objective was to create an umbrella-like institutional structure which would have synergy effects on the current fundamental and human rights structures and work'. On the one hand, synergy effects are sought through cooperation between the HRC and the Office of the Parliamentary Ombudsman, and on the other through a broad-based composition of the Human Rights Delegation.

The experience from the Finnish model during the first year has been encouraging. The forms of cooperation were provided for in the new standing order for the Office of the Parliamentary Ombudsman already in June 2012, and the document also allowed for assigning tasks

between the Ombudsman and the HRC with the consent of decision-makers.

Even though this possibility has been utilised sparingly and the cooperation has primarily consisted of informal exchange of information and discussions, the fact that the standing order allows for this is important since the HRC's personnel resources are scarce and the Office of the Parliamentary Ombudsman has an extensive knowledge on fundamental and human rights from the various sectors of public administration. On the other hand, the Office has benefited from the events organised by the HRC and in particular from its knowledge on international human rights issues and organisations.

The cooperation is expected to develop further and deepen as the HRC's operations expand and become established. During 2013, a common strategy will be drafted for Finland's national human rights institution, which will further clarify the synergy advantages of the model adopted by Finland in the protection and promotion of fundamental and human rights.



2

Human Rights Centre

2.1. Human Rights Centre's statutory tasks

The HRC has the statutory task to promote fundamental and human rights through the means provided for by law. It operates autonomously and independently, although it is administratively part of the Office of the Parliamentary Ombudsman. As described in the previous chapter, the HRC, the Parliamentary Ombudsman and the Human Rights Delegation form Finland's national human rights institution.

THE CENTRE

- promotes information provision, training, education and research on fundamental and human rights,
- drafts reports on the implementation of fundamental and human rights,
- takes initiatives and gives statements for the promotion and implementation of fundamental and human rights,
- participates in European and international cooperation related to the promotion and protection of fundamental and human rights, and
- performs other similar tasks associated with the promotion and implementation of fundamental and human rights.

The centre does not handle complaints or other individual cases as these belong to the competence of the supreme guardians of the law.

The HRC has extensive tasks but its resources are more limited than envisaged in the report of the Ministry of Justice's working committee in 2010. Since the operations started, it has been clear that it is necessary to prioritise tasks. This is also provided for by the law. At the initial stages, it is hardly possible to carry out research, at least not in a large scale.

To ensure effective operations, it is important for the HRC to network extensively and develop cooperation with other fundamental and human rights actors as well as to seek to discover its own areas of strength. One objective of

the HRC's establishment stated in the government bill was to provide a framework for a better consolidation of fundamental and human rights issues and for the promotion of information exchange and cooperation.

2.2. Initial stages of operation

The HRC's operations started in spring 2012 after the Director and two experts had assumed their posts. The Human Rights Delegation appointed by the Parliamentary Ombudsman in March 2012 convened for the first time in April 2012.

At the initial stages, the HRC has concentrated on setting up a Human Rights Delegation (see a separate chapter) and on making the centre and its activities known.

The HRC has arranged meetings with stakeholder representatives and hosted a large number of visitor groups. During the first year, the centre was able to accept most of the requests for lectures, speeches and training as well as interview requests by the media.

During the first year of operation, the preparation of communications-related activities has taken time and resources, such as the creation of a graphic identity and the designing of various forms, portfolios, brochures, etc. Furthermore, the HRC's own website is under construction.

2.3. Central themes in the Human Rights Centre's operation

2.3.1.

MONITORING THE SITUATION OF FUNDAMENTAL AND HUMAN RIGHTS IN FINLAND

When dealing with the first Government Report to Parliament on the Human Rights Policy of Finland in 2004, the Parliament's Foreign Affairs Committee deemed that the report did not sufficiently analyse the implementation of hu-

man rights in Finland. Consequently, the report could not provide adequately substantiated assessments on how the measures related to the implementation of rights or political principles, i.e. indivisibility, universality and transparency, have succeeded in practice (Memorandum of the Foreign Affairs Committee 12/2004, p. 3). The same shortcoming also applies to the subsequent Government reports, national periodic reports as well as to national decision-making. Furthermore, there is no estimation on how large a share of Finland's state budget is appropriated for human rights work either directly or indirectly.

The second Government Report on Human Rights Policy issued in 2009 (Government Report 7/2009) provided a first relatively comprehensive review of the implementation of fundamental and human rights in Finland. When the Parliament discussed the report (Parliament 3/2010), it required that the Government adopt a national plan of action on the implementation of human rights in Finland at the beginning of the next electoral term. A decision to draft an action plan was adopted in the Government Programme in summer 2011. A National Action Plan on Fundamental and Human Rights for 2012 and 2013 was adopted in March 2012 (Ministry of Justice, reports and guidelines 20/2012). The report of 2009 and the action plan of 2012 are the first target-oriented documents that provide a basis for dealing with the challenges related to the implementation of rights and concrete measures for addressing them.

In 2012, several advances were made in the field of promoting and monitoring the implementation of human rights. A national human rights institution was established at the beginning of 2012 and it started to operate in March. The institution consists of the Human Rights Centre (HRC) established in conjunction with the Office of the Parliamentary Ombudsman, of a 40-member Human Rights Delegation appointed under the HRC and of the Parliamentary Ombudsman (PO), whose office has operated for over 90 years. The Panel of Fundamental and

Human Rights Actors and the Government Network of Fundamental and Human Rights Contact Persons were appointed to follow the implementation of the new Action Plan. The Panel consists of experts representing non-governmental organizations, research institutes, advisory bodies and specific ombudsmen, while the network is composed of the ministries' officials.

The purpose of all these reforms was to make the national and international human rights policy more effective and improve its coordination. However, these reforms are not sufficient since results-oriented human rights policy that realises the citizens' equality necessitates the inclusion of human rights projects in government and budget negotiations to ensure that these issues receive sufficient attention and resources. This is required both in the Constitution (Section 22 of the Constitution: The public authorities shall guarantee the observance of basic rights and liberties and human rights) and by the Parliament (Parliament 3/2010). The HRC and the national human rights institution have a central role in this field.

2.3.2.

THE FIRST NATIONAL ACTION PLAN ON FUNDAMENTAL AND HUMAN RIGHTS

The action plan was drafted in 2011 and 2012 in dialogues between the working committee consisting mainly of the ministries' officials and the Panel of Human Rights Actors representing non-governmental organizations and other human rights actors. In addition, a seminar and hearing with a wide coverage was organised, and citizens were allowed to express their opinion on a dedicated forum in the Internet (*otakantaa.fi*).

The Action Plan follows a rights-based approach and is based on the assumption that fundamental and human rights of the individual must be implemented in accordance with the fundamental rights provisions of the Constitution and international human rights conventions.

The public authorities are required to fulfil their obligations so as to allow individuals to achieve their rights.

The Action Plan consists of two parts. The first part deals with the general principles of Finland's human rights policy, and the second part describes 67 specific projects of the ministries that the government is to undertake in 2012 and 2013 to promote the implementation of fundamental and human rights. The Action Plan also refers to the ministries' ongoing projects falling outside its scope and to other actions aimed at improving the implementation of fundamental and human rights.

Even though the Action Plan is rather extensive, its drafting did not involve a thorough review of the human rights situation in Finland. One reason for this was problems with schedules. The Panel of Human Rights Actors, which participated in the drafting the Action Plan, expressed its dissatisfaction with the short period of consultation as well as with the fact that several of its proposals for action were not included in the final version of the Action Plan.

The suggestions that were ignored included the proposal that more attention should be paid to human rights education and the proposal that the legislation on gender recognition should be amended. The same issues were also pointed out by the Human Rights Commissioner of the Council of Europe in its report in autumn 2012. The Commissioner also noted that the Action Plan is not linked with the state budget process and that lack of funding has influenced the selection of measures. The Commissioner concluded that it would be useful to evaluate the budget proposals in respect of human rights. It would also be important to raise the politicians' awareness of the consequences of their decisions for the proper implementation of fundamental rights. Attention should also be paid to ensuring the effectiveness and independence of the HRC and ombudsmen for specific topics. The resources available to national human rights actors and institutions should be assessed in terms of their statutory duties.

The Action Plan states that effective safeguarding of fundamental and human rights essentially requires that the decision makers should have enough relevant information on the implementation of these rights. In that case, it is possible to take decisions needed to promote the implementation of rights and to allocate resources in an appropriate manner. The Action Plan and reforms of the national human rights architecture are examples of measures aimed at removing this shortcoming.

Follow-up of the Action Plan is important for ensuring the implementation of rights. The Government Network of Fundamental and Human Rights Contact Persons and the information it produces on the progress of projects is essential for this work. The Network and the Panel of Fundamental and Human Rights Actors convene regularly. The Panel is a non-governmental independent body which seeks to monitor and promote the implementation of projects. The HRC and the Human Rights Delegation participate in the monitoring and seek to improve its effectiveness and make it more systematic.

In practice, progress in the projects largely depends on the ministries' resources. It is worrying that several of the projects included in the Action Plan last year may not be implemented within the deadline.

2.3.3.

HUMAN RIGHTS INDICATORS

Measuring the effectiveness of human rights work requires specified information on the various phases of implementation. This in turn necessitates quantitative and qualitative indicators which direct the collection of information. The purpose of human rights indicators is to bring abstract human rights to the level of practice. The indicators measure access to rights, i.e. the implementation of the individual's rights, as well as different trends. They further measure how a state has developed in respect of the implementation of human rights.

During the past few years, several international actors (ILO, UN, EU's Fundamental Rights Agency) have actively engaged in developing human rights indicators. The UN's model, which was published in November 2012, is divided into structural, procedural and outcome-measuring indicators and into cross-cutting themes. The model is based on the central properties of the selected norms and is meant to be adapted to national circumstances.

In Finland, the work of drafting indicators for fundamental and human rights has only begun, even though a large number of indicators have already been produced in several related fields. The HRC has started to promote the drafting of national human rights indicators in cooperation with the Ministry of Justice.

Development of fundamental and human rights indicators is included in project no. 2 of the National Action Plan on Fundamental and Human Rights. The objective of the project is to produce easy-to-use indicators which will be published at the *findikaattori.fi* website and on other fora with a high visibility. In the long-term, the indicators will help to direct and monitor Finland's national fundamental and human rights policy and the measures it requires more effectively. The indicators will also help to improve the relevance of periodic reports to be drafted for international treaty monitoring bodies and measure how the same variables have changed from one report to another.

When results are measurable, problems foreseeable, trends observed and conclusions drafted, it enables the implementation of a more systematic and analytic human rights work. This will result in a better and more equal realisation of the citizens' fundamental and human rights.

2.3.4.

INTERNATIONAL HUMAN RIGHTS CONVENTIONS

The most important human rights conventions with the widest scope of application have been negotiated within the framework of the United Nations (UN) and the Council of Europe (COE). The EU's Charter of Fundamental Rights is legally binding on the European Union member states and extensively covers international human rights. In addition to the actual human rights treaties and conventions, elements related to human rights are also included in a large number of other documents of the international law.

In addition to the Universal Declaration of Human Rights (1948), the UN treaty system includes nine treaties that can be classified as human rights conventions and nine protocols attached thereto. Finland has signed all these conventions and protocols with the exception of one. The national implementation, i.e. ratification, of two conventions and four protocols is still pending. Finland has not accessed to the International Convention on the Protection of All Migrant Workers and Members of their Families, which only a few states have ratified. According to the Finnish legislation, migrant workers are protected by the same constitutional rights and human rights conventions ratified by Finland as other migrants.

The Council of Europe's system includes six actual human rights conventions. The most important and best-known is the European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights), whose implementation is monitored by the European Court of Human Rights. The other conventions relate to social rights, national minorities, regional and minority languages and human trafficking. The most recent one is the Convention on Preventing and Combating Violence against Women and Domestic Violence (also called "Istanbul Convention"), which was signed in 2011 but has not been ratified yet. It has not entered into force on the international level, either.

5.3.2.

NATIONAL IMPLEMENTATION OF HUMAN RIGHTS CONVENTIONS

For international conventions to enter into force on the national level, they need to be ratified. The Government gives a government bill on ratification to the Parliament, which will discuss it. After the parliamentary proceedings have been completed, the convention will be ratified by a government decree, and then ratification documents are submitted to the relevant international organization. Finland has signed nearly all human rights conventions and their optional protocols immediately after they have been completed but the ratification of several documents has been delayed, in some cases even for years.

The UN Convention on the Rights of Persons with Disabilities and its Optional Protocol and the Convention for the Protection of All Persons from Enforced Disappearance were signed already in 2007, but their ratification is still pending. The Government intends to give bills on their ratification during its ongoing term of office. The Disability Convention can have a significant influence on the realisation of the rights of a large group of people in Finland. Non-governmental organizations, in particular, have strongly criticized the delay in the ratification process.

The ratification of the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment signed in 2003 is also pending. A government bill was submitted to the Parliament in December 2012 and the Protocol will enter into force during 2013. In the annual report of 2010, the Parliamentary Ombudsman also expressed his surprise over the long duration of the process.

In 2009, Finland signed the Optional Protocol to the UN International Covenant on Economic, Social and Cultural Rights allowing individual complaints. A government bill on its ratification was submitted to the Parliament

in August 2012 and the Protocol will enter into force in 2013. On the international level, the Protocol will enter into force on 3 May 2013 after ten states have ratified it.

There are two further documents that have been signed during the past few years but that have not been ratified yet. A document known as the "Istanbul Convention", i.e. the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, was completed in 2011. The government will submit a bill on its ratification to the Parliament during 2013. The Optional Protocol on Communication of Procedure to the UN Convention on the Rights of the Child was signed in 2012 and a government bill on its ratification will be submitted to the Parliament during the government's current term of office. Neither of these documents has entered into force on the international level.

The ratification of two conventions and protocols that entered into force in 2012 also took a long time after their signing. The Second Optional Protocol to the UN Convention on the Rights of the Child was signed already in 2000 but it did not enter into force on the national level until on 1 July 2012. The Council of Europe Convention against Trafficking of Human Beings entered into force on the national level on 1 September 2012 even though it had been signed immediately after its completion in 2005.

As regards the duration of ratification process, the International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples from 1989 is in the league of its own. Finland (as well as Sweden) has still not ratified it despite various commitments and in particular the Sámi Parliament have repeatedly requested this. The issue involves extensive disputes and controversies related to land rights, for example, which have not been solved in a manner acceptable to all the parties.

In its report, the European Human Rights Commissioner stated that if the ratification pro-

cess in Finland was shorter, Finland could benefit quicker from the advice the treaty bodies give on the implementation of the provisions of the conventions. The implementation of human rights should be regarded as a continuous process since international compatibility and compliance requirements change over time.

2.3.6. PERIODIC REPORTS AND RECOMMENDATIONS

After having ratified Human Rights Conventions, states are obliged to provide periodic reports to the committees monitoring their implementation. This applies to all the above-mentioned Conventions with the exception of the European Convention on Human Rights. In addition Finland, like all the other UN member states, participates in the Universal Periodic Review-process (UPR). The periods for submitting reports vary from one to five years or are imposed on a case-by-case basis.

As part of the periodic reporting, member states participate in hearings organised by the monitoring committees where significant problems related to the field covered by the reports are discussed orally. The committees give recommendations to the member states and monitor the implementation of their earlier recommendations.

The recommendations given to Finland by various committees have mostly concerned the rights of national minorities, indigenous people, asylum seekers and immigrants, violence and discrimination against women and children, rights of people who have lost their freedom, social discrimination and inadequate statistics.

If needed, the HRC will provide information for the committees and monitor actively the implementation of recommendations given to Finland. In 2012, the HRC gave more detailed information on its own organizational structure and operation to the UN Committee on Civil and Political Rights.

2.3.7. HUMAN RIGHTS COMPLAINTS TO INTERNATIONAL JUDICIAL REVIEW BODIES

A natural or a legal person may file a complaint against the State of Finland if a domestic authority has, through its actions, violated their rights safeguarded by an international Human Rights Convention. In accordance with the general principles of international law, the most important requirement for filing a complaint is that all relevant national legal remedies must have been exhausted. In general this means that a case must have been heard at the courts of the highest instance (in Finland the Supreme Court or the Supreme Administrative Court).

Human rights complaints are handled by the judicial review bodies established under the United Nations and the Council of Europe. The European Court of Human Rights (ECHR) and the European Committee on Social Rights (ECSR) operate under the auspices of the Council of Europe, and four further bodies operate within the UN: the Human Rights Committee, the Committee against Torture, the Committee on the Elimination of Discrimination Against Women and the Committee on the Elimination of Racial Discrimination. In the next few years, after the national ratification processes have been completed, complaints against Finland can also be examined by the UN Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child, the Committee on the Rights of Persons with Disabilities and the Committee on Enforced Disappearances.

In 2012, altogether 317 new complaints were filed against Finland at the ECHR. The government was asked to submit a response to 24 complaints. After the new year, there were 289 pending cases. In 620 cases the complaint was dismissed or removed from the case list. Nearly all these cases were handled in the reduced compositions of the court (one or three judges). In these cases, the complainant is sent a letter stating that the case had been closed. The Government is not required to take any measures in those cases.

In 2012, the ECHR rendered five judgments concerning Finland. In two of them a violation was established. In the first case, the freedom of speech of an editor-in-chief had been violated by sentencing him to pay a fine for reporting on a criminal act. In the second one, the freedom and right to private life of a person had been violated by involuntarily administering medication and by continuing involuntary treatment without providing sufficient legal remedies.

In addition to the judgments, the ECHR rendered 24 decisions. In eight cases, the complainant and the state reached an agreement, and in four cases the state admitted a human rights violation. The ECHR also gave 42 interim measures (injunctions), of which only two were positive in that they prohibited Finland from returning a foreign citizen to another state before a legally binding decision was available.

Between 1 November 1998 and 31 December 2012 (the ECHR was established in 1998) Finland received 163 judgments in total from the ECHR, including 126 judgments where a violation was found. The handling of 89 complaints ended in a decision or judgment following an agreement or a unilateral declaration by the government. The number of judgments finding a violation concerning Finland is remarkably high compared to the other Nordic countries. During the same period, the other Nordic countries received 99 violation judgments in total.

In 2012, organizations filed two complaints at the European Committee on Social Rights (unequal treatment of family and home carers in different municipalities) that were found admissible. Earlier the Committee has taken a decision on two complaints filed against Finland in 2001 (violation found) and in 2007 (no violation). Finland is the only member state that has allowed all organizations to make complaints to the committee. Other member states only allow organizations fulfilling certain criteria (mainly trade unions) to file complaints.

In 2012, there were 7 complaints pending against Finland at the UN Committee against Torture. In addition, the committee rendered

four new interim measures. So far 33 complaints in total have been filed against Finland at the UN Committee on Human Rights, and a decision has been taken in 14 cases. A violation was established in five cases, while no violation was established in nine cases. One complaint is still pending. No complaints were pending against Finland at the other UN committees.

The HRC monitors the decisions made and will in the future seek to provide more information on international human rights mechanisms and their case law for example in cases concerning Finland.

2.3.8. PENDING HUMAN RIGHTS CONVENTIONS

There are currently no ongoing negotiations on human rights conventions on the international level. However, both the Council of Europe and the United Nations are preparing several projects, in particular in relation to the rights of the elderly.

In addition, a Nordic Convention on the Sámi People is being prepared to improve the status of the Sámi as an indigenous people and to reinforce their rights in Finland, Sweden and Norway. The national governments and the Sámi Parliaments are engaged in negotiations on a draft convention prepared by a joint Nordic expert group. The convention should be finished during the next few years. The issue is related to the International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples, which Finland and Sweden have not ratified. Norway was one of the first countries that ratified it.

2.3.9. HUMAN RIGHTS EDUCATION AND TRAINING

Promotion of information provision, education, training and research on human rights as well as cooperation in these matters is one of the stat-

utory tasks of the Human Rights Centre (HRC). According to the relevant government bill, the HRC could also participate in the implementation of these tasks, if necessary. As a rule the centre, however, mainly cooperates with other actors in the field.

The HRC launched a national baseline study on the implementation of human rights education and training in Finland immediately after its establishment. The Human Rights Delegation appointed a human rights education division to supervise the work related to the national baseline study, and the persons selected for carrying out the study started their task in accordance with a plan approved by the division. The national baseline study will be completed in summer 2013 and will provide an extensive account of the Finnish education system.

The national baseline study will review legislation on human rights education and training as well as other binding national guidelines (curricula or the like) in the different sectors of education. The study will also evaluate the professional abilities of teachers, educators and trainers in respect of human rights education and training as well as review the contents of teaching. In this connection, it will not be possible to evaluate the quality or effectiveness of teaching.

The obligation to human rights education can be deemed to have its roots in the founding of the United Nations (UN) or in the UN's Universal Declaration of Human Rights of 1948. All the UN member states were asked to conduct a national baseline study on human rights in connection with the decade of human rights education (1995-2004) and later in the UN's human rights education programme (2005-). Finland has not conducted such a national baseline study earlier.

In 2012, the UN member states unanimously adopted a Declaration on Human Rights Education and Training. The declaration includes a definition of human rights education, which can be summarised as follows:

Human rights education includes all training, education and communication that aims at

global respect for human rights and fundamental rights and thus prevents human rights violations. Human rights education provides people with knowledge, skills and understanding for developing their attitudes and behaviour to reinforce a culture favourable to human rights. This includes both the recognition of one's own rights as well as respect for the rights of the others.

Good-quality human rights education should include teaching on values, norms and mechanisms related to human rights, and teaching should be conducted in a way that respects human rights and empowers people to implement human rights.

The UN's specialized agencies also work to promote human rights education. The United Nations Educational, Scientific and Cultural Organization Unesco has been an important actor in this field. Unesco gave its first recommendation on international and human rights education already in 1974. In fact, Finland was one of its two initiators. Nowadays Unesco's work in the field of human rights education is integrated into the UN's global Human Rights Education Programme. Unicef, which has a special mission to promote the children's rights, has attended to communicating information on the rights established in the Convention on the Rights of the Child both to children and adults.

In addition to the UN, other international organizations work to promote human rights education. The Council of Europe's Committee of Ministers adopted a first resolution on human rights education already in 1978. Three years ago it adopted a Charter on Education for Democratic Citizenship and Human Rights Education. The organization has also published material on human rights education, such as its well-known manual *Compassito - Manual on human rights education for children*.

The Organization for Security and Cooperation in Europe OSCE also seeks to enhance the capacity of its member states, in particular, but also that of civil society, human rights institutions and field operations in respect of monitor-

ing, reporting and promotion of human rights. In 2012, the OSCE published new guidelines of human rights education for law enforcement officials and for secondary school system.

In Finland, attention has been paid to human rights education and training especially in basic education since the end of the 1990s. At first, important actors included Finland's Unesco Committee, human rights organizations and the human rights institute at Åbo Akademi University. For example, in 1997 Unesco organised its regional conference on human rights education in Europe in Turku. In Finland, the concepts of human rights, peace, democracy, international and global education have developed along intersecting and overlapping paths.

Respect for human rights is included in the value base of the national curricula in basic education. In 2010, the UN Declaration on Human Rights, European Convention on Human Rights and teaching on holocaust were included in the curricula of certain subjects in basic education. The Government Report on the Human Rights Policy (2009) and the National Action Plan on Fundamental and Human Rights (2012) emphasise the meaning of human rights education and state that for instance the work carried out by various organizations in the field of human rights education is of a particular importance.

According to the Government Development Programme for Child and Youth Policy (2007-2011), measures have been taken to increase cooperation between ministries so as to improve dissemination of information on the Convention on the Rights of the Child. In 2010, the Ministry of Education and Culture published a National Communications Strategy on Children's Rights (Ministry of Education and Culture 2010:14).

So far no proper assessment has been conducted on the quantity, extent or quality of human rights education on the national level in Finland. The HRC's national baseline study seeks to provide answers to these questions.

In addition to the work related to the national baseline study, the Director and the HRC's experts provided training on human rights at

events organised by universities and ministries in 2012. The demand for such training seems to be great, both on human rights in general and on more specific topics. The issues the HRC undoubtedly needs to consider in the coming years include the development of the content of human rights training, production of material and provision of training.

2.3.10.

HUMAN RIGHTS AND BUSINESS

According to item 2 of the Paris principles governing national human rights institutions, human rights institutions should have as broad a mandate as possible. The government bill on the establishment of a Human Rights Centre states that the centre's reports could also pay attention to human rights issues in the private sector.

Accordingly, the Human Rights Centre (HRC) initiated meetings in Helsinki between relevant stakeholders during autumn 2012. The HRC commented on the government decision-in-principle on the amendment of corporate responsibility in November, and the topic was discussed at the last meeting of the Human Rights Delegation in December 2012.

Furthermore, in autumn 2012 a decision was made to produce a publication on the topic in Finnish during 2013. The publication will elucidate the UN Guiding Principles on Business and Human Rights and introduce other relevant initiatives, documents and actors.

International guidelines on corporate responsibility have their roots in the founding of the International Labour Organization ILO and in the first agreements made in tri-partite negotiations. The number of international initiatives and standards regulating business activity has increased rapidly since the 1970s, and the traditional environmental questions have been gradually accompanied by issues related to the effects of business on the realisation of human rights.

During the past recent years, one of the most important issues in the setting of international norms has been the formulation of UN Guiding Principles on Business and Human Rights. The principles are also referred to as Ruggie's Guiding Principles according to Professor John Ruggie who was in charge of the negotiation process, and they were adopted at the UN Human Rights Council in 2011.

The principles consist of three pillars. The first one, state duty to protect human rights, means, among other things, that on the national level, states must ensure that the legislation regulating business activity guarantees the realisation of human rights and that the legislation is followed in practice.

The second pillar relates to corporate responsibility to respect human rights. First of all, all companies must avoid violating human rights in their own operations. This responsibility also extends to business relations, such as contractors and suppliers. Companies are required to follow a due diligence requirement to ensure that human rights are not violated in their operations. This means, for example, that companies must create a process for recognising the human rights effects of their operations, for preventing or mitigating negative effects and for bearing the responsibility for potential human rights violations.

The third pillar relates to access to remedy and protection by the victims of human rights violations. This requirement applies both to states and companies and covers mechanisms for legal protection as well as other compensation systems. An essential requirement is that the systems must be easily accessible and effective from the victims' point of view.

Reflecting on these principles, several other important actors in the international arena have developed and amended their own guidelines, including the European Union (e.g. a communication of corporate responsibility), the OECD (e.g. amendment to the Guidelines for multinational enterprises) and the International Finance Corporation belonging to the World Bank

Group (e.g. Performance standards and Guide to Human Rights Impact Assessment and Management).

The international pressure to provide binding legal regulation on business activity in respect of human rights is increasing. However, at least so far international organizations mainly advise and encourage companies to respect human rights but do not oblige them to do so. Also investors and consumers exert pressure on companies, and it is not unthinkable that in the future companies could be sued more often for human rights violations committed in their operations.

In its recent resolution, the UN Human Rights Council noted with satisfaction the role of human rights institutions in the discussion on human rights and business. The Council expressed a wish that the institutions should further increase their capacity in this issue to be able to effectively cooperate with the Office of the UN High Commissioner for Human Rights.

The International Coordinating Committee ICC functioning as a joint platform for national human rights institutions appointed its first thematic working group in 2009 to improve the skills and actions of national human rights institutions in the field of human rights and business. In 2010, national human rights institutions adopted an Edinburgh Declaration, which states that national human rights institutions may, under the Paris Principles, engage inter alia in the following:

- conduct research and undertake education, awareness-raising and other activities related to business and human rights
- monitor the actions of states and businesses in respect of compliance with human rights and integrate business and human rights issues when interacting with international human rights bodies, including UN treaty bodies and periodic review
- handle complaints related to the business and human rights issues
- facilitate victims' access to remedies, for example by supporting victims or by undertaking mediation and conciliation.

Considering the national situation and their own priorities, human rights institutions may choose the most appropriate means from the Declaration to promote respect for human rights in business.

In 2011 and 2012, all the four regional groups of human rights institutions organised training on the topic for the institutions in their region. The HRC participated in an event organised by the regional group for Europe in Berlin in September 2012.

2.4 International cooperation

According to the government bill, the HRC's tasks are focused on the implementation of fundamental and human rights in Finland. If a matter relates to Finland, the HRC may also deal with international human rights issues, such as topics concerning the EU's internal human rights situation or human rights themes in Finland's foreign policy.

One of the HRC's statutory tasks is to participate in European and international cooperation related to the promotion and protection of fundamental and human rights. This refers to international cooperation where national human rights institutions conventionally participate. In principle, the HRC represents Finland's national human rights institution in this respect. The Ombudsman is still responsible for the international dimensions related to his duties.

In practice, there have been no problems in defining the boundaries between the actors. The HRC has networked with other national human rights institutions and participated in the operations and joint meetings of the European human rights institutions, in particular.

The HRC also participates in the activities of international organisations especially in respect of themes topical for it. These include the UN's working group on corporate responsibility, the European Union Agency for Fundamental Rights and its broader operations and the human

rights mechanisms of the Council of Europe.

One of the HRC's key tasks is to independently follow the compliance with international human rights conventions in Finland, the implementation of recommendations and decisions given to Finland by international monitoring bodies and the enforcement of judgements by the European Court of Human Rights.

During its founding year, the HRC arranged a hearing for the Human Right Delegation on Finland's periodic review at the UN and a seminar related to the publication and follow-up of the report on Finland given by the Council of Europe's Commissioner for Human Rights.

Seminars and training have been planned for 2013 together with the various monitoring bodies of the Council of Europe and the European Court of Human Rights, in particular.

The HRC will also communicate with the International Coordination Committee of National Human Rights Institutions (ICC) operating under the UN. The ICC's accreditation will be applied for Finland's national human rights institution during 2013. An objective is to obtain an A status for Finland, which is granted to those institutions that fulfil all the criteria defined in the UN's Paris Principles. The most important of these criteria are autonomy and independence and a broad-based mandate in the field of human rights. The A-status provides full participatory rights and right to speak for example at the UN's Human Rights Council.

As far as is known, Finland's national human rights institution is unique in the world in terms of its composition. It has received quite a lot of interest in the international context. The feedback has been mostly positive and it has even been suggested that the model adopted by Finland could provide an example for those countries that are considering to establish a national human rights institution or develop it further.

The HRC as well as Finland's entire national human rights institution ultimately need to fit in the international context and prove their utility as efficient promoters and guardians of fundamental and human rights in Finland.

3

Human Rights Delegation

3.1. Appointment and composition

According to the UN's Paris Principles, a national human rights institution is required to have a pluralist composition and a broad network of cooperation encompassing all the instances that are involved in human rights work on the national level. The Human Rights Centre (HRC) and the Parliamentary Ombudsman cannot alone meet this requirement, for which reason a Human Rights Delegation (Delegation) was simultaneously established under the HRC as part of the national human rights institution (Act on the Amendment of the Parliamentary Ombudsman Act, Act 535/2011, Section 19 e).

The Delegation consists of 20 to 40 members. The permanent members are the Parliamentary Ombudsman and the Chancellor of Justice of the Government (or their deputies), the Ombudsman for Minorities, the Ombudsman for Equality, the Ombudsman for Children, the Ombudsman for Data Protection and a representative of the Sámi Parliament. The other members were selected among persons who were nominated on the basis of their personal expertise with human and fundamental rights issues by relevant organizations, research institutes, advisory bodies and other actors. The government bill (205/2010, p. 29) deliberately excluded representatives of ministries, municipalities and social partners from the membership of the Delegation. However, the Constitutional Law Committee considered in its memorandum (12/2010) that in principle there was no reason to leave the representatives of social partners outside the Delegation.

The Parliamentary Ombudsman appoints the Delegation for a four-year term at a time after having first heard the HRC's Director. The Director acts as the Chair of the Delegation, while the Delegation selects its Vice Chair among its members. According to the law, the Delegation should be appointed by paying special attention to diverse expertise and representativeness as well as to the members' activity in the field

of fundamental and human rights. The appointment procedure should also be transparent.

Members were searched for the first Delegation by sending a letter to a large number of relevant organizations, universities and advisory boards and asking them to nominate candidates. In addition, an advertisement for nominating candidates was published on the website of the Parliamentary Ombudsman.

The Ombudsman appointed the first delegation on 29 March 2012 and nominated 40 members for its term of office 2012–2016.

3.2. Tasks and activities

Section 19 e, Paragraph 3 of the above-mentioned Act prescribes three tasks for the Delegation. The Delegation shall deal with fundamental and human rights issues of a far-reaching significance and principal importance, yearly approve the HRC's plan of action and annual report and function as a national cooperative body for fundamental and human rights actors. In other words, the Delegation guides and develops the HRC's work on the broad level and promotes the generation of synergies in the domain of national fundamental and human rights work.

Under the Act, the Delegation may set up working committees and divisions. In its first meeting, the Delegation selected a 7-member working committee among its members for 2012 and 2013. The HRC's Director chairs the working committee, and the Delegation selects its Vice Chair among its members. The working committee prepares the Delegation's meetings, drafts reports and carries out other necessary duties set for it by the Delegation.

The Delegation convenes two to four times a year. The HRC functions as the Delegation's secretariat and prepares the matters to be dealt by the Delegation either at its own or at the Delegation's initiative. If necessary, it will avail the expertise of the working committee.

In addition to the working committee, the present Delegation set up a human rights education and training division and asked experts from outside the Delegation to participate in the division's work at the suggestion of some Delegation members. The division functions as the steering group for the HRC's first project, i.e. a national baseline study on human rights education and training. On the basis of the study, it will also prepare proposals for action and recommendations that will be discussed by the Delegation. The study will be finished in summer 2013. Other thematic or project-related divisions may be established in the future.

3.3. Work in 2012

In 2012 the Delegation convened four times: in April, June, September and December.

In its first meeting, the Delegation selected a Vice Chair among its members and a 7-member working committee for its term of office 2012-2013. The Delegation had a preliminary discussion on its role in relation to other national human rights actors, such as the panel of human rights actors that was appointed under a decision of the Ministry of Justice at the beginning of 2012 to monitor the implementation of the National Action Plan on Fundamental and Human Rights. The panel consists of representatives of non-governmental organizations and special ombudsmen, some of which are also members of the Delegation.

The Delegation regarded the selection of themes it should discuss as a challenging task. The Delegation deemed that a particular attention should be paid to cross-sectional issues that would otherwise receive only a little attention or that are not included in the National Action Plan on Fundamental and Human Rights. In the discussions, it was also pointed out that even though the centre does not deal

with individual cases, these may involve more general questions that deserve attention.

In its second meeting, the Delegation approved the HRC's Plan of Action for 2012-2013 and authorized the working committee to prepare a plan of action for the delegation as well as a strategy for the whole human rights institution. A lecture series on topical issues intended for the Delegation members was also launched at the meeting. The first lecture was given by officials from the Ministry of Foreign Affairs, who provided information on the Universal Periodic Review (UPR) hearing of Finland at the UN's Human Rights Council, on the recommendations given to Finland by the Council and on the potential follow-up measures needed.

In its third meeting, experts from the Ministry of Justice provided a review on the current situation of the amendment of equality legislation and on the reform of the national human rights architecture. The amendment process of equality legislation aroused a lively discussion at the meeting. In addition, the HRC disclosed that the national baseline study on human rights education and training had begun promisingly.

In its last meeting of the year, the Delegation was given an introduction into "Human rights and business", which is one of the HRC's upcoming projects in 2013, including the drafting of a publication on the issue in Finnish. The meeting had a follow-up discussion on the amendment of equality legislation, on a related draft government bill and on the likely opinion of the Delegation on the draft bill.

The Delegation also received a brief report on a seminar organised on account of the recommendations given by the Council of Europe's Commissioner for Human Rights, which was the first public event organised by the HRC. The seminar was organised in cooperation with the Foreign Ministry's advisory board for international human rights. The seminar had over 150 participants.

The Delegation also discussed guidelines for the work to be undertaken between 2013 and 2016 and reviewed the results of an earlier survey conducted on human rights priorities among its members. On the basis of these results, "access to rights" was chosen as the cross-cutting theme for the Delegation's current term of office.



4

Chancellor of Justice and Ombudsmen appointed for specific topics



Mikko Puumalainen

DEPUTY CHANCELLOR OF JUSTICE

- The Chancellor of Justice supervises the legality of the official actions of the Government, the Ministries and the President of the Republic. He also ensures that the courts of law, authorities and officials comply with the law and fulfil their obligations.
- The Chancellor of Justice also oversees the implementation of fundamental and human rights in Finland. The duties of the Chancellor of Justice are defined in the Constitution.
- The Office of the Chancellor of Justice monitors and promotes fundamental and human rights on the basis of complaints by citizens, inspections, supervision of the Government's decision-making process and other observations.
- www.okv.fi/en

4.1. Chancellor of Justice as a promoter of fundamental and human rights

The Chancellor of Justice's duties as the supervisor of the Government's decision-making and the authorities' actions are defined in the Constitution. This task also covers overseeing the implementation of fundamental and human rights in Finland.

The activities of the Office of the Chancellor of Justice as the guardian and promoter of fundamental and human rights is based both on complaints filed by citizens and on observations made through inspections or otherwise, for example through the media. The Chancellor of Justice also oversees the implementation of fundamental and human rights when supervising the Government's decision-making. Consequently, the Chancellor of Justice has a unique opportunity in Finland to assess the implemen-

tation of fundamental rights both in the activities of individual officials and offices and in the Government's decision-making.

The Chancellor of Justice promotes fundamental and human rights also in cooperation with stakeholders and through participation in the work of the Human Rights Delegation and the Government Network of Contact Persons for Fundamental and Human Rights.

COMPLAINTS AND THEIR HANDLING

The Chancellor of Justice supervises the legality of the actions of authorities and other public bodies by handling complaints filed against their actions. Individuals or corporations may complain to the Chancellor of Justice if they deem that a person, authority or another body belonging within the scope of the supervision exercised by the Chancellor of Justice has acted

in an unlawful manner or has failed to fulfil their obligations. In 2012 the total number of complaints filed was 1 808.

All the complaints addressed to the Chancellor of Justice are also examined to establish whether fundamental and human rights have been violated or whether the matter otherwise involves fundamental and human rights. A complaint is examined from this perspective regardless of whether the complainant brings it up. The Chancellor of Justice or the Deputy Chancellor of Justice will decide whether and how the matter needs to be investigated.

INSPECTIONS

Inspection of the actions of various authorities constitute an important part of the supervision of legality exercised by the Chancellor of Justice. When the targets to be inspected are selected, a special attention is paid to whether the Chancellor of Justice has been notified through a complaint or otherwise that the actions of the authorities concerned involve issues related to the implementation of fundamental and human rights. The Deputy Chancellor of Justice carries out approximately 30 inspections annually.

CHANCELLOR OF JUSTICE'S OWN INITIATIVES

The Chancellor of Justice also promotes fundamental and human rights through his own initiatives. The Ministry of Education and Culture carried out a survey of school health care and student welfare in general at the request of the Chancellor of Justice. According to the survey, school health care and student welfare were not implemented equally on the national level.

On the basis of the survey, the Chancellor of Justice requested the Ministry to give a concrete and justified judgement in 2011 on whether an adequate and nationally equal student welfare required by the Basic Education Act can be achieved through the resources allocated to

student welfare by municipalities and through guidance based on quality recommendations. Legislation is being prepared on the matter.

The Deputy Chancellor of Justice has examined on his own initiative the piling up of cases at the Social Security Appeal Board and has made several decisions on the matter. The Deputy Chancellor of Justice emphasised that the implementation of a right guaranteed by the Constitution cannot be neglected for the reason that sufficient funds have not been allocated for the operations. The situation at the Appeal Board has improved significantly.

REVIEW OF PENALTY DECISIONS

The supervision by the Chancellor of Justice also covers review of penalty decisions. The objective is to ensure that nobody is sentenced in an unlawful manner or to an unlawful punishment. For the purpose of this supervisory duty, the Legal Register Centre submits a sample of judicial decision and implementation documents to the Office of the Chancellor of Justice. The review is based on a random sample but it effectively reveals repetitive and common errors.

For example, in 2012 approximately 5 700 sentences were reviewed. A decision was made on 117 cases where the proceedings were instituted on the basis of the review of penalty decisions. Charges were pressed in one case and a notification was given in two cases. In 25 cases the Chancellor of Justice issued a statement.

SUPERVISION OF THE GOVERNMENT

According to the Constitution, the Chancellor of Justice has the duty to supervise the legality of the official actions of the Government and the President of the Republic. The Chancellor of Justice attends the plenary sessions and other meetings of the Government as well as presidential sessions where the Government present proposals to the President.

The Office of the Chancellor of Justice also reviews presentation agendas, which involves checking all the matters to be handled by the Government, including government bills and decrees as well as parliamentary communications on issues related to the EU. The review also covers the fundamental and human rights perspective. Annually the Office reviews nearly 1500 agendas and if problems are detected, these are discussed with the Ministry concerned before decision-making.

In the review process, bills are considered for example from the perspective of the legislative process, i.e. whether it is appropriate, whether a statement is needed from the Constitutional Law Committee, whether the previous statements of the Constitutional Law Committee have been taken into account in their preparation and whether a sufficient attention has been paid to the fundamental and human rights perspective.

In addition to these activities, a less visible but more demanding task both legally and time-wise is that of replying to the legal questions presented by the ministries' officials and government ministries on matters under preparation. The Office of the Chancellor of Justice receives a large number of such questions, usually over the phone or by email.

ISSUING OF STATEMENTS

According to the Constitution, the Chancellor of Justice must upon request provide information and statements on legal issues for the President, the Government and the Ministries. The Chancellor of Justice is also asked to issue statements on various statute drafting projects, and he will issue a statement according to his discretion. A statement will always be issued on statute drafting projects that are important in respect of the implementation of fundamental and human rights.



Pirkko Mäkinen

OMBUDSMAN FOR EQUALITY

- The Ombudsman for Equality supervises compliance with the Act on Equality between Women and Men. The act also covers people belonging to gender minorities.
- The Ombudsman is an independent law enforcement authority and operates under the Ministry for Health and Social Affairs.
- The Ombudsman's supervision covers the implementation of gender equality, prohibition of discrimination and promotion of equality. These different perspectives are important as effective promotion helps to prevent discrimination.
- www.tasa-arvo.fi/en

4.2. Ombudsman for Equality supervises gender equality

The Ombudsman for Equality is an independent law enforcement authority. The Ombudsman primarily supervises compliance with the prohibitions against discrimination prescribed by the Act on Equality but also the implementation of the obligations to promote equality as far as the resources available permit. It is important that the duties include both these activities as they complement each other. Effective promotion also helps to prevent discrimination.

The scope of application of the Act on Equality is broad, and it is based on the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW convention). It has provided an appropriate starting point for gradually improving the functionality of the Act on Equality.

Gender equality is a human rights issue, and thus the Ombudsman for Equality closely follows the work of the UN's CEDAW Committee and in particular notices concerning Finland. The Committee has requested the Government of Finland to provide a separate report on violence against women as the Government's actions have not been sufficient. At the moment, the Ombudsman for Equality is engaged in the preparation of the ongoing ratification process of the Istanbul Convention of the Council of Europe.

The Ombudsman's Office also participated in the preparation of the Council of State's National Action Plan on Fundamental and Human Rights through a panel consisting of civil society representatives and law enforcement authorities. It is worrying that the human rights issues of sexual and gender minorities were not included in this action plan. The office has participated in a working group established by the Ministry for

Foreign affairs to deal with this issue. The Ombudsman's Office is also actively engaged in the preparations of the Non-Discrimination Act.

TOPICAL ISSUES IN LAW ENFORCEMENT

Work life is an important area where the Ombudsman for Equality exercises law enforcement. The contacts from citizens often relate to questions on employment, family leave and discrimination on the grounds of pregnancy. Termination of fixed-term employment on the grounds of the employee's pregnancy is still reality. Returning to work from family leave also causes problems. Sometimes women are also asked about pregnancy or their plans of having children in employment interviews.

The Act on Equality is interpreted to also cover people belonging to sexual minorities. The Ombudsman has deemed that the protection against discrimination is broad and covers sexual minorities. The Ombudsman published a report on the status of sexual minorities at the beginning of 2012.

The Ombudsman has suggested that a project to examine legal protection in situations related to pregnancy and family leave and reform of the Gender Recognition Act should be added to the Council of State's National Action Plan on Fundamental and Human Rights. According to the report by the Ombudsman for Equality, the most serious human rights violation in respect of sexual minorities is the requirement of inability to reproduce. Family legislation should also be reconsidered and the treatment practices of inter-gender people should be evaluated.

EQUALITY PLANS

Workplaces are required to have an equality plan drafted in cooperation with personnel representatives. They should also include a pay survey. In addition, the plans should examine the

personnel's placement in different tasks, distribution of education and combining work and family life.

At the moment, most workplaces draft equality plans but their quality is a problem. They lack concrete actions, the pay survey is often only a description of the situation and the reasons for differences in pay are not analysed.

A challenge related to equality plans at educational institutions is how to involve the students in planning. Equality plans of secondary education and universities of applied sciences have been of a low quality. The universities have performed best in this area.

DEVELOPMENT OF THE MONITORING SYSTEM OF THE ACT ON EQUALITY

The independent status of the Ombudsman for Equality needs to be reinforced when developing the monitoring system. The Ombudsman's independence needs to be guaranteed by law. Promotion of reconciliation should be added to the Ombudsman's competence. The Equality Board should be developed by expanding the scope of actors who have the right to bring a case to the board.

AMENDMENT OF THE ACT ON EQUALITY

In exercising law enforcement, the Ombudsman for Equality has interpreted the Act on Equality broadly to cover sexual minorities. To clarify the situation, prohibition against discrimination of sexual minorities and obligation to promote equality should be added to the Act on Equality.

The regulations on pay survey should be clarified and the Ombudsman's duty to assist reconciliation should be included in the Act on Equality. Multiple discrimination and discrimination by association should also be clearly defined as prohibited forms of discrimination.

**Reijo Aarnio**

DATA PROTECTION OMBUDSMAN

- The Data Protection Ombudsman handles and makes decisions on matters concerning the handling of personal data and credit data in accordance with the Personal Data Act and the Credit Information Act.
- The Ombudsman follows the general development in the handling of these data and takes necessary initiatives. The Ombudsman also distributes information and participates in international cooperation related to the handling of personal data.
- The duties of the Data Protection Ombudsman are defined in the Personal Data Act and in the Act on Data Protection Board and Data Protection Ombudsman.
- The Data Ombudsman's Office celebrated its 25th anniversary in 2012.
- www.tietosuoja.fi/en

4.3. Data Protection Ombudsman protects privacy and personal data

Data protection is firmly based in the regulation of human and fundamental rights. According to Article 8 of the European Convention for Human Rights, everybody has the right to respect for his private and family life. Article 7 of the Charter of Fundamental Rights of the European Union also guarantees the right to respect for private and family life as well as confidentiality of communications.

Article 8 of the Charter of Fundamental Rights separately provides for the right to the protection of personal data. According to Article 8(3), each member state shall have an independent authority who controls the protection of personal data. The Council of Europe's Convention on the Protection of Personal Data and

the Organisation for Economic Co-operation and Development OECD are also significant in terms of data protection.

Section 10 of the Constitution of Finland guarantees the right to private life and also the right to the protection of personal data. Our national act, Personal Data Act, is based on the currently valid Data Protection Directive of the EU.

The Directive states that data-processing systems are designed to serve man, and they must, whatever the nationality or residence of natural persons, respect their fundamental rights and freedoms, notably the right to privacy, and contribute to economic and social progress, trade expansion and the well-being of individuals.

The legislation on personal data protection emphasises the people's right to self-determination. On the other hand, it restricts this right

as it allows for handling of personal data without a person's consent when this is based on a justified interest of the other party which has been considered acceptable in the democratic society.

The legislation provides for settlement methods of disputes related to the right of self-determination. Handling of personal data is usually related to a situation where other fundamental rights also need to be taken into account. In other words, the Data Protection Ombudsman's law enforcement actions involve issues with a very broad influence on our society.

BROAD COMPETENCE IN THE PUBLIC AND PRIVATE SECTOR

The Data Protection Ombudsman has a very general and broad competence. It covers the handling of personal data both in the public and in the private sector. Only handling of personal data for ordinary private purposes by natural persons falls outside the scope of his competence.

The Office of the Data Protection Ombudsman is responsible for eight core duties. The Ombudsman's traditional duty includes making decisions on complaints filed by citizens. The Ombudsman's Office also handles various prior notifications and issues statements in respect of research permits in order to prevent violations of rights in advance.

The third core duty is to act as a consultant. In this role, the Ombudsman gives instructions to registrars to promote good handling practice of personal data. Consultation also includes lecture and training services, distribution of instruction material and advice services over the phone.

The Data Protection Ombudsman also has an influence on legislative work and the implementation of administrative reforms. The obligation to hear the Data Protection Ombudsman in the above-mentioned situations is prescribed in the Personal Data Act. The personal data

legislation has introduced a new instrument into the Finnish legislation known as a code of practice. The Ombudsman's duty is to approve internal codes of practice drafted by various professional organisations for the handling personal data.

One of the Data Protection Ombudsman's core duties is to ensure law enforcement. The Ombudsman may inspect registers and information systems on his own initiative. The Ombudsman may also bring the instances of neglect he has observed to the attention of the public prosecutor for further measures.

NEW EUROPEAN DATA PROTECTION REGULATION BEING DRAFTED

Each member state of the European Union has an independent data protection authority. The authorities engage in cross-cutting cooperation to harmonise personal data protection between the member states.

The Office of the Data Protection Ombudsman consists of approximately 15 permanent rapporteurs and of a necessary number of support persons. The rapporteurs have both legal and technological competence. Matters are decided on the basis of presentation. In 2012, nearly 3400 cases were filed with the office. The Office manager in charge of the office's administration acts as the Data Protection Ombudsman's deputy.

An appeal may be filed against the Ombudsman's decisions concerning the use of the right of inspection and rectification with an administrative court. Cases may be pursued all the way to the Supreme Administrative Court.

The Data Protection Ombudsman has no competence to give prior permissions or injunctions. If the Ombudsman notes that a registrar continues illegal activities or fails to remedy neglect, he may request the Data Protection Board to give an injunction. At its discretion, the Board may also impose a conditional fine to increase the effect of its decision.

In January 2012, the European Commission gave a proposal for a new data protection regulation. Its objective is to improve harmonisation and the persons' right to self-determination as well as to provide independent law enforcement authorities with better tools for carrying out law enforcement tasks. This reform is expected to enter into force in its entirety in 2016.



Eva Biaudet

OMBUDSMAN FOR MINORITIES

- The Ombudsman for Minorities advances the status of ethnic minorities and foreigners in Finland and prevents and tackles ethnic discrimination.
- The Ombudsman for Minorities also acts as the national rapporteur on human trafficking.
- The Ombudsman's services are targeted at immigrants, foreigners living in Finland and Finland's traditional ethnic minorities such as the Roma and Sámi people.
- You can contact the Ombudsman for Minorities for example if you have experienced or observed ethnic discrimination.
- www.vahemmistovaltuutettu.fi/en

4.4. Ombudsman for Minorities prevents ethnic discrimination

The greatest challenge in the work against discrimination of minorities relates to structural, covert discrimination. Our clients often feel that they have been discriminated against in their dealings with various authorities.

It is difficult to measure discrimination experiences and even more difficult to prove them. Numerous discrimination experiences and the immigrants' earlier experiences with authorities account for the fact that minorities in Finland do not share our strong trust in authorities and feel that authorities assist them. Racism and name-calling have increased in public discussion, which also affects the people's experience of what is acceptable in our society.

One practical example of problems stemming from structures and legislation is related to the 'not confirmed identity'. When a person

arrives in Finland for example from a conflict area, he or she does not necessarily have documents that would allow the authorities to confirm his or her original identity with certainty. In that case authorities grant a travel document which states that the person's identity has not been confirmed.

This practice may result in several problems. A person is not necessarily entered into the population register and the new Finnish resident cannot obtain a Finnish identity code. Several distressed clients have contacted the Ombudsman in relation to situations where the authorities deem that their identity is uncertain. These situations are related for instance to the opening of a bank account, registration of personal data into the population register, child custody issues and several other problems.

The problems related to a not confirmed identity are diverse and concern several different acts and authorities. The Ombudsman for Minorities has pursued the abolition of the prac-

tice of marking identity as not confirmed for several years. At least its limitations to the implementation of fundamental rights should be examined and eliminated.

The Ombudsman for Minorities has examined these problems from various perspectives, asked reports from the authorities and requested the legislator to take measures. Some progress was finally made in this respect in 2012 when the Ministry of Finance and the Ministry of the Interior began to tackle with the issue partly on the Ombudsman's initiative.

OMBUDSMAN FOR MINORITIES SAFEGUARDS FUNDAMENTAL RIGHTS AND FIGHTS AGAINST DISCRIMINATION

The Ombudsman for Minorities advances the status of ethnic minorities and foreigners in Finland and prevents and tackles ethnic discrimination. The Ombudsman also acts as the national rapporteur on human trafficking.

The Ombudsman's competence guarantees extensive freedom to decide how to promote ethnic relations and non-discrimination, how to prevent racism and how to tackle individual violations of rights. Communications and media are significant in respect of this task, and consequently the Ombudsman actively participates in public discussion.

Several solutions devised to deal with individual experiences of discrimination are results of cooperation. Soft measures may often be effective and bring about real changes and new thinking.

The Ombudsman for Minorities asks for reports, requests elimination of discriminatory practices, issues statements and gives recommendations and advice, initiates public discussions and criticizes the authorities' actions or the decisions of decision-makers when necessary. The Ombudsman also considers how to find constructive solutions in conflict situations which would facilitate interaction between the parties and mutual understanding in the future.

In particularly significant cases the Ombudsman for Minorities may pursue legal proceedings by bringing a case to the National Discrimination Tribunal or a court of law. In several cases an individual problem involves structural discrimination, in which case it is important to inform the decision-makers and authorities.

MANDATE OF THE OMBUDSMAN FOR MINORITIES WILL BE EXPANDED

When the Non-Discrimination Act was adopted in 2004, the Parliament already stated that the Government should prepare new legislation on non-discrimination which would bring various grounds for discrimination (such as age, disability, sexual orientation and religion and belief) within the scope of similar legal protection and remedies. Preparations for the new legislation on non-discrimination begun already in 2007, but still by spring 2013 no decision had been reached on the accurate content, Ombudsman's mandate and resources for the implementation of the act.

The Ombudsman for Minorities supports the practice that the implementation of non-discrimination in work life is primarily supervised by the occupational health and safety authorities. However, the future Ombudsman for Non-Discrimination should have competence to assess the implementation of non-discrimination also in individual cases in the same way as for example the Data Protection Ombudsman. The Ombudsman for Minorities has also emphasised that the new Act on Non-Discrimination should not weaken the prohibition of discrimination compared to the present situation.



Maria Kaisa Aula

OMBUDSMAN FOR CHILDREN

- The Ombudsman for Children promotes the implementation of children's rights in Finland. The Ombudsman raises the awareness of decision-makers and influences social policy by speaking out on behalf of children. She acts as an amplifier for the voice of children and a bridge builder for child policy.
- The Ombudsman's work is based on the UN Convention on the Rights of the Child, whose implementation the Ombudsman assesses and promotes at the general level of social policy and legislation.
- The Ombudsman does not handle matters concerning individual children or families and cannot alter the decisions given by other authorities.
- www.lapsiasia.fi/en

4.5. Ombudsman for Children amplifies the voice of children

The Ombudsman for Children promotes the interests and rights of children on a general societal level independently but also seeks to cooperate with other actors. The work is based on the UN's Convention on the Rights of the Child. The Act on the Ombudsman for Children entered into force in 2005.

Lobbying, management of networks and meetings with children and young people are every-day activities of the 5-member personnel of the Ombudsman's Office. We find out the opinions of children and young people, communicate these to decision-makers, provide information on the rights of children, monitor the children's welfare and influence the decision-makers through speeches, meetings, initiatives and statements.

Our work is assisted by a Child Advisory Board which has extensive contacts with other actors in the field. The Ombudsman for Children also has a 14-member group of young advisors.

In 2012, the Ombudsman's Office issued a total of 28 statements on bills to the ministries and the Parliament. We assess bills from the perspective of the obligations laid down in the Convention on the Rights of the Child. The Office took 11 initiatives on its own. The most important one related to the amendment of the Act on checking the background of persons working with children.

In 2012, the Ombudsman gave presentations in approximately 40 events, and 19 meetings were arranged between the office's personnel and children and young people.

The Ombudsman for Children does not give opinions on the situation of individual children or families. However, in 2012 we received and re-

sponded to 525 contacts from citizens. The most common topics were child welfare, child custody and right of access, treatment of children in general and matters related to school. The contacts provide valuable information for lobbying.

EXPERIENCE OF CHILDREN AND YOUNG PEOPLE SHOULD BE UTILISED

We encourage decision-makers and adults working with children as well as service developers to learn from the experience of children and young people. In 2012, two of our publications examined the perspective of children and young people into their every day life.

The publication "Hey, look at me!" described the thoughts of deaf and hard-of-hearing children about home, school and spare-time. The publication "Nurturing hopes, encouraging dreams" summarised the young people's recommendations for improving the quality of child welfare and foster care. The publication was based on meetings with 120 young people who had been placed in foster care. What the young people expected from the adults was in particular understandable information, encouragement, trust-building interaction and dissolution of prejudices.

Before the municipal elections in autumn 2012, the Ombudsman's Office set up a lobbying network which arranged a campaign "Delegate for children and young people". Over 4 000 candidates running for municipal elections committed to this campaign. Children and young people living in municipalities that have undergone municipal mergers drafted a statement with recommendations for the municipality reform. The statement was handed to Minister Henna Virkkunen and will also be distributed to all municipalities

UNDERSTANDABLE INFORMATION ON ONE'S OWN RIGHTS

Since the Ombudsman for Children in Finland does not handle complaints, other human rights and law enforcement authorities must pay special attention to the child-friendliness of their actions.

Also minors should be provided with understandable information on their access to rights. They should be supported and assisted in the use of necessary legal remedies. When child welfare institutions, institutions for disabled persons and other institutions are supervised, information should be gathered from the children and young people living in the institutions. We also seek to promote these objectives in the networks of the Human Rights Centre. If authorities used plain language in their information provision, this would not only help the minors but also their parents and other adults in defending their rights.

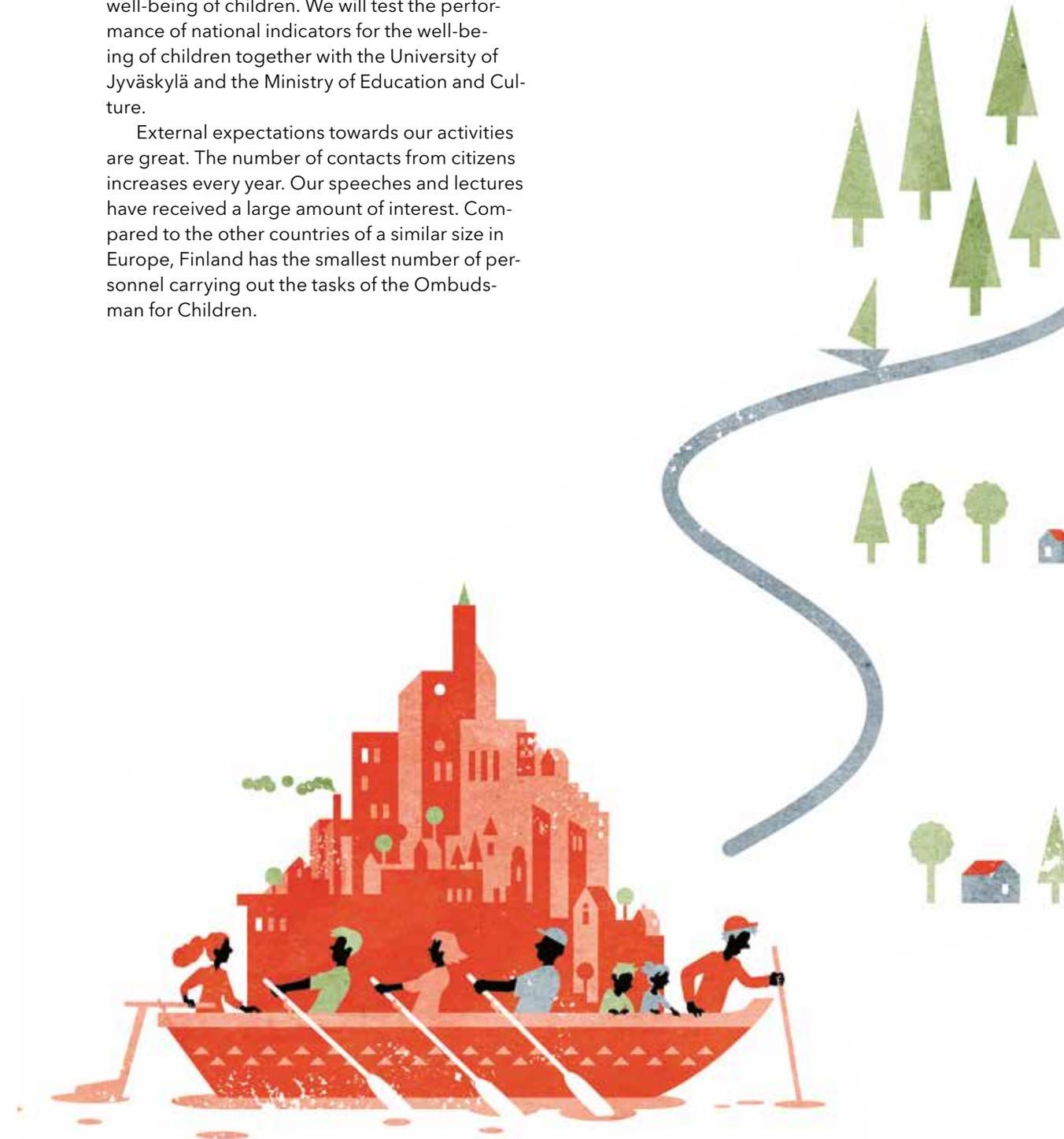
We seek to establish national cooperation structures between organisational, church and state actors to communicate about the rights of children. The common theme for the Universal Children's Day (20 November) in 2012 was the right of children to education. In 2013 the theme will be the rights of disabled children.

The Ombudsman for Children produces brochures and a web service intended for primary school children (www.lastensivut.fi). We also promote the implementation of practical methods of human rights education in an extensive cooperation network.

Our annual report gives decision-makers a concise view of topical themes related to the well-being of children and young people. In 2012, the theme of the annual report was "Child-friendly municipality creates well-being". The annual report of 2013 will provide most up-

to-date statistical follow-up information on the well-being of children. We will test the performance of national indicators for the well-being of children together with the University of Jyväskylä and the Ministry of Education and Culture.

External expectations towards our activities are great. The number of contacts from citizens increases every year. Our speeches and lectures have received a large amount of interest. Compared to the other countries of a similar size in Europe, Finland has the smallest number of personnel carrying out the tasks of the Ombudsman for Children.



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Annexes

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Chapter 3 a (20.5.2011/535)**Human Rights Centre****Section 19 b (20.5.2011/535)****Purpose of the Human Rights Centre**

For the promotion of fundamental and human rights there shall be a Human Rights Centre under the auspices of the Office of the Parliamentary Ombudsman.

Section 19 c (20.5.2011/535)**The Director of the Human Rights Centre**

The Human Rights Centre shall have a Director, who must have good familiarity with fundamental and human rights. Having received the Constitutional Law Committee's opinion on the matter, the Parliamentary Ombudsman shall appoint the Director for a four-year term.

The Director shall be tasked with heading and representing the Human Rights Centre as well as resolving those matters within the remit of the Human Rights Centre that are not assigned under the provisions of this Act to the Human Rights Delegation.

Section 19 d (20.5.2011/535)**Tasks of the Human Rights Centre**

The tasks of the Human Rights Centre are:

- 1) to promote information, education, training and research concerning fundamental and human rights as well as cooperation relating to them;
- 2) to draft reports on implementation of fundamental and human rights;
- 3) to present initiatives and issue statements in order to promote and implement fundamental and human rights;
- 4) to participate in European and international cooperation associated with promoting and safeguarding fundamental and human rights;
- 5) to take care of other comparable tasks associated with promoting and implementing fundamental and human rights.

The Human Rights Centre does not handle complaints.

In order to perform its tasks, the Human Rights Centre shall have the right to receive the necessary information and reports free of charge from the authorities.

Section 19 e (20.5.2011/535)**Human Rights Delegation**

The Human Rights Centre shall have a Human Rights Delegation, which the Parliamentary Ombudsman, having heard the view of the Director of the Human Rights Centre, shall appoint for a four-year term. The Director of the Human Rights Centre shall chair the Human Rights Delegation.

In addition, the Delegation shall have not fewer than 20 and no more than 40 members. The Delegation shall comprise representatives of civil society, research in the field of fundamental and human rights as well as of other actors participating in the promotion and safeguarding of fundamental and human rights. The Delegation shall choose a deputy chair from among its own number. If a member of the Delegation resigns or dies mid-term, the Ombudsman shall appoint a replacement for him or her for the remainder of the term.

The Office Commission of the Parliament shall confirm the remuneration of the members of the Delegation.

The tasks of the Delegation are:

- 1) to deal with matters of fundamental and human rights that are far-reaching and important in principle;
- 2) to approve annually the Human Rights Centre's operational plan and the Centre's annual report;
- 3) to act as a national cooperative body for actors in the sector of fundamental and human rights.

A quorum of the Delegation shall be present when the chair or the deputy chair as well as at least half of the members are in attendance. The opinion that the majority has supported shall constitute the decision of the Delegation. In the event of a tie, the chair shall have the casting vote.

To organise its activities, the Delegation may have a work committee and sections. The Delegation may adopt rules of procedure.

29 March 2012

Record no. 508/1/12

To those mentioned in the distribution list

Matter: Appointment of a Human Rights Delegation

Having heard the view of the Director of the Human Rights Centre, I have today taken a decision in accordance with Section 19 e of the Parliamentary Ombudsman Act to appoint a Human Rights Delegation for a four-year term from 1 April 2012 to 31 March 2016.

According to the provision mentioned above, the Human Rights Centre shall have a Human Rights Delegation, which the Parliamentary Ombudsman shall appoint for a four-year term at a time after having heard the view of the Director of the Centre. The Director of the Human Rights Centre shall chair the Delegation. The Delegation shall have not fewer than 20 and no more than 40 members. The Delegation shall comprise representatives of civil society, of research in the field of fundamental and human rights as well as of other actors participating in the promotion and safeguarding of fundamental and human rights. The Delegation shall choose a vice chair among its members.

The tasks of the Human Rights Delegation are:

- to deal with fundamental and human rights issues of a far-reaching significance and principal importance
- to approve annually the Human Rights Centre's plan of action and annual report
- to act as a national cooperative body for fundamental and human rights actors.

The Office Commission of the Parliament confirmed the remuneration of the members and the vice chair of the delegation on 16 February 2012 (Office Commission of the Parliament 1/2012).

Chair of the Delegation:
Director of the Human Rights Centre Sirpa Rautio

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Members of the Delegation and the organisation they represent:

1. Deputy Parliamentary Ombudsman Maija Sakslin
2. Secretary General Kimmo Hakonen, Office of the Chancellor of Justice
3. Ombudsman for Minorities Eva Biaudet
4. Ombudsman for Equality Pirkko Mäkinen
5. Data Protection Ombudsman Reijo Aarnio
6. Ombudsman for Children Maria Kaisa Aula
7. Chair Klemetti Näkkäläjärvi, Sámi Parliament
8. Chair Liisa Murto, Finnish League for Human Rights
9. Lawyer Aiman Mroueh, Refugee Advice Centre
10. Legal Adviser Tiina Valonen, Amnesty International, Finnish section
11. Secretary General Kristiina Kumpula, Finnish Red Cross
12. Deputy Chair Ilkka Kantola, UN Association of Finland
13. Chair Pentti Arajärvi, Central Union for Child Welfare
14. Acting Development Manager Mirella Huttunen, Finnish Youth Cooperation – Allianssi
15. Deputy Chair Helena Ranta, National Council of Women in Finland
16. Secretary General Aija Salo, Seta (LGBTI Organisation)
17. Organisation Manager Göran Johansson, Central Association for Mental Health
18. Executive Director, Board Member Kalle Könkkölä, Kynnys, the Threshold Association, Centre for Human Rights of Persons with Disabilities VIKE (Invalidiliitto, the Association of People with Physical Disabilities and Kynnys), Handicap Forum
19. Chair Henna Huttu, Fintiko Romano Forum, Finland's Roma Forum
20. Chair Abdirahid Dirie, Somali League
21. Executive Director Petr Potchinchchikov, Federation of Associations of Russia-speakers FARO
22. Programme Manager Inka Hetemäki, UNICEF Finland

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23. Head of Unit Petri Merenlahti, Evangelical-Lutheran Church of Finland
24. Secretary General Esa Ylikoski, Union of Freethinkers
25. Lawyer Jouko Pelkonen, Finnish Bar Association
26. Executive Director Eero Yrjö-Koskinen, Association for Nature Conservation
27. Lawyer Ida Staffans, Association of Finnish Local and Regional Authorities
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29. Hamed Shafae, Member of Advisory Committee on Ethnic Relations
30. Deputy Chair Väinö Lindberg, Advisory Board on Romani Affairs
31. Executive Director, Deputy Chair Markku Jokinen, National Council on Disability (VANE), Association of the Deaf
32. Chair Jukka Relander, Delegation for Equality
33. Chair Jouni Mykkänen, Advisory Board on Senior Citizens and Pension Affairs
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 Islamic Council of Finland
 The Finnish Association for Nature Conservation
 Finnish Youth Cooperation - Allianssi
 Orthodox Church of Finland
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 Refugee Advice Centre
 Finnish Red Cross
 SOSTE Finnish Society for Social and Health
 Somali League
 Unicef Finland
 Federation of Associations of Russian-speakers
 World Vision Finland
 UN Association of Finland
 Trasek
 Association for the Equality of Convictions
 Handicap Forum
 Centre for Human Rights of People with Disabilities
 Valli - The Union for Senior Services
 The Central Union for the Welfare of the Aged
 Union of Freethinkers

WWF Finland
 Akava, the Confederation of Unions for Professional and Managerial Staff in Finland
 Confederation of Finnish Industries
 Commission for Church Employers
 Local Government Employers
 The Central Organisation of Finnish Trade Unions - SAK
 Finnish Confederation of Professionals - STTK
 Office for the Government as Employer, Ministry of Finance

Finnish Bar Association
 Association of Finnish Local and Regional Authorities
 Swedish Assembly of Finland

Advisory Committee on Ethnic Relations, Ministry of the Interior
 Advisory Committee on International Human Rights, Ministry for Foreign Affairs
 Advisory Committee for Development Policy, Ministry for Foreign Affairs
 Advisory Board on the Language Act, Ministry of Justice
 Advisory Council for Youth Affairs, Ministry of Education and Culture
 Advisory Board on Romani Affairs, Ministry of Social Affairs and Health
 Advisory Board on Civil Crisis Management, Ministry of the Interior
 Delegation for Equality, Ministry of Social Affairs and Health
 Advisory Board for Affairs concerning Foreign Employees' Work and Residence Permits, Ministry of the Interior
 National Council on Disability, Ministry of Social Affairs and Health
 Advisory Board on Senior Citizens and Pension Affairs, Ministry of Social Affairs and Health

Chancellor of Justice of the Council of State
 Ombudsman for Children
 Ombudsman for Equality
 Data Protection Ombudsman
 Ombudsman for Minorities
 Sámi Parliament

Human Rights Centre

Plan of Action 2012-13

1. Establishment of the Human Rights Centre, appointment of the Delegation, and their statutory tasks

1.1. Human Rights Centre

The objective of the work done by the Human Rights Centre (HRC) is to promote and safeguard implementation of fundamental and human rights on the national level. The HRC strives to reinforce a climate amenable to fundamental and human rights in Finland. It also monitors and evaluates, critically when necessary, the actions of the public authorities and other actors to safeguard and promote these rights. In addition, the HRC acts as a channel for cooperation and exchanges of information for actors in the sector in Finland and internationally.

The establishment of the HRC was provided for in legislation (the Parliamentary Ombudsman Act, amendment 20.5.2011/535), which entered into force on 1.1.2012. Its work began on 1.3.2012, when the Director assumed her position. The HRC's two experts took up their offices in May 2012. The HRC is operationally autonomous and independent, but administratively a part of the Office of the Parliamentary Ombudsman.

The HRC has started its work in the course of 2012 and 2013 will be its first full year of operation. The main focus of attention in the first year is – in addition to practical measures associated with establishment – making the HRC known and developing forms of cooperation with both the Parliamentary Ombudsman and other actors in the sector of fundamental and human rights.

1.2. Tasks of the Human Rights Centre

The HRC has the following statutory tasks:

- to promote information provision, training, education and research relating to fundamental and human rights,
- to draft reports on implementation of fundamental and human rights,
- to take initiatives and make submissions relating to the promotion and implementation of fundamental and human rights,
- to participate in European and international cooperation relating to promoting and safeguarding fundamental and human rights and
- to perform other comparable tasks associated with the promotion and implementation of fundamental and human rights.

The HRC does not deal with complaints or other individual cases that belong to the jurisdiction of the supreme overseers of legality.

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1.3. The Human Rights Delegation and its tasks

The Human Rights Delegation (Delegation) was appointed by decision of the Parliamentary Ombudsman on 29.3.2012 and met for the first time on 26.4.2012.

On the basis of the Act and its preparatory documents, the tasks of the Delegation include:

- serving as a national cooperative body for actors in the sector of fundamental and human rights,
- dealing with fundamental and human rights matters that are of far-reaching significance and important in principle, and
- approving each year the HRC's plan of action and annual report.

The Director of the HRC chairs the Delegation.

The matters that the Delegation will deal with in 2012 include, in addition to the HRC's plan of action, Finland's second periodic report to the UN Human Rights Council (UPR), national fundamental and human rights structures and hearings of experts on topical matters (drafting of equality legislation, the Parliamentary Ombudsman's annual report for 2011, etc.).

In addition to these themes and thematic categories, the Delegation will devote its meetings in 2012 to a general discussion of the objectives and operational methods that it pursues in its own activities, taking the provisions of the Act and its precursor documents into account, and will draft a plan of action for itself.

1.4. The national human rights institution

The aim in establishing the HRC and appointing the Delegation is to create in Finland a structure that together with the Parliamentary Ombudsman's statutory tasks meets the requirements of a national human rights institution in accordance with the Paris Principles approved by the UN General Assembly in 1993. These requirements include an autonomous and independent status not only formally, but also financially and administratively, as well as the broadest possible mandate to promote and safeguard human rights.

In addition to the plan of action for the HRC, a comprehensive strategy covering the entire Finnish national human rights institution will be drafted. The strategy will have to include definitions of general objectives, operational methods and modes of cooperation. The working committee of the Delegation will begin drafting the strategy in autumn 2012.

2. Objectives and activities of the Human Rights Centre**2.1. General**

The HRC has broad statutory tasks associated with both general activities to promote fundamental and human rights in Finland and international cooperation. However, according to the Government Bill introducing the legislation, the HRC has broad discretionary powers with respect to what concrete fundamen-

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tal and human rights matters or situations it deems necessary to concentrate on or draw the attention of, for example, the Government to at any given time.

The areas of emphasis during the first year of activities will be development of national cooperation and flows of information relating to fundamental and human rights, provision of information and promotion of training and education relating to these rights. International cooperation will also be launched by participating in especially the activities of networks of national human rights institutions on both the global and the European levels. The scarcity of resources available imposes limits on activities to some extent.

2.2. Cooperation

The role of the Delegation is an important one as a broadly based cooperative body and the representativeness and expertise that it brings will be put to use. Getting the Delegation's work off to a rapid start has been one of the HRC's key priorities in beginning of its activities. In order to organise its work, a working committee was appointed already at the first meeting of the Delegation. As needs dictate, sections will also be created to deliberate and prepare thematic matters. The first one of these is human rights training and education section. Electronic contact and exchanges of information are being developed between the Delegation and the HRC.

Modes of cooperation and exchanges of information have been discussed and agreed also with the Office of the Parliamentary Ombudsman with the aim of obtaining the greatest possible benefit from both parties' expertise and the fact that they work in shared premises. The possibility of assigning tasks to either party has been agreed in the new Parliamentary Ombudsman's Rules of Procedure adopted in June 2012.

New human rights actors besides the HRC and the Delegation were also established in the course of spring 2012. In March 2012 the Council of State (Government) adopted the first National Action Plan on Fundamental and Human Rights (NAP), and an independent Panel of Human Rights Actors was appointed in June to monitor implementation of the NAP. A Council of State Human Rights Network composed of liaison persons from ministries was appointed the same day.

The HRC engages in cooperation with fundamental and human rights actors. The most important cooperation channel is the Delegation. The HRC contributes, as an expert, to the work of the Panel of Human Rights Actors. Cooperation with the Council of State Human Rights Network takes place in, among other sectors, human rights training and education.

2.3. Information and communications

One of the HRC's key tasks is to promote information provision relating to fundamental and human rights. Both networks dealing with these rights and other modes of communication are used to disseminate information.

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It is stated in the Government Bill that the HRC could, for example, create and maintain a database relating to fundamental and human rights. In conjunction with drafting of the national fundamental and human rights action programme, there was discussion of a need to create in Finland a fundamental and human rights portal, in which key official statements and reports with a bearing on human rights, final conclusions and recommendations of supervisory bodies, rulings by courts and the supreme overseers of legality, decisions of the Parliament's Constitutional Law Committee and statements by nongovernmental organisations would be collated. It could also be possible for the portal to provide practical information and advice on securing rights and availing of already existing web sites by linking them to the portal. The HRC could assume the task of especially following judgements of the European Court of Human Rights and publicising them in Finland.

Developing also other modes of communications is likewise important from the beginning of the work. Both modes of communication and target groups are being considered, including the use of social media in communications. A precondition for achieving an impact is that different target groups receive information in different ways and in a language that they understand. The accessibility of communications must likewise be safeguarded.

The HRC is examining possibilities of creating and maintaining a fundamental and human rights portal as well as opportunities to operate in the arenas of various social media. The exercise involves an exploration of needs and how to avoid overlapping with already existing web sites as well as ensuring that the HRC offers, alongside other information, practical hints for those who need them and makes it easier for them to have access to their rights.

The HRC arranges invitational and public events on themes that it considers important and, to the extent that possibilities permit, in cooperation with other actors in the human rights sector.

2.4. Training, education and research

Training and education relating to fundamental and human rights are important areas of emphasis in the work of the HRC. A sufficient knowledge of the present situation is a prerequisite for their planning and effective implementation. The state of training and education relating to fundamental and human rights has not been comprehensively studied in Finland. The expertise of the members of the Delegation will be availed of to carry out an survey of training relating to fundamental and human rights as well as in collecting existing information and developing cooperation.

The tasks of the HRC include also research relating to fundamental and human rights. Research of this kind is being done in several university institutions, the most central of which are also represented in the Delegation. In addition to units with a specific focus on human rights, numerous other institutions likewise conduct research with a bearing on fundamental and human rights. The HRC collaborates with all of these and makes its own contribution

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to promoting cooperation between them and carrying out research that is relevant from the perspective of the human rights situation in Finland.

The HRC is conducting a study of implementation of human rights training and education in Finland. The study will serve as a basis for planning further measures in collaboration with key bodies. A human rights training and education section has been created under the aegis of the Delegation to plan and guide this work.

The HRC will conduct an exploration of bodies engaged in fundamental and human rights research and their ongoing and/or planned projects and on this basis will discuss development needs with stakeholders.

2.5. Monitoring implementation of fundamental and human rights and initiatives

The HRC will make a special effort to highlight themes that are important, but have been accorded little attention.

The HRC will, as necessary, draft reports on implementation of fundamental and human rights in Finland and on the basis of these reports present initiatives and issue statements with the purpose of promoting and implementing these rights.

What studies will be needed is difficult to predict and the HRC will have to be able to respond also to unanticipated challenges and requests. Taking into consideration the limited resources of expertise that the HRC possesses, provision must also be made to obtain expertise from outside sources.

Monitoring with respect to implementation of the NAP 2012-13 will be done by participating as an independent expert member in the work of a Panel of Human Rights Actors. In the Delegation, the importance of monitoring was stressed also with respect to matters not included in the NAP.

Implementation of the recommendations that Finland will receive in the UN Universal Periodic Review (UPR) in September 2012 will be monitored systematically. Finland's voluntary interim report to the UN Human Rights Council will be submitted in 2014. Implementation of the recommendations issued by also other international human rights mechanisms will be monitored and efforts will be made to publicise them in various ways.

The HRC and the Delegation will have an important role in assessing implementation of the Council of State's Human Rights Policy Report and in the process of drafting a new report. The Delegation's broad competence can be availed of with respect to especially questions of fundamental and human rights in Finland.

Finland has been actively participating in negotiations on several human rights conventions and their optional protocols. However, the country has failed to ratify several documents and it has been noted in a number of conjunctions that there are weaknesses in fulfilment of obligations under various conven-

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tions. The HRC and stakeholders are engaged in discussions of problematic aspects associated with ratification processes.

The HRC is participating in monitoring implementation of the National Action Plan on Fundamental and Human Rights by acting as an independent expert on the Panel of Human Rights Actors. The HRC is actively following drafting of the Human Rights Policy Report, availing itself of the Delegation's extensive knowledge of the state of fundamental and human rights in Finland and its own status as an expert member of the Advisory Board on International Human Rights Affairs. Fulfilment of international human rights obligations is being monitored.

2.6. International cooperation and activities

The HRC is tasked with participating in European and international cooperation relating to promoting and safeguarding fundamental and human rights. The main emphasis lies in cooperation in which also other national human rights institutions participate. The most important international actors from the point of view of the HRC are the European Union Agency for Fundamental Rights (FRA), the UN Human Rights Council and the treaty based monitoring mechanisms of the UN as well as the Council of Europe's organs and its Commissioner for Human Rights.

National human rights institutions apply for accreditation (A status) from the *International Coordinating Committee of National Institutions for the Promotion and the Protection of Human Rights*. An institution that has been accorded A status is deemed to have fulfilled the Paris Principles and only those with this status are full members of the International Coordinating Committee and enjoy privileges that include the right to speak in the UN Human Rights Council. Finland's aim is to achieve A status in 2013 -14.

The HRC represents the Finnish national human rights institution in international and European networks for institutions of this kind.

The HRC has the goal of securing A status for the Finnish national human rights institution. The application process will be initiated as soon as possible once the prerequisites are in place (after the first year of operation).

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COUNCIL OF EUROPE'S MOST IMPORTANT HUMAN RIGHTS CONVENTIONS

- **Convention for the Protection of Human Rights and Fundamental Freedoms** (1950) and Protocols Nos. 1, 3, 6 and 7, Finnish Treaty Series 18-19/1990
 - *Protocol No. 11* restructuring the control machinery established by the Convention (1994) Finnish Treaty Series 85-86/1998
 - European Convention on Human Rights (Convention for the Protection of Human Rights and Fundamental Freedoms) as amended by Protocol No. 11 (1999) Finnish Treaty Series 63/1999
 - *Protocol No. 12* (2000) Finnish Treaty Series S 8-9/2005
 - *Protocol No. 13* concerning the abolition of death penalty in all circumstances (2002) Finnish Treaty Series 6-7/2005
 - *Protocol No. 14* amending the control system of the Convention (2004) Finnish Treaty Series 50-51/2010
- **European Charter for Regional or Minority Languages** (1992) Finnish Treaty Series 23/1998
- **Framework Convention for the Protection of National Minorities** (1995) Finnish Treaty Series 1-2/1998
- **European Social Charter (Revised)** (1996) Finnish Treaty Series 78, 80/2002
- **Convention on Action against Trafficking in Human Beings** (2005) Finnish Treaty Series 43-45/2012
- **Convention on Preventing and Combating Violence against Women and Domestic Violence** (2011) – signed by Finland on 11 May 2011, a government bill will be submitted to the Parliament in 2013.

UN'S MOST IMPORTANT HUMAN RIGHTS CONVENTIONS

- **International Convention on the Elimination of All Forms of Racial Discrimination** (1965) Finnish Treaty Series 37/1970
- **International Covenant on Economic, Social and Cultural Rights** (1966) Finnish Treaty Series 6/1976
 - *Optional Protocol* (2008) – signed by Finland on 24 September 2009, government bill 74/2012 was submitted to the Parliament on 30 August 2012. The protocol will enter into force on the international level on 3 May 2013.
- **International Covenant on Civil and Political Rights** (1966) Finnish Treaty Series 7-8/1976
 - *Optional Protocol* (1966) Finnish Treaty Series 7-8/1976
 - *Second Optional Protocol Aiming at the Abolition of Death Penalty* (1989) Finnish Treaty Series 48-49/1991
- **Convention on the Elimination of All Forms of Discrimination against Women** (1979) Finnish Treaty Series 67-68/1986
 - *Optional Protocol* (1999) Finnish Treaty Series 20-21/2001
- **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** (1984) Finnish Treaty Series 59-60/1989
 - *Optional Protocol* (2002) – signed by Finland on 23 September 2003, government bill 182/2012 was submitted to the Parliament on 20 December 2012.
- **Convention on the Rights of the Child** (1989) Finnish Treaty Series 59-60/1991
 - *Optional Protocol on the Involvement of Children in Armed Conflict* (2000) Finnish Treaty Series 30-31/2002
 - *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* (2000) Finnish Treaty Series 40-41/2012
 - *Optional Protocol on a Communications Procedure* (2011) – signed by Finland on 28 February 2012, a government bill will be submitted to the Parliament during the government's current term of office.
- **Convention for the Protection of All Persons from Enforced Disappearance** (2006)
 - Signed by Finland on 6 February 2007, a government bill will be submitted to the Parliament in 2013.
- **Convention on the Rights of Persons with Disabilities** (2006)
 - *Optional Protocol* (2006)
 - Finland signed the convention and its optional protocol on 30 March 2007, the EU formally adopted the convention on 23 December 2010, a government bill will be submitted to the Parliament during the government's current term of office.

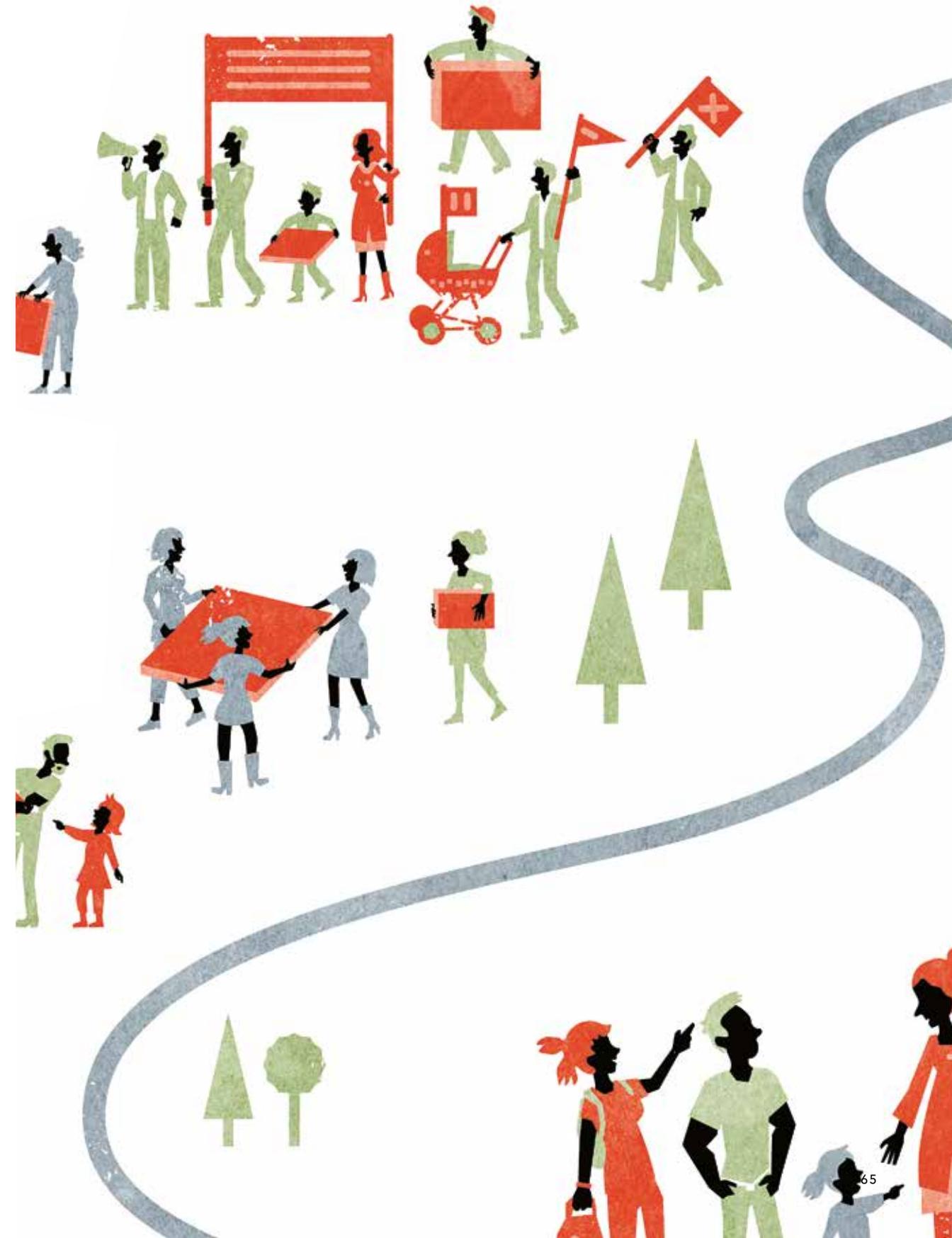


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