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IOK/14/2021

27.08. 2021

# Fifth monitoring round – Finland – interim follow-up recommendations

## Observations of the Human Rights Centre (NHRI)

Human Rights Centre thanks ECRI for the opportunity to provide information in this interim follow-up process.

Please find below some information on the two specific recommendations for which ECRI requested priority implementation from the authorities of Finland:

1. ECRI recommends that the National Non-Discrimination and Equality Tribunal should be empowered to deal with complaints of discrimination in employment on all prohibited grounds and not solely on the grounds of gender and gender identity; that the Tribunal should be empowered to grant compensation to victims of discrimination; and that the resources of the Tribunal should be substantially increased to enable it to fully carry out its mandate.
* No positive changes have taken place in this regard. Changes in law and mandate have not taken place.
* The annual budget of the Tribunal runs between 310.000 and 330 000 euros. For the year 2021 the Tribunal received additional funding, which enabled the Tribunal to hire one additional person for one year to manage the existing backlog of cases. In the 2022 budget proposal for the Tribunal (currently being negotiated within the Government) this additional funding is removed. This means, according to the Tribunal, that in practise the amount of personnel will go back to the level it was in 2017.

1. ECRI recommends as a matter of priority and in conformity with the case law of the European Court of Human Rights, that the Act on Legal Recognition of the Gender of Transsexuals should be amended to remove the requirement that persons seeking recognition in a gender other than that in which they were originally registered should be infertile or should undergo sterilisation as a pre-condition for legal recognition.
* Government has moved the date for presenting its draft law to Parliament from December 2021 to spring session 2022.
* A citizens’ initiative on the same topic collected 50.000 names in one day in April 2021 and the proposal will be discussed in Parliament. In comparison to the planned Government’s draft the initiative requests also, in addition to the removal of infertility requirement, that legal gender recognition is allowed for persons between 15 and 18 years of age and that the registration of persons having gone through the legal change process be terminated.

Should you require additional information, do not hesitate to be in touch

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