



UN Human Rights Committee

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**UN Human Rights Committee (131<sup>st</sup> session)  
Submission from the Finnish Human Rights Centre/NHRI for the  
consideration of State Report – Finland**

1. This submission is prepared by the Finnish Human Rights Centre/NHRI.

**The Finnish Human Rights Centre** (HRC) is an autonomous and independent expert institution whose task is to monitor and promote the implementation of fundamental and human rights in Finland as well as to increase cooperation and exchange of information between various actors in the field. According to its founding legislation, one of the tasks of the HRC is to participate in European and international cooperation related to the promotion and protection of fundamental and human rights. The HRC represents the Finnish NHRI in international NHRI cooperation.

**The HRC forms the National Human Rights Institution (NHRI), alongside with its pluralistic 38-member Human Rights Delegation and the Parliamentary Ombudsman.**

The National Human Rights Institution in Finland was established by law in 2012. It received **A-status in 2014 and 2019.**

2. Reference is made to the [submission by the HRC in December 2018](#) for the preparation of the List of Issues prior to reporting.
3. The paragraph headings in this submission correspond to those of the Government report of April 2020.

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## A. General information

### General

1. The Government report is, as customary, honest and includes also critical remarks made by civil society and independent ombudsmen. This is commendable. Also the inclusion of information and data in various thematic areas from Åland Islands is highly appreciated, as one rarely sees views and experiences from Åland Islands reflected in Government reports.

### Human Rights Structures

2. The implementation of rights is still not monitored systematically enough. The reason for this is the fragmentation of fundamental and human rights structures, both those within the government but especially with regard to independent actors mandated to monitor and promote human rights.
3. Many of those independent actors are rather small in relation to their tasks. The fragmentation and weakness of the actors is in itself a risk to the functionality of the rule of law. There are government plans to create yet another small actor, as the function of the ombudsman for older persons will be established in 2021.
4. Some of the independent actors have partly overlapping mandates and yet some gaps exist as well. Some actors have very specific mandates (Ombudsman for Children), some more broad mandates (Human Rights Centre), while some have

multiple special mandates within their general ones (the Parliamentary Ombudsman) etc. It is not always clear for an average person which body is competent on which issue. This is in particular the case between the two specialised ombudsmen; one on equality (gender) and one on non-discrimination. For example, discrimination based on sexual orientation and gender identity belong to different ombudsmen. This division of competencies is also detrimental to dealing with intersectionality.

5. Additionally, there is a risk that persons or issues fall outside or between mandates. A lot of good work on monitoring or supervising the implementation is done, but mainly based on individual complaints and inquiries and recommendations related to them. As a result the information is scattered, and the realisation of rights cannot be assessed and monitored comprehensively and over the long term. The wider and more systematic check on implementation of human rights beyond individual cases is often lacking and follow up on recommendations made by the various actors remains haphazard.

**RECOMMENDATION:** Clarify the structure of fundamental and human rights actors and strengthen the existing actors. The powers must be clear and easy to understand for those in need of protection. Set up new functions only after careful analysis of the existing ones and based on a needs assessment.

**RECOMMENDATION:** Support the regional and local-level administrative organs in the implementation of their many tasks with impact on the fundamental and human rights by providing clear guidance, training and other necessary support.

### Human Rights Education

6. Competence in fundamental and human rights is very important, also for the principle of the rule of law. Competence in fundamental and human rights must be further strengthened, especially by the authorities
7. Information on fundamental and human rights, their legally binding nature, interpretation and impacts are needed in all sectors of society: law drafting, policy measures, authoritative activities, judicature, education, research and the media.
8. Each individual also needs information about their rights, obligations and legal remedies in an accessible and understandable manner. Promoting the human rights education is an important part of strengthening awareness. Expertise in fundamental and human rights is particularly needed in exceptional circumstances such as the coronavirus pandemic.
9. In legislation, programs and action plans especially the educational authorities refer to human rights as a basic value that is connected to democracy and non-discrimination. They mostly fail to highlight that human rights are legally binding obligations with rights and duties, included in the constitution in addition to international conventions. Human rights as legal basis for all actions is not acknowledged. Furthermore, the fact that human rights education is also a duty *per se*, is not taken into consideration to a sufficient level.

**RECOMMENDATION:** Develop and publish accessible information on fundamental and human rights in different languages and in a manner that is compatible with different means, modes and formats of communication.

**RECOMMENDATION:** Strengthen teaching of fundamental and human rights at all levels of education. Include fundamental and human rights education as a mandatory subject in teacher training.

**RECOMMENDATION:** Increase fundamental and human rights education and training at all levels of government, especially for those involved in the legislative drafting process.

**Significant developments - reply to paragraph 2 of the List of Issues (LoI)**

10. The framework for **human rights indicators**, to be included in the governments third Action Plan on Fundamental and Human Rights (for 2020–2023) is in the making but has proven to be a challenging task. It has also become clear that information is lacking on many important rights and fields of life.
11. As stated in the Government report all the **specialised Ombudsmen** were organised as independent agencies connected to the Ministry of Justice. It needs to be noted in this regard that their budgets are included in the annual budget of the Ministry and that they are subjected to the result management of the Ministry. Based on this, while the specialised Ombudsmen enjoy operational independence, it needs to be stressed that their position is not fully independent in the sense of the UN Paris Principles. The Finnish NHRI (HRC, Parliamentary Ombudsman and Human Rights Delegation) on the other hand has been accredited with the A-status in accordance with the UN Paris Principles (in 2014 and 2019) and thus enjoys a stronger institutional independence from the Government. This is further enhanced by the fact that the Parliamentary Ombudsman is a constitutional body, which gives it a strong legal foundation that can not be changed by an ordinary law and by simple majority in the Parliament.
12. Since March 2020, Finland has faced challenges regarding Human Rights and their limitations due to the **COVID-19 pandemic**. No notification on the emergency conditions have been made to the UN or the Council of Europe. Whether this is the right path with regard to safeguarding human rights, remains to be seen.
13. The Finnish rule of law has proven to function relatively well in the state of emergency, but from the perspective of fundamental and human rights, there have been several problems that need to be addressed in the future.
14. For example, **human rights impact assessments** of legislation and various policy measures and guidelines by the Government have been inadequate. The problems of law drafting have not only been related to individual draft laws but are partly structural. However, the Constitutional Law Committee, as an *ex-ante* guardian of the constitutionality of legislation, has carried out this task well under pressure.
15. The pandemic has raised issues related to law drafting, access to information and competence questions, which will need attention in future. The principle of the rule of law has sometimes been forgotten. The questions of authority have not been clear. Political guidelines have been used to make decisions on matters that have been under authorities' decision making powers. For example, according to a decision by the Chancellor of Justice in December 2020 the cooperation between ministries in the early stages of the coronavirus pandemic was not effective and that the division of responsibilities within and between the ministries were not sufficiently clear.

16. The importance of the oversight of legality and fundamental and human rights compliance has been further emphasised during the pandemic. The number of complaints and personal initiatives has increased sharply both to the Ombudsman and the Chancellor of Justice. The Chancellor of Justice's dual role of monitoring of the legality of the Government's activities and providing them with constant legal advice has been particularly visible during the pandemic.
17. It is worth noting that it has not been possible to carry out inspections of closed institutions during the pandemic, which are part of the Parliamentary Ombudsman's duties. No physical checks have been carried out at closed institutions due to the coronavirus outbreak. However, alternative methods have been developed and some checks have been carried out remotely especially in care institutions.

**RECOMMENDATION:** Strengthen further the activities and crisis preparedness of overseers of legality, as well as other fundamental and human rights actors.

**RECOMMENDATION:** Strengthen structurally the National Human Rights Institution so that it has the best conditions to carry out its statutory tasks also in a state of emergency.

### Specific information on the implementation of Articles 1–27

#### Impact assessment - reply to paragraph 4 of the Lol

18. Assessment of the impact on fundamental and human rights must be carried out continuously, systematically and comprehensively. The Government report does not include enough analysis, comparable information or reflections on the measures taken and the effects they have on the enjoyment of human rights for various individuals or groups of individuals. Also, during the law drafting or policy planning phases the impact assessment, evaluation with regard crosscutting issues, multiple discrimination and effects on specific age groups, minorities or persons with disabilities is not always done sufficiently.
19. Some of the reasons for this are the insufficient data collection, the lack of disaggregated data, the small number of human rights researchers and relevant research and the lack of specific human rights indicators. Decision making and administration is divided in sectors and cooperation and coordination is in need of further development.
20. The follow up on the reporting and other directly human rights related work in the administration is also too often dependent on individual civil servants rather than the system as a whole. The resources remain scarce. A lot remains to be done for achieving the overarching and cross cutting human rights approach within the entire public administration.
21. In 2001, an international study on the impact of the UN human rights treaty system on the domestic level was published. In 2022, an updated version of the study will be published, with Finland as one of the 20 States to be included.<sup>1</sup> The research and writing for the Finnish chapter was done on the Human Rights Centre's assignment. The study clearly shows that although the work of the treaty bodies is taken into consideration to some extent on the domestic level, the impact varies a

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<sup>1</sup> <https://www.icla.up.ac.za/research/impact-of-the-un-human-rights-treaties-on-domestic-level>

lot between the various bodies and that the regional human rights mechanisms are prioritised and taken more seriously.

**RECOMMENDATION:** Enhance the knowledge base for legislative drafting and other decision making by

- supporting research related to topical fundamental and human rights questions from the Government's research funds,
- developing dialogue and increasing participation of different population groups
- ensuring that vulnerable groups and people are included and can participate effectively.

**RECOMMENDATION:** Enhance the assessment of the effects that legislation, Government programs, action plans as well as state and municipal budgets have on the implementation of fundamental and human rights. Pay special attention to the possible accumulation of any negative effects.

#### **Non-Discrimination - reply to paragraph 5 of the Lol**

22. The authority of the Non-discrimination Ombudsman does not cover cases of occupational discrimination. The Non-Discrimination Ombudsman also cannot bring a matter to the National Non-Discrimination and Equality Tribunal or to court without the consent of the injured party or without a specific named "victim". This limits the promotion of human rights. Discrimination may be targeted at a group of people as a whole and it can be tasking for an individual to allow their case to be taken to the Tribunal to represent the entire group. In the end, the decision only concerns that one individual and has no wider impact necessarily.
23. The National Non-Discrimination and Equality Tribunal cannot grant compensation to victims of discrimination. The Tribunal, like the Ombudsman, have no competence on the discrimination in working life. These limit greatly the impact of the Tribunal's work.

**RECOMMENDATION:** Extend the authority of the Non-discrimination Ombudsman and the Non-Discrimination and Equality Tribunal to cover cases of occupational discrimination.

#### **Hate speech - reply to paragraph 6 of the Lol**

24. Despite many ongoing activities by the Government on hate speech, hate speech and discrimination against minority groups and individuals who are vocal members or representatives of those groups is common. This is the case, in addition to the migrants and minorities, especially with regard to Sami, the indigenous population.
25. Still, many are unaware of the existence of hate speech. Statistics do not have enough disaggregated data to base actions on. The society at large does not discuss sufficiently the prevalence and the negative effects of it. It is not universally condemned. The media, politicians and public do not take strong enough stand against it. Discrimination and hate speech is under-reported and even many severe and long-lasting cases do not come to knowledge of authorities as legal processes are lengthy and the burden of proof is often too complicated.
26. New forms and forums for hate speech have developed. Cyber bullying and online hate speech have reached new levels towards not just minorities but also journalists, politicians, anyone in a public role or just an average neighbour. Sometimes the speech also develops in aggressive and violent actions.

27. Increasing hate speech against journalists and its impact on media has been a major concern during recent years, also in Finland. According to a survey conducted by the Union of Journalists in Finland (UFJ) in 2016 one-sixth (out of 1400) reported having received some form of threat. Some 40 percent said the threats were related to articles dealing with immigration and asylum. Up to 14 percent of the female journalists surveyed reported threats of sexual violence. Around 5 percent of both genders reported receiving death threats.
28. In addition to hate speech, there is also other alarming phenomenon in regarding to **harassment against journalists**. Preliminary findings of an ongoing university research project indicate that the perceived risk of interference causes concern and self-censorship among the respondents. About 14 percent of journalists told that they have changed the content of their work due to experienced pressure, and some 44 percent used consciously certain methods and actions to tackle the interference. Judicial pressure seems to be used occasionally, with 35 percent of respondents having been threatened with court cases and 25 percent with lawsuits for damages at least once during the reference period.
29. On 18 February 2021, the European Commission has called formally, among other states, on Finland to fully transpose EU law criminalising hate speech and hate crimes. According to Commission, the national legislation incorrectly transposes hate speech inciting to violence and fail to criminalise hate speech when addressed to individual members of a group defined by reference to race, colour, religion, descent or national or ethnic origin. In addition, Finland fails to criminalise the specific forms of hate speech, namely the public condoning, denial or gross trivialisation of international crimes and the Holocaust. Finland has also failed to ensure that the criminal offences concerning racism and xenophobia can be investigated and prosecuted without a report or an accusation made by the victim. Government has two months to reply to the points raised by the Commission; otherwise, the Commission may decide to send a reasoned opinion.
- RECOMMENDATION:** Criminalise hate speech when addressed to individual members of a group defined by reference to race, colour, religion, descent or national or ethnic origin.
- RECOMMENDATION:** Encourage political parties to take more effectively and openly action against hate speech and racism among their members in their behaviour, on-line writing and appearances in other media.
- RECOMMENDATION:** Improve legislation to better protect journalists from hate speech and harassment by adding threats against journalist as an aggravating factor for the punishment.
- Representation of women - reply to paragraph 7 of the Lol**
30. Government points out that in 2017 municipal elections a total of 66 local councillors spoke foreign language as their mother tongue. Out of c. 9.000 councillors, this represents as much as 0,5%. How many are women, is not known.
31. The fact is that many groups of women, including minority or indigenous women, women with disabilities and migrant women, are not represented within the political and public life. Also lack of opportunities in labour market persist. This is the case also with regard to older women, who are only recently started to gain visibility in society as active members and not just receivers or care and services.
32. In the lack of disaggregated data and statistic it is not known whether women with disabilities and any person with disabilities are represented or engaged/employed

and to what decree. Many of the support measures listed by the Government are insufficient as the discrimination of persons with disabilities and misconceptions of their capabilities are common in society. In addition to active employment measures, human rights education and information campaigns are needed, not just for employers but also for political parties, media and society at large.

**RECOMMENDATION:** Encourage political parties to take steps to increase the diversity of their membership and electoral candidates.

**RECOMMENDATION:** Improve the disaggregated data collection with regard to women and minorities in politics.

#### **Transgender persons - reply to paragraph 8 of the Lol**

33. A governmental working group is set to be established in March 2021 to prepare the legislative changes in the Act on Legal Recognition of the Gender of Transsexuals. The Government proposal is to be submitted by the end of 2021. There are some indications that needs and rights of transgender minors would be excluded.

**RECOMMENDATION:** Complete the **reform of the Trans Act** as soon as possible, including the improved self-determination of children.

#### **Intersex children - reply to paragraph 9 of the Lol**

34. At the moment no progress has been made with regard to self-determination of intersex children. Close to 2 years have passed since the publication of the Government Program. However, it is expected that the working group, set in March 2021, by the Ministry of Social Welfare and Health to reform the Trans Act will address the issue.

35. Corrective surgery is still performed not just on the child's but also on the family's demand, according to the Government's submission. The annual total amount is not large, but it is still a violation of the child's self-determination.

**RECOMMENDATION:** Ban medically **unnecessary procedures on intersex children** without their free and informed prior consent and prepare binding guidelines to the effect for medical professionals.

**RECOMMENDATION:** Guarantee equal access to **treatment for non-binary persons** by preparing national guidelines for it.

#### **Violence against women - reply to paragraph 11 of the Lol**

36. In developing measures to prevent violence against women and intimate partner violence, it is essential that different forms of violence and partly new forms, also those brought about by the pandemic, are better known and recognised in the society. In identification, it is essential that the authorities at different administrative levels, individual officials and office holders are sufficiently aware of the different forms of offence and also recognise the forms of offence targeted at women and girls of different backgrounds, ages and states of life in different ways

37. Since the entry into force of the Istanbul Convention, many positive developments have taken place in legislation, education and training related to violence against women and intimate partner violence, funding of preventive action and victim services (new shelters, helplines, SERI centres, training and action plans).

38. Also new structures have been created, such as the Committee for Combating Violence against Women and Domestic Violence (NAPE) and currently legislation is being drafted to set up a national rapporteur on violence against women.

39. While this initiative is welcome as such, the current draft government bill is suggesting to place the rapporteur within the office of the Non-Discrimination

Ombudsman (not dealing with gender equality) and not the Equality Ombudsman or the NHRI and thus separating violence against women from the equality related work, gender specific activities and human rights context. It also goes against the CEDAW and the principles of the Istanbul Convention. Such placement is not logical and could be counter-productive and detrimental on both gender equality and recognizing VAW as a gender specific form of discrimination.

40. The increasing amount of resources the Government is investing in countering violence against women is to be commended. Yet the service structures are complicated, mandates are partly overlapping, NGOs who provide services in practice are not fully integrated in the structures, services are not easily accessible to all and there are not enough low threshold or accessible services enabling victims regardless of their age, cultural background, languages skills, physical abilities or geographical location to get services and help they need. All service providers and authorities also suffer from lack of resources.
41. New forms of violence need to be recognised better and faster, as has been evident during the pandemic and lockdowns. Women and girls in especially vulnerable situations (closed religious and other communities, youth in care, persons with disabilities and older persons especially in various living arrangements, migrant women and minorities) need to be considered while designing services.
42. The high numbers of victims of sexual harassment and violence in the society, schools and work places is alarming. Even more alarming are those victims that do not appear in statistics. These include LGBTI children and adults, persons with disabilities, elderly, minorities and minorities within minorities. Women with migrant background and their experiences often remain outside the official numbers, as well as services. In communities, where sexuality and sex are tabus, the violence remains invisible from the view of authorities but also from statistics. This leaves many vulnerabilities in the service structures and in the implementation of women's rights.
43. With regard to legal proceedings, legislation and statistics in criminal matters there is also place for improvement. The overall changes in Penal Code are timely, including adding the lack of consent as part of the definition of rape. However, improvements are needed in knowledge, attitude and abilities with regard needs of the victims, as well as perpetrators.
44. Many of these questions are also noted in the recent FRA publication from the Fundamental Rights Survey on violence and harassment, published on 19 February 2021. The numbers are alarming with regard Finland, as already noted in FRA's earlier survey on violence against women in 2014.

**RECOMMENDATION:** Reconsider the intended placement of the new rapporteur on violence against women to avoid separating combating gender-based violence from gender equality work to the detriment of both.

**RECOMMENDATION:** Increase for all age groups and professional fields human-rights-based training on how to recognise domestic violence and violence against women and how to help the victims. Focus general training of attitudes on men and boys in particular.

**RECOMMENDATION:** Ensure equal level of protection to persons with disabilities and older persons against sexual violence and abuse also in institutional settings, as well as in private residences.

**RECOMMENDATION:** Ensure the sufficiency and coverage of the services and

measures at all geographic locations, taking into account also the needs of highly vulnerable women and girls.

### **Self-determination in social welfare and health care - reply to paragraph 14 of the Lol**

45. There is little regulation on restricting fundamental rights in the social services and healthcare sector. The most recent and clear legislation concerns special care for persons with intellectual disabilities (latest changes in 2016). The purpose of the act is to promote the right to self-determination and to regulate any restrictive measures. The draft of the new legislation on restrictions in social and health care setting, mentioned by the Government in its submission, was circulated for comments in summer 2018. Work is still pending, 3 years later.
46. A study by the the National Supervisory Authority for Welfare and Health (Valvira) in 2017-2018 concluded that the legislative changes in 2016 have improved the legal protection of persons with intellectual disabilities. Personnel is instructed on the use of restrictions and restrictions are recognised and documented better than before the changes in legislation. 84 % of the care units had written instructions on the use of restrictions in comparison to 17 % prior to the 2016 changes. Challenges still exist but the care units have found alternative ways to support self-determination and limit the use of restrictions.
47. There is no similar legislation in the care of older persons, which has led to serious problems with the implementation of the fundamental rights of older persons. The situation is also challenging from the perspective of the legal protection of employees. The problems caused by the lack of legislation have culminated and increased even more during the coronavirus pandemic.

**RECOMMENDATION:** Ensure sufficient human resources and a clear and comprehensive implementation plan in order to complete the legislative process concerning the right to self-determination of social services and healthcare customers.

### **Conscientious objectors - reply to paragraph 20 of the Lol**

48. The shortest period of military service is 165 days. At present, conscientious objectors are obliged to perform 347 days of civilian service.
49. In February 2018 the Helsinki Court of Appeals ruled that legislation exempting Jehovah's witnesses but no other conscientious objectors from military and civilian service is contrary to the prohibition of discrimination guaranteed by the Finnish Constitution. The law removing the exemption for Jehovah's witnesses, entered into force in April 2019.
50. In the aftermath of removing the exemption previously granted to Jehovah's witnesses from Military Service a new issue has arisen with regard to total objectors refusing all military service.
51. From February 2018 until April 2019 close to 90 conscientious objectors were acquitted by courts after having been prosecuted for refusal to perform non-military service. They have since been served with a new service order under the Non-Military Service Act.
52. The Act states that "*If a person liable for non-military service against whom a report on an offence has been entered for refusal to perform non-military service or a non-military service offence is not charged with the offences in question or given a prison sentence, the Centre for Non-Military Service must order the person back*

*into service. The time during which he has been detained due to the investigation of the case is then counted as service time in such a way that one day of detention is equivalent to two days of non-military service.”*

53. By the end of April 2020, over 30 of the 90 objectors that were acquitted had refused the non-military service for the second time and nine of them were convicted to custodial sentences. This usually means electronic monitoring.
54. In January 2021 several of them were, again, acquitted by the Helsinki Court of Appeal for the second time. In accordance with the law, they can, in accordance with the law, expect a third round of service orders. This effectively is a never ending circle.

**RECOMMENDATION:** Find and legislate a lasting and fair solution to end current and future reoccurring legal proceedings against conscientious objectors.

### **Sami - reply to paragraph 23 of the Lol**

55. Under section 9 of the Act on the Sámi Parliament, the authorities shall negotiate with the Sámi Parliament in all far-reaching and important measures, which may directly and in a specific way affect the status of the Sámi as an indigenous people.
56. Many open issues and ongoing problems in the relationship between the Sami and the Government relate to the lack of free prior and informed consent (FPIC). The Sami do not feel their views are taken into considerations nor attention is paid to their rights. This is the case, for example, with regard to the Arctic railroad, logging in the Arctic, fishing permits, wind power stations, mining projects and other environmental developments. Despite the question posed by the Committee, the Government does not define nor clarify how the concept significant harm, or lack of it, is applied in these matters.
57. The insufficient ability to use the right to self-determination with regard to the electoral roll of the Sami Parliament has been further emphasized by two decisions on individual complaints by this Committee in 2018-2019. Implementation of those decisions has not proceeded. The electoral roll is one of the open issues in the new effort to renew the Act on Sami parliament. According to the Government legislative plan the draft Bill is to be submitted to the Parliament in December 2021.
58. Now, after half the electoral term has passed, many other legislative improvements listed in Government program regarding Sami are still waiting to be either initiated or completed and implemented. At the same time, small steps are taken and for example the Sami members for the Truth and Reconciliation Commission have been selected in December 2020 and the Commission is to start its work in 2021.

**RECOMMENDATION:** Take steps to clarify the process related to the electoral roll of the Sami Parliament so that the self-identification of the Sámi as a group plays stronger role, the decisions are not discriminatory and that the legal certainty exists.

**RECOMMENDATION:** Improve the right of self-determination of the Sámi people and their actual ability to influence the decision-making process while respecting the principle of Free, Prior and Informed Consent.

**RECOMMENDATION:** Continue the process to ratify the ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. Engage the Sámi people in a constructive, meaningful and structured manner in all matters concerning them.

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## Compilation of recommendations by the Finnish NHRI

### UN Human Rights Committee (131<sup>st</sup> session)

#### Submission from the Finnish Human Rights Centre/NHRI for the consideration of State Report – Finland

##### Human Rights Structures

**RECOMMENDATION:** Clarify the structure of fundamental and human rights actors and strengthen the existing actors. The powers must be clear and easy to understand for those in need of protection. Set up new functions only after careful analysis of the existing ones and based on a needs assessment.

**RECOMMENDATION:** Support the regional and local-level administrative organs in the implementation of their many tasks with impact on the fundamental and human rights by providing clear guidance, training and other necessary support

##### Human Rights Education

**RECOMMENDATION:** Develop and publish accessible information on fundamental and human rights in different languages and in a manner that is compatible with different means, modes and formats of communication.

**RECOMMENDATION:** Strengthen teaching of fundamental and human rights at all levels of education. Include fundamental and human rights education as a mandatory subject in teacher training.

**RECOMMENDATION:** Increase fundamental and human rights education and training at all levels of government, especially for those involved in the legislative drafting process.

##### Significant developments - reply to paragraph 2 of the LoI

**RECOMMENDATION:** Strengthen further the activities and crisis preparedness of overseers of legality, as well as other fundamental and human rights actors.

**RECOMMENDATION:** Strengthen structurally the National Human Rights Institution so that it has the best conditions to carry out its statutory tasks also in a state of emergency.

##### Specific information on the implementation of Articles 1–27

##### Impact assessment - reply to paragraph 4 of the LoI

**RECOMMENDATION:** Enhance the knowledge base for legislative drafting and other decision making by

- supporting research related to topical fundamental and human rights questions from the Government's research funds,
- developing dialogue and increasing participation of different population groups
- ensuring that vulnerable groups and people are included and can participate effectively.

**RECOMMENDATION:** Enhance the assessment of the effects that legislation, Government programs, action plans as well as state and municipal budgets have on the implementation of fundamental and human rights. Pay special attention to the possible accumulation of any negative effects.

#### **Non-Discrimination - reply to paragraph 5 of the Lol**

**RECOMMENDATION:** Extend the authority of the Non-discrimination Ombudsman and the Non-Discrimination and Equality Tribunal to cover cases of occupational discrimination.

#### **Hate speech - reply to paragraph 6 of the Lol**

**RECOMMENDATION:** Criminalise hate speech when addressed to individual members of a group defined by reference to race, colour, religion, descent or national or ethnic origin.

**RECOMMENDATION:** Encourage political parties to take more effectively and openly action against hate speech and racism among their members in their behaviour, on-line writing and appearances in other media.

**RECOMMENDATION:** Improve legislation to better protect journalists from hate speech and harassment by adding threats against journalist as an aggravating factor for the punishment.

#### **Representation of women - reply to paragraph 7 of the Lol**

**RECOMMENDATION:** Encourage political parties to take steps to increase the diversity of their membership and electoral candidates.

**RECOMMENDATION:** Improve the disaggregated data collection with regard to women and minorities in politics.

#### **Transgender persons - reply to paragraph 8 of the Lol**

**RECOMMENDATION:** Complete the **reform of the Trans Act** as soon as possible, including the improved self-determination of children

#### **Intersex children - reply to paragraph 9 of the Lol**

**RECOMMENDATION:** Ban medically **unnecessary procedures on intersex children** without their free and informed prior consent and prepare binding guidelines to the effect for medical professionals.

**RECOMMENDATION:** Guarantee equal access to **treatment for non-binary persons** by preparing national guidelines for it.

#### **Violence against women - reply to paragraph 11 of the Lol**

**RECOMMENDATION:** Reconsider the intended placement of the new rapporteur on violence against women to avoid separating combating gender-based violence from gender equality work to the detriment of both.

**RECOMMENDATION:** Increase for all age groups and professional fields human-rights-based training on how to recognise domestic violence and violence against women and how to help the victims. Focus general training of attitudes on men and boys in particular.

**RECOMMENDATION:** Ensure equal level of protection to persons with disabilities and older persons against sexual violence and abuse also in institutional settings,

as well as in private residences.

**RECOMMENDATION:** Ensure the sufficiency and coverage of the services and measures at all geographic locations, taking into account also the needs of highly vulnerable women and girls.

**Self-determination in social welfare and health care - reply to paragraph 14 of the Lol**

**RECOMMENDATION:** Ensure sufficient human resources and a clear and comprehensive implementation plan in order to complete the legislative process concerning the right to self-determination of social services and healthcare customers.

**Conscientious objectors - reply to paragraph 20 of the Lol**

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**Sami - reply to paragraph 23 of the Lol**

**RECOMMENDATION:** Take steps to clarify the process related to the electoral roll of the Sami Parliament so that the self-identification of the Sámi as a group plays stronger role, the decisions are not discriminatory and that the legal certainty exists.

**RECOMMENDATION:** Improve the right of self-determination of the Sámi people and their actual ability to influence the decision-making process while respecting the principle of Free, Prior and Informed Consent.

**RECOMMENDATION:** Continue the process to ratify the ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. Engage the Sámi people in a constructive, meaningful and structured manner in all matters concerning them.

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