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HUMAN RIGHTS CENTRE



HUMAN RIGHTS CENTRE

Annual Report 2023

HUMAN RIGHTS CENTRE
ANNUAL REPORT 2023

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CONTENTS

Foreword	4
Part I	
Human Rights Centre and the National Human Rights Institution of Finland	6
Administration and finance	7
Part II	
General monitoring of fundamental and human rights	8
Knowledge base on the state of fundamental and human rights in Finland	8
Monitoring the implementation of international human rights treaties	8
<i>Council of Europe human rights treaties and monitoring bodies</i>	9
<i>UN human rights treaties and treaty bodies</i>	13
<i>UN Universal Periodic Review (UPR)</i>	17
Part III	
Promotion of fundamental and human rights	18
Communications and advocacy work	18
Events	19
Foresight	19
Human rights education and training	20
Publications and statements	21
<i>Publications</i>	21
<i>Statements</i>	22
Part IV	
Monitoring and promoting the rights of persons with disabilities and older people	23
Strengthening the legal perspective	23
Strengthening inclusion	23
Strengthening and monitoring the knowledge base of disability research and older people's rights	24
Rights of disabled and older people and international cooperation	24
Part V	
Young experts programme	25
Part VI	
National and international human rights cooperation	27
The activities of the human rights delegation	27
International and European human rights cooperation	29
Annexes	
Annex 1. Human Rights Centre personnel in 2023	31
Annex 2. Members of the Human Rights Delegation 2020-2024	31
Annex 3. Members of the divisions	33
Annex 4. Human Rights Centre's participation in working and steering groups	33

Foreword

The year 2023 was characterised by worrying developments in international security. The Russian war of aggression in Ukraine persisted, and in the autumn, the situation in the Middle East reached a tipping point and became a major conflict following the attacks on Israel by extremist organisation Hamas. Security issues also came to the fore in national discourse and politics, and in April, Finland made the historical move to join the military alliance NATO.

In several European countries, the principles and structures of the rule of law continued to be under attack, which was reflected in issues such as weaker independence of courts and narrower operating conditions of civil society. The state of the rule of law in Finland is good in international and European comparisons, but even we have to keep a constant eye on the situation. As in previous years, the Human Rights Centre reported on the rule of law issues both in the Rule of Law Report of the European Network of National Human Rights Institutions (ENNHRI) and to the EU Commission. In the spring, the Human Rights Delegation of the HRC issued a statement to preface the new government term, pointing out that safeguarding and promoting fundamental and human rights and respecting the rule of law must be the basis for all Government activities.

In its autumn retreat, the Human Rights Delegation focused on factors causing exclusion and the societal impacts of exclusion and looked for solutions to combat hate speech and a polarised discussion atmosphere. Hate speech is strongly linked to a discussion culture that emphasises antagonism, which results in ever-stronger attacks against human rights actors. The Delegation considered common ways to act and strengthen the Delegation's voice in an increasingly challenging operating environment.

One of the tasks of the HRC is to support the resilience and preparedness of other national fundamental and human rights actors. For this purpose, the HRC has developed specific human rights foresight in recent years, and in November, the HRC published a comprehensive report on the subject. Foresight is already an essential part of the Government's strategic planning, but human rights are not yet an integral part of foresight efforts. The HRC aims to integrate human rights into general foresight and to develop specific human rights foresight measures to support the work of the HRC and other human rights actors.

During the year, there was intense discourse on social security and its level, as the new government started its term by presenting several

measures that would weaken social security. How to reconcile human rights obligations and the perspectives of economic policy? What recommendations has Finland received from bodies monitoring international human rights treaties? These questions were considered at a seminar organised by the HRC together with the Finnish League for Human Rights in October, which filled the Little Parliament auditorium with experts.

October also featured the 10th anniversary of ENNHRI, involving discussions on the role of human rights institutions, the challenges of their activities and how to respond to said challenges in the current situation. The Director of the HRC chaired ENNHRI, which was why the HRC was particularly actively involved in the activities of the network. The ENNHRI cooperation was especially focused on issues related to the war in Ukraine, and the HRC supported the activities of the Ukrainian High Commissioner for Human Rights both through the network and bilaterally.

The first term of the HRC's Young Experts Programme, launched in 2022, came to its conclusion and a review of the term was published in November. The review examines young people's rights in international human rights conventions and brings together observations

and young people's experiences of the realisation of their rights in Finland. Particularly highlighted themes included human rights issues related to education, work, health, freedom, integrity and safety. Mental health, experiences of exclusion, the rights of minorities and climate change affected young adults' experiences of how human rights are realised.

The second term of the Young Experts Programme began in December, as two new junior experts were once again selected from over 250 applicants.

The end of the year brought special news for the HRC's future, as founder and long-term director Sirpa Rautio was elected Director of the European Union Agency for Fundamental Rights (FRA). This creates a wonderful foundation for continuing the already close cooperation between the FRA and the HRC.

Everyone at the HRC would like to extend many thanks to Sirpa for her years at the Human Rights Centre. We would also like to thank the members of the Human Rights Delegation, colleagues at the Office of the Ombudsman and all partners for their good cooperation.

17 April 2024
Susan Villa
Deputy Director

1 Human Rights Centre and the National Human Rights Institution of Finland

The Finnish National Human Rights Institution consists of the Human Rights Centre (HRC), the Human Rights Delegation and the Parliamentary Ombudsman.¹

The HRC monitors and promotes the implementation of fundamental and human rights and promotes cooperation between actors in the field of fundamental and human rights, especially in the activities of the Human Rights Delegation. Its statutory tasks include international and European cooperation on human rights. The HRC's competence also covers private parties, such as companies and thereby corporate human rights responsibility.

The Human Rights Delegation promotes the flow of information and cooperation between different actors, discusses fundamental and human rights matters of far-reaching importance and significant principles, and approves the HRC's action plan and report annually.²

The Parliamentary Ombudsman supervises the legality of the activities of authorities and the implementation of fundamental and human rights, investigating complaints, carrying out inspections and making their own initiatives.³

The Global Alliance of National Human Rights Institutions (GANHRI⁴) granted the Finnish NHRI the 'A status' in 2014 and 2019 by application.

The status entitles the Finnish NHRI to participate and take the floor during UN Human Rights Council sessions. As a rule, the HRC represents the Finnish National Human Rights Institution in networks of human rights institutions and other international and European cooperation on human rights. The Ombudsman participates in European and international cooperation between ombudsmen.

The HRC has been involved in the development of ENNHRI (European Network of National Human Rights Institutions) since its inception, and a member of the ENNHRI Board of Directors and a representative of the European Network of the GANHRI Board of Directors since 2021. Sirpa Rautio, Director of the Human Rights Centre, was also elected Chairman of ENNHRI for a three-year term starting on 31 March 2022.

4 <https://ganhri.org/>

1 <https://www.humanrightscentre.fi/about-us/national-human-rights-institutio/>

2 <https://www.humanrightscentre.fi/about-us/human-rights-centre/>

3 <https://www.oikeusasiamies.fi/en>

The Human Rights Centre's tasks are:

- to promote information, education, training and research associated with fundamental and human rights
- to monitor the implementation of fundamental and human rights and prepare reports on them
- to present initiatives and issue statements in order to promote and implement fundamental and human rights
- to participate in European and international cooperation associated with promoting and safeguarding fundamental and human rights
- to perform other comparable tasks associated with the promotion and implementation of fundamental and human rights
- to promote, protect and monitor the implementation of the UN Convention on the Rights of Persons with Disabilities.

The National Human Rights Institutions (NHRI) meet the requirements of the Paris Principles⁵ adopted by the UN General Assembly in 1993:

- They are statutory bodies.
- They are autonomous and independent.
- They are pluralist in composition.
- They must promote and safeguard human rights.
- They must be guaranteed adequate powers of investigation, resources and a mandate to carry out their functions.

Administration and finance

The HRC is administratively part of the Office of the Parliamentary Ombudsman and receives some of its administrative services and infrastructure from the Office of the Parliamentary Ombudsman and Parliament.

The HRC's budget proposal for 2023 stated a budget of EUR 1,072,000 for operational costs, of which EUR 910,312 was for personnel costs and EUR 161,688 for consumption expenses. EUR 36,000 of the consumption expenses were service purchases.

At the end of 2023, the HRC had eight permanent posts (the director, six expert officials - of which one post was vacant - and an administrative assistant) and two fixed-term employment relationships for junior experts under the Young Experts Programme. Due to the presidency of ENNHRI, the HRC additionally employed an international affairs advisor with a fixed-term employment relationship as well as fixed-term experts and junior experts for various development projects and as substitutes. Appendix 1 contains a list of personnel.

The Human Rights Delegation adopted the Human Rights Centre's Action Plan⁶ for 2023 in December 2022. The HRC has achieved the objectives set in the Action Plan rather well. The Human Rights Delegation is tasked with the final assessment on the implementation of the Action Plan.

5 <https://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfNationalInstitutions.aspx>

6 <https://www.humanrightscentre.fi/publications/action-plans-and-annual-reports/>

2 General monitoring of fundamental and human rights

Knowledge base on the state of fundamental and human rights in finland

The HRC continued to systematically develop its monitoring work. Monitoring fundamental and human rights means collecting information on the implementation of fundamental and human rights, analysing the data and maintaining up-to-date knowledge of the situation.⁷ Monitoring data helps estimate how the rights of different persons and groups are respected formally and in practice. It also enables identifying information gaps. Monitoring is based on existing reliable information and, where possible, reports and reviews by the HRC.

The aim of monitoring is to ensure that the HRC has a comprehensive understanding of the fundamental and human rights situation in Finland on the selected themes and that promotional work can be targeted correctly. Systematic monitoring also makes it possible to compile information into a report that the HRC can submit to Parliament on the implementation of rights, for example once every four years.

Monitoring the implementation of international human rights treaties

Finland is committed to eight human rights treaties under the UN and eight under the Council of Europe. The mechanisms for monitoring compliance with human rights treaties are usually defined in the treaties themselves. A

specific monitoring body has been established for most treaties. The main monitoring body is the European Court of Human Rights, whose decisions are legally binding and enforceable.

The tasks of the monitoring bodies include the processing of the periodic reports on the national implementation of the treaties submitted regularly by states, issuing expert statements on the interpretation of the treaties, and, with regard to certain treaties, processing complaints made by individuals or groups. Monitoring is also carried out as peer review by Member States in the Universal Periodic Review (UPR) of the UN Human Rights Council.

The HRC is actively involved in the periodic reporting through statements and participation in processing the reports. The HRC also promotes the participation of NGOs in different ways. Wider participation brings key problem areas to the committees' attention more effectively, and their recommendations focus more on these problem areas.

The aim of the HRC is to bring its own positions and recommendations to the attention of the committees so that they can ask relevant questions from the government and thus issue targeted and enforceable recommendations. This effort has been a success, and the themes highlighted by the HRC have been taken into account regularly in the latest reporting rounds of various committees.

⁷ <https://www.humanrightscentre.fi/monitoring/>

Council of Europe human rights treaties and monitoring bodies

Activities of the European Court of Human Rights

In 2023, the ECtHR distributed 91 complaints against Finland for processing by various compositions. Over the year, 72 of the complaints were either removed from the list or were not admitted for investigation on various grounds; a decision on inadmissibility was released for two of these complaints.

European Convention on Human Rights (ECHR) and European Court of Human Rights (ECtHR)

The Convention for the Protection of Human Rights and Fundamental Freedoms, known as the European Convention on Human Rights (ECHR), is a human rights treaty that mainly protects classic fundamental freedoms. All Member States of the Council of Europe must ratify the treaty. The treaty also includes optional protocols, the ratification of which is not mandatory. The Convention was opened for signature in 1950, and Finland ratified it in 1990.

The European Court of Human Rights (ECtHR) monitors compliance with the Convention through the individual complaints procedure, the state complaints procedure and the reporting procedure. The ECtHR may issue financial compensation on the infringed appellant. The judgment may require general measures, such as legislative amendments, and individual measures, such as dissolution or referral. The Committee of Ministers of the Council of Europe monitors the implementation of the ECtHR's judgments.

At the end of the year, 54 cases against Finland were pending, nine of which had been communicated to the Government for a response, and a decision on admissibility has been made for one case. Two judgements were issued against Finland.

The first of these judgements concerned lists of names by Jehovah's witnesses (31172/19). The judgment of the Second Chamber of the ECtHR of 9 May 2023 stated that neither Article 6 of the ECHR (right to a fair trial) nor Article 9 of the ECHR (freedom of thought, conscience and religion) had been violated. The decision remained final when a panel of the ECtHR Grand Chamber decided not to pursue the case.

In the second judgment of 9 November 2023, the ECtHR considered that the right to a fair trial had not been violated in a case of revoking the trial counsel licence of a Finnish lawyer (46131/19) who had repeatedly written to several judges and authorities. Article 6 of the ECHR (right to a fair trial) had not been violated.

There were 18 implementation ban applications submitted against Finland, one of which was granted, 3 were rejected and 14 were outside the scope of application.

ECtHR's advisory opinion

On 13 April 2023, the ECtHR issued an advisory opinion (P16-2022-001) to the Supreme Court in accordance with Protocol No. 16 of the European Convention on Human Rights in an adoption case leading to decision KKO 2024:18. Requesting opinions has not been possible until August 2018, but this possibility only applies to national supreme courts. The request was the first of its kind for Finland. Overall, the ECtHR has only issued few of such opinions on matters of principle related to the interpretation or application of the Convention on Human Rights.

(Revised) European Social Charter and the activities of the Committee of Social Rights

In January, the Government issued its **18th periodic report** on the implementation of collective complaints against Finland, which is still pending for several cases. Some decisions are already being examined for the fifth time. No progress has been found in previous rounds in implementing any of the decisions.

In its decision of 15 February 2023 (172/2018), the European Committee of Social Rights (ECSR) stated that the level of social security in Finland is still too low. The complaint submitted to the Committee in 2018 addressed the minimum monetary level of various social security benefits and social assistance. Finland has also previously received criticism from the Committee for the insufficient level of basic social security based on several complaints. The Committee of Ministers called on the Government to improve the level of various benefits while factoring in the increased cost of living, to collect data on social security in order to assess an adequate standard of living and to provide the Committee with information on the implementation of the recommendations in its subsequent reports.

In March, the ECSR published its conclusions on Finland's 17th report on work-related rights. The ECSR considered that, with regard to three points, the Government had not provided enough information for the evaluation of the Committee. The ECSR also found an infringement as regards five points.

In December, the Government issued a report on the cost-of-living crisis that the ECSR requested from all Member States. National Human Rights Institutions and other actors have been requested for comments on the theme of the report by 30 June 2024.

Delayed implementation of ECtHR and ECSR decisions

Already in 2021, the HRC requested information from the Ministry for Foreign Affairs on why the national implementation of ECtHR judgments and ECSR decisions has been delayed. At the beginning of 2023, Finland had more than ten judgments whose implementation was still unaccomplished at the national level. The ECSR has already examined the state of implementation of some decisions (7 decisions) up to five times and requested additional information from the Government. The unreasonable delay in implementation is not in line with Finland's human rights obligations or policy or Finland's strong support of the Council of Europe.

In 2023, the Deputy Chancellor of Justice took the initiative to investigate the causes of delays in the implementation of ECtHR judgments and ECSR conclusions. The processing of this matter remains unfinished.

At the end of 2023, the execution of conclusions was still underway for **six ECtHR judgments and eight ECSR conclusions**. For ECtHR judgments, there is no change in sight as the Government's position is that the Committee has assessed the situation incorrectly (level of basic security).

Rule 9 of the Rules of Procedure of the Committee of Ministers of the Council of Europe allows the National Human Rights Institutions (NHRI) and non-governmental organisations to submit opinions to the Committee of Ministers monitoring the implementation of ECtHR judgments. The HRC has used this possibility in 2021 and in January 2023 in case X v. Finland.

National implementation of case *X v. Finland* (34806/04)

There has been a particularly difficult implementation process for the ECtHR judgement in case *X v. Finland*. In its 2012 judgement on *X v. Finland*, the ECtHR found that effective legal remedies were missing because medication administered against a patient's will was based on a medical decision that could not be appealed and its appropriateness could not be otherwise investigated either.

The implementation of the judgement required completely new legislation that would determine patients' options for submitting an appeal over forcibly prescribed medication. Two similar complaints against Finland are currently pending at the ECtHR regarding the lack of a legal remedy for forced medication: *E.S. v. Finland* and *H.H. v. Finland*.

The case has been under the enhanced supervision of the Committee of Ministers since December 2021. In March 2023, the Committee of Ministers invited the Secretariat of the Committee of Ministers (department responsible for monitoring the execution of ECtHR judgements) to draft an interim resolution for the March 2024 session, unless significant progress has been made on the case by the end of 2023. The interim resolution would be a blow to Finland's reputation as a cooperative country that upholds human rights. The Government proposal was submitted in September 2023 and the legislative amendments establishing a legal remedy, among other provisions, will enter into force on 1 April 2024.

The HRC issued a statement to the Committee of Ministers about the case in 2021 and 2023. In its latest statement, the HRC criticised the fact that the implementation of *X v. Finland* had been delayed once again when the Ministry of Social Affairs and Health announced that no government proposal would be submitted during the government term ending in 2023. In addition, the HRC emphasised in its statement that there should always be a written, appeal-

able decision on the involuntary administration of medication. For patients' legal protection, getting a written decision should be contingent on the lack of informed, explicit consent and not opposition to medication. The Council of Europe's department responsible for monitoring the execution of ECtHR judgements visited Finland early in the year especially because of this case.

The serious delays in implementing *X v. Finland*, other ECtHR judgments and the decisions and recommendations of treaty monitoring bodies are not in line with Finland's human rights obligations or policy or Finland's strong support of the Council of Europe. The International Department of Parliament organised a discussion event on the problems related to implementation, especially with regard to *X v. Finland*. The HRC provided material for and participated in the meeting.

Implementation of the Istanbul Convention

In January 2020, the Committee of the Parties to the Istanbul Convention (i.e. the Council of Europe Convention on preventing and combating violence against women and domestic violence) issued recommendations to Finland on implementing the Convention. In June 2023, the Committee of the Parties adopted its conclusions⁸ on the implementation of the recommendations issued to Finland on the basis of the Government's interim report and information provided by organisations and various authorities (including the HRC).

The HRC highlighted the need to combat violence comprehensively and to be aware that issues such as violence against persons with disabilities are not recognised or taken seriously. Other matters brought up included female genital mutilation, forced marriage and the scale of an accessible and geographically comprehensive shelter network. There is also a

8 <https://www.coe.int/en/web/istanbul-convention/finland>

clear need to clarify the roles, duties and tasks of municipalities, wellbeing services counties and central government in combating domestic violence. The HRC called for binding measures to be taken to improve the structures of efforts to prevent domestic violence and to clarify the responsibilities between different actors, for example by means of legislation. The opinion also addressed the problems of mediation.

The Committee encouraged Finland to take further measures especially by (recommendations summarised):

- addressing all forms of violence against women mentioned in the Istanbul Convention and allocating appropriate financial resources
- ensuring that all administrative sectors, including law enforcement, the judicial system and social services and health care, regularly collect data by gender, age, type of violence, perpetrator-victim relationship, victim age and the place where violence occurred
- reconsidering the powers of police authorities to propose mediation in cases of violence against women by ensuring that all law enforcement staff and prosecutors are aware that mediation is prohibited in cases of repeated violence and by ensuring that criminal investigations and prosecutions in cases of violence against women are not interrupted during mediation.

The Committee requests Finland to report on the state of measures by 2 June 2025. The Committee will visit Finland in early 2024.

At the end of the year, the Government submitted its report for GREVIO's first thematic reporting round. The theme was "building trust by delivering support, protection and justice". One issue highlighted by the HRC's statement was the financial difficulties of wellbeing services counties and municipalities, which will

certainly also affect the services available for the victims of violence. The statement also addressed the report by the Deputy Chancellor of Justice on the investigation of violence against women in all police districts and the problems raised in the report, such as the long duration of investigations or concluding investigations without any measures taken.

At the end of 2022, the International Department of Parliament published a handbook for Members of Parliament on the Istanbul Convention. The handbook is available in Finnish and Swedish and it was released at a publication event organised by the International Department of Parliament. The Istanbul Convention also includes an obligation to take parliamentary action. It would be pertinent for the Members of Parliament to take an active role in promoting the national implementation of the Convention even beyond budgetary considerations.

Country overview on the implementation of the Lanzarote Convention

The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) has been in force in Finland since 2011. As part of periodic reporting and evaluation, the Council of Europe joined forces in 2022 with ECPAT International to prepare **country overviews** of each party to the Lanzarote Convention.

Finland is the first country whose overview was published. The publication event was held in Helsinki on 13 April 2023. The country overview is a tool for promoting and developing the fight against sexual exploitation and sexual abuse of children in countries that are committed to the Convention. The country overview is a document that compiles the information that a party to the Lanzarote Convention has provided in the General Overview Questionnaire and the recommendations adopted by the Lanzarote Committee. Literature-based findings are used to supplement information on devel-

opments that have taken place since the parties filled in the questionnaire and the Committee adopted its recommendations.

At the end of the year, the Government also responded to the Committee's **third monitoring period questionnaire** with the theme "Circle of Trust".

Activities of the European Commission against Racism and Intolerance (ECRI)

The European Commission against Racism and Intolerance (ECRI) **General Policy Recommendation** No 17 on preventing and combating intolerance and discrimination against LGBTI persons was adopted on 28 June 2023 and published on 28 September 2023. While the general policy recommendations by ECRI are addressed to Member States' national authorities, it is important to emphasise that the prevention and fight against discrimination and intolerance against LGBTI persons and the development of an inclusive society must be understood as the responsibility of all members of society.

With its sixth monitoring round under way, ECRI will visit Finland in the autumn of 2024. The sixth monitoring round is particularly focused on LGBTI persons' actual equality and access to rights and the realisation of transgender rights.

UN human rights treaties and treaty bodies

The UN human rights treaties define the basic level at which human rights should be implemented at minimum. The Government's Periodic reports on the implementation of the treaties and the recommendations issued by treaty bodies are a central way of monitoring the development of human rights in a Member State.

UN Convention on the Rights of Persons with Disabilities

Finland submitted its first **report** to the UN Committee on the Rights of Persons with Disabilities in 2019. The HRC, with the support of the Committee on the Rights of Persons with Disabilities and based on responses to a survey addressed to organisations, prepared a statement for the List of Issues for the Committee's preparatory session in September. The HRC also participated in the discussion alongside NGOs. The Government must respond to the List of Issues in August 2024. The Government hearing will be held in 2026.

Recommendations from the Committee on the Rights of the Child

On 2 June 2023, the UN Committee on the Rights of the Child (CRC) issued **recommendations** as part of the periodic reporting of the UN Convention on the Rights of the Child. In its observations, the Committee emphasised that all rights guaranteed by the Convention and the Optional Protocols are interdependent and indivisible on the grounds of importance. However, the Committee highlighted the following themes for urgent action:

- Strengthening the fight against discrimination, hate speech and hate crimes (section 16).

- Combating violence and sexual abuse and harassment against children, being particularly mindful of children belonging to minorities in all measures against violence, guaranteeing resources for work and support services against violence, and data collection. The Committee also drew attention to violence between children and violence in sports and other leisure activities (section 23).
- The rights of children living in alternative care or who are otherwise separated from their parents, said children having information on their rights, the supervision of the realisation of rights, children's ability to influence their living conditions, and the quality and supervision of alternative care. (section 27).
- The rights of children with disabilities and, in particular, the promotion of inclusive education, its resources, implementation and support for children and teachers, the participation of children with disabilities in society and enabling informed decision-making. The Committee also addressed the long-term institutional care of children with intellectual disabilities. (section 30).
- Ensuring the interest of asylum-seeking, refugee and migrant children in all decision-making concerning them, guaranteeing them access to services that meet their personal needs, eliminating income limits and other restrictions on family reunification and ending the detention of children. (section 39).
- Status of children involved in or guilty of crimes in criminal proceedings, length of proceedings, prioritising punishment other than imprisonment, segregation of children and adults in prisons, and education and other services in long-term imprisonment (section 41).

Other themes included the collection of disaggregated data, mental health issues and services for children and young people, the rights of intersex children, female genital mutilation, the effects of climate change on children, children's leisure activities, child sexual abuse and harassment, including in the digital environment, child trafficking, support services for child victims and taking their position into account in legal processes, and the general training needs for officials to promote the identification of victims and the realisation of the best interests of the child in all processes.

It is estimated that the next reporting round will start in 2026.

The UN Committee on Economic, Social and Cultural Rights was unable to assess the level of social security in Finland.

As part of its periodic reporting, the UN Committee on Economic, Social and Cultural Rights (CESCR) issued a **communication** in November 2023 to Finland on the state of the implementation of its recommendations issued in 2021. In an interim report, Finland had been asked to provide comprehensive information on the level of social security and the proportionality of possible cuts. In its latest statement, the HRC has pointed out that Finland must provide an adequate and detailed report on the social security system to the Committee to enable the Committee to assess the adequacy of the level of social security. Cuts focusing on social security may also have a negative impact on the realisation of other fundamental and human rights. The HRC has emphasised that the Government must carefully and comprehensively assess the human rights impacts of the planned austerity measures and take into account the recommendations of the Committee.

In addition to social security, the recommendations under special monitoring by the Committee concerned the situation in binding regulations on corporate responsibility and the availability of COVID-19 vaccines and medi-

cines. In its next report in 2028, Finland must report on the development of regulation on corporate responsibility and on the weakening of social security, as the Committee considered that the recommendations had not been implemented or that sufficient information had not been provided.

UN Human Rights Committee is preparing to examine Finland's interim report 2024

As part of the periodic reporting on the UN International Covenant on Civil and Political Rights, Finland submitted an interim report in 2023. The themes highlighted by the Committee were hate speech and hate crimes, violence against women and the rights of the Sámi people. The HRC supplemented the information with its statement, highlighting matters such as the Government's communication on promoting equality and non-discrimination in Finnish society and the issues that led to the communication, the evaluation report of the Action Plan for Combating Racism, the increase in hate speech, the report of the Deputy Chancellor of Justice on the problems of investigating violence against women in police departments, and the latest updates in the reform process of the Act on the Sámi Parliament and the issues in the free, prior and informed consent of the Sámi people and in consulting the Sámi people. The Committee will examine the material in March 2024.

Latest UN Convention on Human Rights entered into force in Finland - enforced disappearance added to the Criminal Code

The latest UN Convention on Human Rights entered into force in Finland on 23 April. The International Convention for the Protection of All Persons from Enforced Disappearance is one of the nine core UN human rights treaties. The Convention was adopted by the UN in 2006 and entered into force internationally in 2010.

Enforced disappearance is an internationally significant human rights problem. The Convention aims to prevent, penalise and investigate enforced disappearances. Enforced disappearance refers to arrest, detention, abduction or any other form of deprivation of liberty that has been executed by a state or by commission or consent of a state. After the deprivation of liberty, it is not acknowledged or the person's fate or whereabouts are concealed.

The HRC has considered that the adoption of the Convention strengthens the rule of law, the rights of the individual and international monitoring of human rights. Since the entry into force of the Convention, Finland is legally committed to act against enforced disappearance.

To include the new human rights obligations into Finnish law, enforced disappearance was enacted as a new punishable crime. In addition to legislative changes, training for authorities is also necessary. The HRC has pointed out that the ratification creates an increased need for human rights training resources.

Finland has made a reservation to the Convention, emphasising the preceding oversight of the preconditions for adoption for the best interests of the child, thus having reservations about a separate procedure for repealing adoption, but recognising the possibility of reviewing adoptions in exceptional cases. Finland does not therefore consider itself bound by the provisions of Article 25, paragraph 4 of the Convention as regards the repealing of the adoption of children referred to in paragraph 1(a) of that article.

Compliance with the Convention will be monitored by the Committee on Enforced Disappearances, to which Finland must also report on the implementation of the Convention. The first periodic report will be submitted in 2025. The HRC participated in a discussion event between the parties to the Convention and national human rights institutions in the autumn.

Simplified reporting to UN treaty bodies

In March, UN treaty bodies adopted a simplified reporting procedure for all Conventions except for the Convention for the Protection of All Persons from Enforced Disappearance. This facilitates and speeds up the processing of periodic reports, which currently have several years' delays, causing information to often be obsolete when it comes time to process it.

Decisions of the Committee against Torture on the removal of asylum seekers

In 2023, Finland received two decisions on the removal of asylum seekers from the UN Committee against Torture. In the **first** decision resolved in May, the Committee states that the applicant with Chechen ethnicity who had been refused asylum in Finland would be at risk of being tortured in Russia. The applicant had already been tortured by the authorities during arrest and continued to be subjected to criminal investigations which would entail him being arrested and tortured again.

In the second decision made in December, the Committee considered that expelling the appellant to the Democratic Republic of Congo would infringe the prohibition of expelling, returning or extraditing a person to another state where there are grounds for believing that he would be in danger of being subjected to torture. The Committee considered that the appellant would be at a foreseeable, personal and real risk of being subjected to torture if returned to the Democratic Republic of Congo.

According to the **decisions** of the Committee, Finland must re-examine the complainants' asylum applications. Finland is also requested to refrain from expelling the complainants while their asylum applications are being reconsidered and to report to the Committee against Torture within 90 days of the measures it has taken as a result of these decisions.

Finland was issued 40 recommendations from the UN Expert on the rights of older persons - HRC is working to put them into practice

The 2022 **report** by Claudia Mahler, Independent Expert on the rights of older people, addresses the implementation of the rights of older people in Finland. The report emphasises that the state's commitment to the human rights of older people should be reflected in everyday life, and older people should be seen as rights holders, not as subjects of treatment and care. The report contains 40 recommendations for measures for the Government to safeguard the rights of older people. The HRC works to raise awareness of the recommendations among authorities and key stakeholders. The HRC has had the report translated into Finnish and Swedish.

Mahler's report is an important tool for promoting the rights of older people in Finland. The report provides an overall picture of the status of the rights of older people in Finland and presents concrete measures that, if implemented, would fundamentally promote the rights of older people. The recommendations cover all areas of life, including data collection, discrimination, social security, employment, digitalisation, education and care. The implementation of the recommendations would develop services on a human rights-basis, improve the treatment of older people and take the needs of older people better into account.

The Division for the Rights of Older Persons of the HRC's Human Rights Delegation invited various ministries and authorities to discuss the implementation of the recommendations in the report. The discussions with representatives of the National Police Board and the Finnish Institute for Health and Welfare addressed the recommendations on violence and exploitation, and a discussion with a representative of the Ministry of the Environment addressed the recommendations on accessibility. In addition, a round table event was organised with civil society and researchers to consider how

the recommendations of the report could be better implemented both locally and nationally among different actors. The aim is to strengthen synergies in the rights of older people and to discuss different ways of using the report in advocacy.

UN Universal Periodic Review (UPR)

A Universal Periodic Review (UPR) is conducted for each member state of the UN in intervals of four and a half years. During the review, UN members can present recommendations to the member under review on the promotion and safeguarding of human rights and present questions about the human rights situation in the country in question. It is an intergovernmental 'peer review' mechanism working in connection with the UN Human Rights Council and as such incomparable with the monitoring carried out by the UN treaty bodies.

In November 2022, Finland received 229 recommendations in the UPR, of which it accepted 168, partially accepted 14 and took note of 47. The highest number of recommendations was issued on violence against women and domestic violence, discrimination, hate speech, hate crime and ethnic profiling. In addition, recommendations were issued on the ratification of various international conventions, the rights of immigrants and asylum seekers, social security, health care, access to services and education, and the rights of the Sámi.

The HRC participated in a discussion event on the UPR recommendations, organised in March by the Ministry for Foreign Affairs. The discussions at the event highlighted the need to promote the processing of UPR recommendations but also other international human rights recommendations at the political level in addition to the Government Network on

Fundamental and Human Rights. The HRC has also repeatedly brought up this perspective in various contexts.

The **final report** on Finland's UPR, which contains the recommendations received by Finland and Finland's stances on them, was approved by the UN Human Rights Council at the end of March. In this context, the HRC issued a statement as a representative of the National Human Rights Institution. Since the rights of indigenous peoples is one of the priorities of Finland's international human rights policy, the HRC stated that this must also be reflected in the activities of the Government in Finland. The HRC also proposed that the Government should examine how Parliament could be involved in monitoring the implementation of the UPR recommendations and at a more general level in discussing the state of human rights in Finland.

3 Promotion of fundamental and human rights

Communications and advocacy work

In the first half of 2023, the HRC's communications and advocacy focused on influencing the Government Programme. The starting point was that the Government Programme commits to safeguarding and promoting fundamental and human rights and respecting the rule of law. One of the HRC's key objectives was the inclusion of the recommendations in the report on fundamental and human rights actors (2022) in the Government Programme, especially with regard to strengthening Finland's National Human Rights Institution.

Advocacy involved further promoting the implementation of recommendations received by Finland from international treaty bodies. Opinions and oral hearings to committees were also a key part of advocacy work. In 2023, the HRC was heard several times in committees.

During the year under review, the HRC's communications and advocacy were strengthened by recruiting a permanent communications expert to the communications and advocacy team in the autumn. The processes of communication and advocacy work were further developed, and strategic communications planning was strengthened as part of the HRC's

activities. In 2023, the development of the monitoring of communications and advocacy continued as part of the evaluation and promotion of the HRC's impact.

The focus of stakeholder work in 2023 was on building cooperation networks in national foresight networks. The perspective of fundamental and human rights in foresight work was strengthened by publishing a foresight report for the development of the foresight capabilities and flexibility of human rights actors.

News, press releases, statements and reviews were published on the HRC's website and shared on the HRC's social media channels. As part of the development of communications, the HRC's media work and relations were also strengthened. The HRC's central location in Parliament was utilised by providing topical information to the Parliament on topical fundamental and human rights issues.

Communication themes for 2023 included the rights of persons with disabilities, the structures of national human rights institutions, promoting the status of trans children and trans youth, the human rights perspective in promoting equality, case law on entry provisions, monitoring the implementation of the decisions of international treaty bodies, the rights of older

people, preventing violence against women, social security as a human right, combating social exclusion and hate speech, the human rights perspective as part of foresight, young people's perspective in human rights discourse and climate change as a human rights issue.

The HRC was also a partner in organising the Council of Europe's first Human Rights Day in Turku in May 2023. Key themes of the day were resilience and the role of local actors in human rights work.

The HRC's first 18-month Young Experts Programme ended in 2023. The programme raised awareness of young people and their rights in the field of human rights. At the same time, the programme gave the junior experts an opportunity to participate in human rights discourse and improve their knowledge of fundamental and human rights.

Events

Various events for the public and specialists are important for the HRC as a means of providing information related to topical fundamental and human rights themes.

Foresight

The HRC published a report on human rights foresight, resilience and preparedness during transformations in society in November 2023. The report maps the field of human rights foresight and describes the operating foresight methods and the Finnish foresight system. It offers tools for developing human rights actors' foresight capabilities and resilience as well as food for thought for taking human rights into account in national foresight. The report includes an attachment of alternative human rights scenarios for 2040 based on the general scenarios of the Government Report on the Future 2023.

Other topics highlighted in the report include participation, the impact of societal megatrends on human rights regulation, foresight

The HRC's Events in 2023

- 22 March 2023 **Round table on the rights of older people**

The HRC organised a round table event for researchers and representatives of organisations on the report of the visit to Finland by the UN Independent Expert on the rights of older people.

- 26 April 2023 **"Virtual round table discussion on institutional mistrust" webinar on circumventing entry regulations**

The event was organised by Mobile Futures, Sile and the Human Rights Centre, specifically aimed to facilitate discussion among researchers and academics on the HRC's report on the circumvention of entry regulations and other related studies.

- 25 May 2023 **Human rights event for young people**

The Young Experts Programme organised an all-day human rights event for young people on various human rights issues that would be of interest to young people. The event also collected young people's views on human rights and their messages to decision-makers.

- 7 June 2023 **"Implementation of the rights of vulnerable people: challenges and results of research" seminar**

The Human Rights Centre and the Center of Law and Welfare of the University of Eastern Finland organised a research seminar together.

- **7 June 2023 Visit of the representatives of the Ukrainian High Commissioner for Human Rights and events organised in connection with the visit**
Internal discussion event: Work and practical preparedness of the Ukrainian High Commissioner for Human Rights in conflict situations
Public event: Discussion on human rights in Ukraine during the war and reconstruction
- **9 June 2023 Visit at the Human Rights Centre**
The HRC organised an event for participants of the Nordic Moot Court Competition on the topics of national human rights institutions, the rights of young people and the rights of the Sámi.
- **25-29 September 2023 Introduction for the representatives of the Office of the Lithuanian Ombudsman on the HRC's activities**
- **17 October 2023 The right to make do - social security as a human right in Finland**
The HRC and the Finnish League for Human Rights organised a joint event on livelihood and social security in the auditorium of the Little Parliament.
- **23 November 2023 Publication event: report on human rights foresight and resilience during transformations in society**
The HRC's report on human rights foresight, resilience and preparedness during transformations in society was presented at the event. The event featured a panel discussion of human rights actors and foresight experts on the potential of foresight in promoting human rights and resilience.

in legislative drafting and the rights of future generations. The preparation of the report was a participatory process. It involved interviews with experts on foresight and human rights, a foresight workshop by the HRC's Human Rights Delegation and conversations with HRC staff. Raising the capacity for foresight promotes the assessment of changes in the HRC's operating environment, preparedness for challenges and threats, long-term planning and the identification of priorities and competence needs.

Human rights education and training

A broader understanding and general awareness of human rights are essential in promoting the realisation of rights. For years, the HRC has promoted human rights education and training in different ways. It has become evident that there is a clear need to produce human rights training for representatives of different professional groups and authorities at different levels. Resources have been allocated so that it is possible to respond to training requests from different parties. The work on updating the training packages containing basic information will also continue.

As part of human rights education and training activities, members of the HRC personnel have been active in giving lectures in international contexts, online and at events. Target groups have included young people, different working groups, councils for older people, networks, organisations and forums. Audiences have ranged from a few dozen to nearly four hundred people.

Lectures and training events have addressed topics such as the rule of law, human rights education in general, the human rights of young people, accessibility, the right to self-determination of children and young people with intellectual disabilities, different disability groups and older persons, the rights of older foreign-language speakers, the themes of the report by the UN special rapporteur on the rights of older persons report, the activities of

councils for older people, and violence against women in general and with regard to older women.

Publications and statements

Publications

The HRC's reports and other publications promote fundamental and human rights by producing new information on topics in which data has been found to be lacking.

Report by Claudia Mahler, independent expert monitoring the implementation of the human rights of older people, on her country visit to Finland, translation in Finnish, Publications of the Human Rights Centre 1/2023 (in Finnish)

(In Swedish)

Claudia Mahler, Independent Expert on the enjoyment of all human rights by older persons, visited Finland in 2021. The purpose of the visit was to report to the UN Human Rights Council on legislation related to the rights of older people and the implementation of these rights in Finland.

Mahler presented her report at the 51st session of the UN Human Rights Council in Geneva on 19 September 2022. The report contains recommendations to the Finnish Government on various measures to safeguard the rights of older people.

The HRC had the report translated into Finnish and Swedish.

Report on the case law on circumvention of entry provisions, Publications of the Human Rights Centre 2/2023 (in Finnish)

The HRC's report addresses how the circumvention of entry provisions has been interpreted in courts. The report examines the situations in which the Administrative Courts and the Supreme Administrative Court have assessed that an applicant has circumvented entry provisions

and therefore not overruled the Finnish Immigration Service's decision not to grant a residence permit.

The aim of the report is to create an overall picture of the different situations to which the prohibition of circumvention of entry provisions is currently applied. Based on this, we can examine what kind of regulation would be appropriate in future.

The Aliens Act as a whole and the functioning of the various sections of the Act is a particularly topical issue because there is a preliminary study on the comprehensive reform of the Aliens Act underway in the Ministry of the Interior. It is important that the new view of the Aliens Act is based on researched information and a current overall picture of the current state and application of the Act.

Review of the first programme term of the Young Experts Programme, Publications of the Human Rights Centre 3/2023 (in Finnish)

The review of the first term of the HRC's Young Experts Programme looks at the rights of young people in international human rights treaties and gathers together observations and young people's experiences of the implementation of the rights in Finland. Measures for improving the human rights situation of young people are also proposed in the review.

Report on human rights foresight, resilience and preparedness during transformations in society, Publications of the Human Rights Centre 4/2023

(In Finnish)

The report maps the field of human rights foresight and describes the operating foresight methods and the Finnish foresight system. It offers tools for developing human rights actors' foresight capabilities and resilience as well as food for thought for taking human rights into account in national foresight. The report emphasises the need for inclusion in foresight..

Statements

The task of the Human Rights Centre is to promote the implementation of fundamental and human rights through initiatives and state-

ments. The HRC issues statements either on the basis of a request for a statement or on its own initiative on themes related to its activities and structural fundamental and human rights issues.

Statements by the HRC in 2023

- 18 December 2023 **Statement** to CoE's GREVIO Committee for processing the thematic report on the Istanbul Convention
 - 15 December 2023 **Statement** to the UN Human Rights Committee for the processing of the Government's interim report
 - 24 November 2023 **Statement** to the UN Open-ended Working Group on Ageing on the status of older persons in international law
 - 24 October 2023 Own-initiative **statement** on the agency for the special authorities within judicial administration
 - 23 October 2023 Own-initiative **statement** on the state budget 2024 (human rights policy resources, human rights defenders)
 - 13 October 2023 **Statement** on the government proposal for the Municipality of Residence Act
 - 28 August 2023 **Statement** on recommendations for accelerated monitoring by the UN Committee on Economic, Social and Cultural Rights (UNCESCR)
 - 8 August 2023 Government Communication - HRC's **response** to written request to be heard
 - 13 July 2023 **Statement** to the UN Committee on the Rights of Persons with Disabilities on the list of questions concerning the processing of Finland's periodic report
 - 10 July 2023 **Statement** on postponing the entry into force of the Disability Services Act
 - 4 May 2023 **Statement** to the Office of the UN High Commissioner for Human Rights on the good practices of the National Human Rights Institution
 - 28 April 2023 **Statement** to the European Commission on the European Disability Card
 - 27 April 2023 **Statement** to the UN Committee on the Rights of the Child (additional statement)
 - 3 April 2023 **Statement** on the Government's interim report on the implementation of the Istanbul Convention
 - 28 March 2023 **Statement** for the UN UPR process
 - 15 February 2023 **Statement** on the 13th session of the UN Open-ended Working Group on Ageing (contribution of older people to sustainable development and economic security)
 - 15 February 2023 **Statement** on the 13th session of the UN Open-ended Working Group on Ageing (right to health and access to health services and social inclusion)
 - 2 February 2023 **Statement** to the Council of Europe's department responsible for monitoring the execution of judgements on case X v. Finland (further statement)
 - 26 January 2023 **Statement** to the Constitutional Law Committee on the reform of the Sámi Parliament Act
 - 14 November 2023 **Statement** to the Parliamentary Social Affairs and Health Committee on the matter HE 75/2023 vp.
- Information was additionally provided for various surveys and studies conducted by ENNHRI and the UN, the CoE and the EU.

4 Monitoring and promoting the rights of persons with disabilities and older people

The HRC has a statutory duty to promote and monitor the implementation of the UN Convention on the Rights of Persons with Disabilities. Together with the Ombudsman and the Human Rights Delegation, the Centre constitutes the independent mechanism for the promotion, protection and monitoring of the implementation required by the Convention. One of the Human Rights Centre's important focus points is to monitor and promote the rights of older people.

Strengthening the legal perspective

The HRC promotes awareness of the UNCRPD by translating the General Comments of the Committee on the Rights of Persons with Disabilities on the UNCRPD and by emphasising the importance and content of the UNCRPD in its statements and speeches.

When giving statements, speeches and training on the topic of the status of older people, the HRC highlights the legislative dimension of the status of older people and the delicate nature of fundamental and human rights in this regard. For its part, the HRC acts as a focal point between the international and national development of the rights of older people, for example by raising awareness of international discourse on the rights of older people in Finland.

The HRC participated in an expert role in the monitoring group for strengthening the client's and patient's right to self-determination and its subgroups as well as the Advisory Board for the Rights of Persons with Disabilities (VANE) and the Advisory Board on the Rights of Persons with Speech Impairments, and in the work of the monitoring committee for the EU structural funds programme Innovation and Skills in Finland 2021-2027.

Strengthening inclusion

In 2023, the Human Rights Delegation's Disability Rights Committee participated in the preparation of the HRC's statement to the UN Committee on the Rights of Persons with Disabilities (UNCRPD) for the list of questions for processing Finland's report.

At its meetings in 2023, the Human Rights Delegation's Division for the Rights of Older Persons discussed the country report on Finland by the UN Independent Expert on the rights of older persons with representatives of different ministries. At the meetings, ministry representatives informed the Division about their measures related to the various recommendations in the report, and the members of the Division for the Rights of Older Persons offered the ministry representatives information on the status of older people.

Strengthening and monitoring the knowledge base of disability research and older people's rights

The HRC promotes disability research and data collection that meets the needs of the CRPD as well as the research and knowledge base on the rights of older people in cooperation with different research institutes and researchers. In 2023, the HRC participated in the steering groups of the University of Eastern Finland SOLDEX project on the social exclusion of elderly people in home care, the "Access to Justice for marginalized groups of older people in ageing society - (AMIS)" project funded by the Research Council of Finland, and the ESF project "The survival of people with disabilities and a foreign background in exceptional and crisis situations - Creating the future based on COVID-19 experiences".

Rights of disabled and older people and international cooperation

In spring 2023, the UN Committee on the Rights of Persons with Disabilities requested statements from NGOs and national human rights institutions preparing the List of Issues for a hearing with the Finnish Government. With the support of the Human Rights Delegation's Human Rights Committee and based on the responses to a survey addressed to organisations, the HRC prepared a statement where it highlighted issues such as violence and bullying targeted at children with disabilities, issues with accessibility, the status of legislation on the right to self-determination and the reform of disability services legislation, and the employment and livelihood of persons with disabilities.

The UN Committee on the Rights of Persons with Disabilities finalised its list of questions at its 18th preparatory meeting in Geneva on 11-15 September 2023; the HRC also participated in the meeting to join the discussion between NGOs, the National Human Rights Institution and the Committee.

In June 2023, the HRC attended the UN Conference of States Parties to the CRPD in New York.

In April 2023, the HRC participated in a meeting of the UN Open-ended Working Group on Ageing (OEWGA), for which the HRC issued two written opinions. One of the opinions addressed the right to health, access to health care services and social inclusion, the other addressed the participation of older people in sustainable development measures and their financial security. In line with the resolution adopted at the session, two Member States, Portugal and Brazil, began to facilitate discussions on the status of the rights of older people in the international human rights framework. As part of the discussion, facilitators sent a survey to UN Member States, NHRIs and other relevant actors in the summer of 2023 to explore possible gaps in the international protection of the rights of older people and ways to intervene in them.

The HRC responded to the survey with a statement in November 2023. The HRC considered, among other things, that older people are invisible in a large part of international human rights treaties, and that the special challenges that many older people face, such as marginalisation caused by digitalisation or negative and discriminatory attitudes towards older people, are not sufficiently taken into account in the current situation.

5 Young experts programme

The term of the Young Experts Programme that was launched at the Human Rights Centre on 1 February 2022 came to a conclusion on 31 July 2023. Based on the cooperation of two junior experts, the programme terms aim to strengthen the voice of young people in the general discussion on fundamental and human rights and in the HRC's activities, for example by offering the experts selected for the programme an opportunity to develop their related competence. The objectives of the first programme term included collecting information on the realisation of young people's rights and the human rights perspective of young people, as well as promoting young people's capabilities in defending their human rights and participating in human rights discourse.

In spring 2023, the junior experts met young people with an asylum seeker background, young people with disabilities and young mental health rehabilitees. At the meetings, they discussed human rights from the perspective of young people and collected information on what human rights problems young people have noticed and what they would like from human rights actors. Based on the experiences gathered during the programme term, human rights issues that young people find notable include education, work, health, freedom, integrity and security. Especially mental health

disorders, experiences of exclusion, the rights of minorities and climate change appeared to be themes that affect young adults' experiences of how human rights are realised.

On 25 May, the Young Experts Programme also organised a youth human rights event at Helsinki Central Library Oodi. Young adults from different backgrounds and life situations were invited to the event to reflect on what could be the young people's human rights message to the new government. As part of the event, the participants had workshops to discuss how equality, well-being and a climate-safe future could best be secured in the young people's opinion. Speakers featured at the event included President Tarja Halonen, journalist and human rights activist Zahra Karimy, equality specialist and Roma activist Leif Hagert, and disability activist Marja Puustinen.

At the end of their programme term, the junior experts prepared a review of young people and human rights, published by the HRC on 1 November 2023. The review compiles the most important observations of the first programme term, which have been collected from sources such as the aforementioned meetings with young people. The review also addresses on a more general level the status of young adults in an international human rights system where the rights of young people are still found

to be a rather unestablished category. The realisation of young people's human rights is at risk of being overlooked or otherwise falling through the cracks of human rights discourse.

For the second programme term of the Young Experts Programme launched in December, the junior experts are Klara Fält and Mikko Pursimo. The new programme term will last two years (from 1 December 2023 to 30 November 2025). During its second term, the Young Experts Programme will be led by HRC expert Susan Villa, functioning separately from the HRC's expert teams. In addition to their cooperation with the programme, the junior experts will also do expert work at the HRC as part of the team for communications and advocacy as well as the team for monitoring and promotion.

During the second programme term, the new junior experts will continue the communication and advocacy work launched during the first term, including the promotion of young people's perspective on human rights issues. The work will be developed based on observations made during the first programme term and the interests of the junior experts. The planning for meetings and events related to the new programme was launched in December, alongside other orientation.

6 National and international human rights cooperation

The activities of the human rights delegation

The Human Rights Delegation is part of Finland's National Human Rights Institution and the HRC's most important channel for cooperation, advocacy and communication. The third Human Rights Delegation began its four-year term on 1 April 2020. The Delegation has 38 members, including special ombudsmen, representatives of the supreme overseers of legality and the Sámi Parliament of Finland. The Human Rights Delegation and its working committee are chaired by Sirpa Rautio, the director of the HRC, while Esa Iivonen, member of the Delegation, is the deputy chairman.

The permanent divisions under the Delegation include the division for the rights of persons with disabilities, i.e., the Disability Rights Committee (VIOK), a working committee and the division on the rights of older people. The working committee participates in preparing the Delegation's meetings.

The Human Rights Delegation met four times in 2023, where one meeting was a longer workshop-style retreat. In addition, a foresight workshop was organised to discuss the foresight report under preparation at the HRC. The workshop involved building bridges between foresight and human rights work and assessing human rights scenarios from the perspective of preparedness and opportunities based on the four scenarios of the Government Report on the Future 2023 and one experimental scenario.

The meetings featured talks from experts and discussions on topics such as:

- Discussing the "final accounts" of Marin's Government Programme with regard to the realisation of fundamental and human rights considerations. Particular observations included the shortcomings in authorities' fundamental and human rights competence and the need for training, the reform of the Disability Services Act and the Border Guard Act, and the delays in the implementation of decisions concerning Finland by the European Court of Human Rights and the European Committee of Social Rights.
- Discussing the observations of the Human Rights Centre's Young Experts Programme on the rights of young people and the status of young people in the field of human rights. Meetings with different youth groups produced observations on the difficulty of the language of human rights, the use of human rights as a tool for aggression and the comprehensibility of human rights dimensions, experiences of discrimination in education and employment, racism and treatment based on background, problems related to adequate income, the right to study and work, and the availability issues of mental health services and the complexity of support systems. Participants

also called for more participation and getting young people's voices heard.

- Introductions and small group discussions on the themes of "Current discussion culture and hate speech and their impacts on society" introduced by Docent in Contemporary Culture Tuija Saesma from the University of Jyväskylä and "Social exclusion, contributing factors and consequences in society" by Research Professor Tiina Ristikari from Itla.
- The talk by UN Special Rapporteur on Human Rights Defenders Mary Lawlor and the subsequent discussion also highlighted the importance of safeguarding the status of defenders and how online hate and attacks have also increased the number of real-life attacks. Corporate responsibility and companies' obligation to cooperate with human rights defenders should be emphasised. Other discussed topics included short-term visas for defenders, hate speech, the state of the media and the freedom of speech, and campaigning against women defenders.
- The HRC's outlook for the future and the legacy of the term of the Human Rights Delegation. The members of the Delegation considered that the most important part of the work of both the HRC and the Delegation is wide-ranging fundamental and human rights competence, and knowledge, support and promotion of the constitution, international policy, EU legislation and processes, the rule of law and matters of democracy. It was considered important to strike a balance between traditional and novel human rights issues. New themes included artificial intelligence, digitalisation and digital divides, the climate crisis and environmental issues, violence against women and the rights of asylum seekers. In the future, an important, wide-ranging field

of work will also be enhancing the visibility and implementation of international human rights obligations and the recommendations of treaty bodies. The promotion of economic and social rights was considered particularly important. Communication and advocacy also play a key role.

Topics that were regularly discussed at the meetings included the themes of the work of the Disability Rights Committee and the Division for the Rights of Older Persons as well as the members' and the HRC's current events, publications, and opportunities for participating in periodic reporting rounds of international human rights treaties.

In March, the Delegation issued a statement in which it stressed that the safeguarding and promotion of fundamental and human rights and respect for the rule of law must be the starting point for all national and international activities of the Government. The Delegation reminded that the Government Programme must clearly state this commitment. At the same time, the Delegation formulated its Government Programme objectives for 2023-2027. These include safeguarding and promoting fundamental and human rights, finding solutions to serious, recurring and long-term problems related to the implementation of fundamental and human rights, intensifying the assessment of fundamental and human rights impacts, strengthening the structures and funding of the rule of law, and an annual recommendation to the Government to examine the state of fundamental and human rights.

The Delegation approved the HRC's annual report for 2023 and the action plan for 2024. Based on a survey of members, the term of the Delegation ending in early 2024 was generally successful, despite a difficult political climate.

International and European human rights cooperation

During the year under review, the HRC continued to strengthen the rule of law perspective and preparedness for various changes in its international and European cooperation on human rights. Participation in the development of the activities and visibility of NHRI networks and support for national human rights institutions in difficult situations was continued.

The Director of the Human Rights Centre served as the Chair of ENNHRI's Board of Directors and as a member of GANHRI's Board of Directors. In addition to the general meetings of both networks, several ENNHRI Board meetings and two GANHRI Board meetings were held during the year. ENNHRI's 10th anniversary was also celebrated in the autumn. In addition, the Director of the HRC represented ENNHRI at various events. For example, she was featured at a conference in Lund organised by the EU Agency for Fundamental Rights and Sweden in its EU Council Presidency, on the theme of the protection of fundamental rights in times of crisis. She also attended a meeting of the Committee of Ministers of the Council of Europe in Strasbourg where the ENNHRI report on the implementation of the Council of Europe's NHRI recommendation was presented.

Issues related to the war in Ukraine remained prominent, particularly in ENNHRI cooperation. The ENNHRI Board continued to monitor the activities of the Commissioner for Human Rights of Russia. In the spring, the ENNHRI General Assembly decided that the Commissioner for Human Rights of Russia would be dismissed from the network because the Commissioner was considered to have acted contrary to the objectives and activities of the network. In the autumn, the GANHRI Sub-Committee on Accreditation (SCA) also proposed that the accreditation status of the Commissioner for Human Rights of Russia be revoked. The Committee's proposal will enter into force if the Commissioner fails to provide within one year

information demonstrating that it continues to act in accordance with the Paris Principles.

The HRC cooperated with the Ukrainian High Commissioner for Human Rights both bilaterally and through ENNHRI. In June, representatives of the High Commissioner for Human Rights visited Finland and were also guests of the HRC. In connection with the visit, a round table discussion was organised on the work of the Ukrainian High Commissioner for Human Rights and practical preparedness in conflict conditions, participated by staff members of the Office of the Parliamentary Ombudsman and Parliament. In addition, the HRC, the Deaconess Foundation and the Rule of Law Centre organised an event open to the public to discuss human rights, the war in Ukraine and reconstruction.

In December, the Director of the Human Rights Centre visited Kiev in her role of Chair of ENNHRI. She and Deputy Chancellor of Justice Mikko Puumalainen participated in an international human rights conference organised by the Ukrainian High Commissioner for Human Rights, the President's Office and the Ministry for Foreign Affairs on the theme of defending human rights in a state of war. Other events were organised in addition to the conference, including a round table discussion on child abduction.

In addition, an expert from the HRC chaired the ENNHRI Legal Working Group. During 2023, the working group focused on promoting the implementation of the decisions of the European Court of Human Rights and participating in the implementation enforcement process (Rule 9). Promotion efforts also included participating in the oral session of the Grand Chamber of the ECtHR for third-party interventions in two climate cases.

The HRC's experts also participated in the ENNHRI working groups on economic and social rights, the rights of persons with disabilities, the rights of older people and corporate responsibility. In addition, an expert of the Centre participated in the NHRI Academy of

National Human Rights Institutions in Skopje in June 2023, to learn more about the rule of law.

In September 2023, the HRC collaborated with the Council of Europe and ENNHRI to organise the Collaborative Platform on Social and Economic Rights for the Council of Europe, the European Fundamental Rights Agency, ENNHRI and EQUINET. Meetings of the ENNHRI and EQUINET Working Groups on Economic and Social Rights were held in connection with the event. The theme of the event was "Realising social rights in the age of digitalisation: opportunities and risks."

During the year under review, the HRC also cooperated with neighbouring national human rights institutions. Information was exchanged regularly with the Swedish Institute for Human Rights. Representatives of the Lithuanian National Human Rights Institution / Seimas Ombudsman arrived in September for a week-long study visit. The purpose of the visit was to learn about the different areas of the HRC's activities and to meet its key stakeholders. Representatives of the Lithuanian institution also participated in the Class Excursion tour organised by the Deaconess Foundation, including a visit to substance abuse service unit Breikki and the day centre for undocumented persons.

Cooperation was also carried out with other European human rights actors. For example, the HRC visited the OSCE/ODIHR in Warsaw in February. During the meeting, there was extensive discussion on different ODIHR functions and, in particular, issues related to human rights defenders. The HRC also participated in the activities of the network of ODIHR resilience contact persons. The contact persons are representatives of national human rights institutions that promote preparedness and risk management efforts in their respective institutions.

Cooperation also continued with the EU Agency for Fundamental Rights (FRA). The HRC provided FRA with information, for example on its participation as an independent expert in the EU Structural Funds monitoring committees. In addition, the HRC held discussions with FRA

experts on the situation at the eastern border of Finland and on mapping out national fundamental and human rights structures based on the HRC's 2022 report on fundamental and human rights actors. Information on the situation at the eastern border was also exchanged regularly with the Frontex fundamental rights office.

Annex 1.

Human Rights Centre personnel in 2023

Director

Sirpa Rautio, Chair of the Human Rights Delegation (2012-)

Experts

Sanna Ahola, Expert, 2019-

Mikko Joronen, Expert, 2016- (on leave of absence 1 March 2022-31 December 2023)

Miro Järnefelt, Communications Expert, 1 September 2023-

Leena Leikas, Expert/Team Leader 2012-

Susan Villa, Expert/Team Leader 2019-

Elina Hakala, International Affairs Expert, 1 March 2022-28 February 2025

Lauri Sivonen, Expert, 15 June 2023-31 December 2024

Nitin Sood, Expert, 15 September 2022-31 December 2023 (on leave of absence 19 September-31 December 2023)

Junior Experts

Klara Fält, Young Experts Programme, 1 December 2023-30 November 2025

Emmi Kupiainen, Junior Expert, 11 May 2020-31 December 2023

Elsa Korkman, Young Experts Programme, 1 February 2022-31 July 2023

Sanni Myllyaho, Young Experts Programme, 1 February 2022-31 July 2023

Mikko Pursimo, Young Experts Programme, 1 December 2023-30 November 2025

Assistant

Katariina Huhta, 2019-31 May 2023 (on leave of absence 1 December 2022-31 May 2023)

Minna Orkokari, 1 December 2022-

Annex 2.

Members of the Human Rights Delegation 2020-2024

1. **Kimmo Hakonen**, Intelligence Ombudsman
2. **Rainer Hiltunen**, Ombudsman for Equality (2022-2024)
3. **Jukka Maarianvaara**, Ombudsman for Equality (2020-2022)
4. **Elina Pekkarinen**, Ombudsman for Children
5. **Mikko Puumalainen**, Deputy Chancellor of Justice
6. **Maija Sakslin**, Deputy Parliamentary Ombudsman
7. **Kristina Stenman**, Non-Discrimination Ombudsman
8. **Anu Talus**, Data Protection Ombudsman
9. **Päivi Topo**, Ombudsman for the Elderly (2022-)
10. **Tuomas Aslak Juuso**, Chair, Sámi Parliament
11. **Atik Ali**, LL.M, Managing Partner, Lakiasiaintoimisto Allianssi Oy

12. **Inga Angersaari**, MSSc, Project Manager, Diak
13. **Laura Arikka**, MTh, CEO, Timeout Foundation
14. **Anna Caldén**, Bachelor of Social Services (UAS), Coordinator, Samarbetsförbundet kring funktionshinder SAMS
15. **Anca Enache-Kotilainen**, MA, Development Manager, Helsinki Deaconess Institute Foundation
16. **Outi Haanperä**, PhD (Economics), Leading Specialist, Sitra
17. **Esa Iivonen**, LL.M, Leading Expert, Mannerheim League for Child Welfare
18. **Anu Juvonen**, MA (Development Studies), Executive Director, DEMO ry
19. **Marja Jylhä**, Ph.D., Professor of Gerontology, University of Tampere
20. **Laura Kalliomaa-Puha**, LL.D, Professor of Social Rights, University of Tampere
21. **Arto Kallioniemi**, Ph.D., M.Sc. (Econ.), Professor of Religious Didactics, University of Helsinki
22. **Sakris Kupila**, MB, Chair, SETA ry
23. **Niina Laajapuro**, Pol.Mag, MBA, Policy Director, Amnesty International, Finnish section
24. **Janne Laukkanen**, LL.M, MSSc, Director (Communications and Advocacy), Association of Finnish Lawyers
25. **Pirkko Mahlamäki**, MA, LL.M, Secretary General, Finnish Disability Forum
26. **Kaari Mattila**, D.Soc.Sc., Secretary General, Finnish League for Human Rights
27. **Yrjö Mattila**, D.Soc.Sc., LL.Lic., LL.M, Consulting Lawyer, Carers Finland
28. **Anna Mäki-Petäjä-Leinonen**, LL.D, Docent, Director, Institute of Law and Welfare / University of Eastern Finland
29. **Kimmo Nuotio**, LL.D, Professor of Criminal Justice, University of Helsinki
30. **Tuomas Ojanen**, LL.D, Docent, Professor of Constitutional Law, University of Helsinki
31. **Laura Okkonen**, fil.stud., Senior Human Rights Manager, Vodafone Group Plc
32. **Natalia Ollus**, LL.D, M.Soc.Sc., Director, European Institute for Crime Prevention and Control (HEUNI)
33. **Lea Rankinen**, M.Sc. (Tech) in Environmental Technology, Director of Sustainability and Public Affairs, Paulig Group
34. **Mirva Salminen**, MSSc, Researcher, University of Lapland
35. **Nitin Sood**, M.Soc.Sc., BA (Liberal Arts and Sciences), Non-Discrimination Advisor, City of Helsinki (2020-2022)
36. **Katariina Suomu**, MSSc, Executive Director, Alzheimer Society of Finland
37. **Leena Suurpää**, D.Soc.Sc., Docent, Director, Youth Shelter Support activities, Finnish Red Cross
38. **Antti Teittinen**, DSSc, Docent, Research Manager, Finnish Association on Intellectual and Developmental Disabilities
39. **Astrid Thors**, LL.M
40. **Jukka Viljanen**, Ph.D., Professor of Public Law, University of Tampere

Members of the Human Rights Delegation's working committee 2020-2022

1. **Esa Iivonen** (Deputy Chair)
2. **Atik Ali**
3. **Inga Angersaari**
4. **Niina Laajapuro**
5. **Pirkko Mahlamäki**
6. **Laura Okkonen**
7. **Nitin Sood**
8. **Astrid Thors**

Members of the Human Rights Delegation's working committee 2022-2024

1. **Esa Iivonen** (Deputy Chair)
2. **Atik Ali**
3. **Inga Angersaari**
4. **Anca Enache-Kotilainen**
5. **Niina Laajapuro**
6. **Pirkko Mahlamäki**
7. **Yrjö Mattila**
8. **Laura Okkonen**
9. **Astrid Thors**

Annex 3.

Members of the divisions

Committee on human rights of persons with disabilities (viok) 2020-2024

Anna Calden
Pirkko Mahlamäki
Yrjö Mattila
Antti Teittinen

Expert members

HRC - **Sanna Ahola**
 HRC - **Nitin Sood** (15.9.2023 asti)
 Parliamentary Ombudsman - **Minna Verronen**

External experts

Elina Nieminen (Finnish Association of People with Physical Disabilities)
Markku Jokinen (Kuurojen Liitto ry, the Association of the Deaf)
Sari Kokko (Finnish Federation of the Visually Impaired)
Pirkko Justander (Rusetti - National Association of Women with Disabilities)
Anssi Karhu (Me Itse ry, Kotka subdivision)

Division for the rights of older persons 2020-2024

Marja Jylhä
Laura Kalliomaa-Puha
Pirkko Mahlamäki
Yrjö Mattila
Anna Mäki-Petäjä-Leinonen
Laura Okkonen
Katariina Suomu
Päivi Topo

External experts

Virpi Dufva
Lotta Hämeen-Anttila
Ristenrauna Magga (2022-)
Eva Rönkkö (2022-)
Sari Elomaa (2023-)

Annex 4.

Human Rights Centre's participation in working and steering groups

European Union Home Affairs Funds 2021-2027 (Ministry of the Interior)

- **Asylum, Migration and Integration Fund (AMIF)** Promoting effective management of immigration issues. Preventing illegal immigration and promoting effective return systems, in particular by strengthening voluntary return and reintegration processes and methods. In addition, making efforts to enhance deportation activities and promote readmission cooperation with third countries.
- **Internal Security Fund (ISF)** Promoting a high level of security in the European Union by combating cross-border crimes such as cybercrime, drug-related crimes, corruption,

terrorism and environmental crimes, by strengthening crisis resilience and preparedness for new threats, for example for critical infrastructure, and by preventing phenomena that undermine security, such as radicalisation. Also taking measures to protect victims of crime.

- **Border Management and Visa Policy Instrument (BMVI)** Supporting the European Union's integrated border management and shared visa policy. Strengthening border security by funding e.g. the procurement of tools and equipment related to border control and border checks. In addition, supporting training, liaison activities and the development of information systems.

Committee for Combating Violence against Women and Domestic Violence (NAPE) - Ministry of Social Affairs and Health - 21 January 2021-20 January 2025. Coordination body referred to in Article 10 of the Istanbul Convention for combating violence against women and domestic violence.

Steering group for the project Old-Age Social Exclusion in Home Care - Prevalence, Meanings & Intervention. Research project funded by the Academy of Finland. University of Eastern Finland. 2021-2025. A steering group was appointed to monitor the research project.

Monitoring group for strengthening the client's and patient's right to self-determination - Ministry of Social Affairs and Health - 1 September 2021-31 December 2023. Set up to monitor and support work on strengthening the client's and patient's right to self-determination, including the preparation of legislation.

Innovation and Skills in Finland 2021-2027. Monitoring Committee for the EU Regional and Structural Policy Programme - Prime Minister's Office - Programme period 2021-2027. Appointed to monitor the implementation, impacts and effectiveness of the programme.

Steering group of the National Child Strategy. Prime Minister's Office - 15 November 2021-30 April 2023. Set up to support the planning and implementation of the education package on the rights of the child set out in the Child Strategy and, in particular, the planning and implementation of the education module on the inclusion of children, and to monitor its implementation.

Government Network on Fundamental and Human Rights - Ministry of Justice - 12 February 2020-31 December 2023. The purpose of the network is to strengthen the implementation of fundamental and human rights by improving the flow of information and cooperation in matters concerning fundamental and human rights in the activities of the Government.

The Government's Fundamental and Human Rights Action Plan 2020-2023: Developing the monitoring of fundamental and human rights - 28 February 2020-31 March 2023. The project prepares and implements Finland's third National Action Plan on Fundamental and Human Rights in 2020-2023. The Action Plan develops fundamental and human rights structures by strengthening the monitoring of the implementation of rights in Finland.

Advisory Body on International Human Rights Affairs - Ministry for Foreign Affairs - 8 April 2020-31 December 2023. An advisory body appointed by the government and used by the Ministry for Foreign Affairs to act as a communication channel between the Ministry for Foreign Affairs and civil society on human rights issues.

Advisory Board for the Rights of Persons with Disabilities VANE - Ministry of Social Affairs and Health - 1 September 2019-30 August 2023 and 1 September 2023-31 August 2027.

Advisory Board on Persons with Speech Impairments - Coordinated by the Finnish Association for Intellectual and Developmental Disabilities - 2023-2024.

Discrimination Monitoring Group. The monitoring group is responsible for developing the Government's monitoring system for discrimination.

Monitoring Group on the Action Plan against Racism and Good Population Relations. The monitoring group steers the implementation and evaluation of the Government action programme against racism and for good relations.

Joku Raja - Amnesty Finland - Working Committee Combating Violence Against Women. The Joku raja! working committee is a network of civil society actors. It includes organisations, projects, parties, researchers and activists. The HRC participates as an independent expert in the working group.

Working groups of the European Network of National Human Rights Institutions (ENNHRI)

ENNHRI Board

ENNHRI Legal Working Group

ENNHRI Business and Human Rights Working Group

ENNHRI Migration & Asylum Working Group

ENNHRI Core Group on Climate Change

ENNHRI AI Working Group

ENNHRI ESR Working Group

ENNHRI CRPD Working Group

ENNHRI Core Group on Human Rights of Older Persons

ENNHRI Expert Group on NHRI Standards

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