

# FINLAND 2018 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Republic of Finland is a constitutional republic with a directly elected president and a unicameral parliament (Eduskunta). The prime minister heads a three-party coalition government approved by parliament and appointed by the president in 2015. The presidential election on January 28 and parliamentary elections in 2015 were considered free and fair.

Civilian authorities maintained effective control over security forces.

There were no reports of egregious human rights abuses.

The government took steps to prosecute officials who committed human rights abuses.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

#### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, and there were no reports that government officials employed them.

#### **Prison and Detention Center Conditions**

There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Physical Conditions: There were no major concerns in prisons and detention centers regarding physical conditions or inmate abuse.

Administration: Authorities conducted proper investigations of credible allegations of mistreatment.

Independent Monitoring: The government permitted monitoring visits by independent human rights observers.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

#### **Role of the Police and Security Apparatus**

The national police maintain internal security. Both Finnish Customs and the Border Guard have law enforcement responsibilities related to their fields of responsibility. The Border Guard has additional law enforcement powers to maintain public order when it operates in joint patrols and under police command. The defense forces are responsible for safeguarding the country's territorial integrity and providing military training. The defense forces also have some domestic security responsibilities, such as assisting the national police in maintaining law and order in crises, participating in search and rescue operations, and providing aid in the event of a natural disaster or catastrophe. The national police and Border Guard report to the Ministry of the Interior; the Ministry of Defense oversees the defense forces.

Civilian authorities maintained effective control over the police, the defense forces, the Border Guard, and Finnish Customs. The government has effective mechanisms to investigate and punish abuse. There were no reports of impunity involving the security forces during the year.

The Helsinki District Court ordered the detention of the former head of the Helsinki Police Narcotics Unit, Jari Aarnio, in July due to alleged criminal negligence in the murder of a man in 2003. Aarnio was previously convicted on a range of corruption and drug trafficking crimes. In May the state prosecutor charged the former and current national police commissioners with official misconduct for their failure to oversee Aarnio's Narcotics Unit adequately. On

September 17, the daily *Helsingin Sanomat* reported the suspension of the director of the National Bureau of Investigation, Robin Lardot, in connection with the Aarnio case. Lardot's criminal trial began on October 2.

### **Arrest Procedures and Treatment of Detainees**

The law requires police to have a warrant issued by a prosecutor to make an arrest. Police must obtain a warrant within three days if an individual is arrested while committing a crime. Arrested persons must receive a court hearing within three days of arrest, and police must promptly inform detainees of the charges against them. There is no system of bail, but most defendants awaiting trial are eligible for conditional release on personal recognizance. The law provides for a detainee's prompt access to a lawyer. Persons detained for "minor" criminal offenses, however, do not have a right to an attorney from the outset of detention or prior to interrogation. The government must provide lawyers for the indigent. Authorities respected most of these rights.

#### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

### **Trial Procedures**

The constitution and law provide for the right to a fair public trial, and an independent judiciary generally enforced this right.

Defendants are presumed innocent until proven guilty. Authorities generally informed detainees promptly and in detail of the charges against them. Trials are fair and public, and take place without undue delay. Defendants have a right to be present at their trial and to consult an attorney of their choice in a timely manner before trial. The government provides attorneys at public expense if defendants cannot afford counsel. Authorities give defendants adequate time and facilities to prepare their defense. Defendants are provided free interpretation as necessary from the moment an individual is charged through all appeals. They can confront and question witnesses for the prosecution and present witnesses and evidence on their own behalf. Defendants may not be compelled to testify or confess guilt and have the right of appeal.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Individuals or organizations may seek civil remedies through domestic courts for human rights violations. Persons may appeal court decisions involving alleged violations of the European Convention on Human Rights to the European Court of Human Rights after they exhaust all avenues of appeal in national courts.

### **Property Restitution**

The government reports Finland did not confiscate property belonging to Jews during the Holocaust-era, that Holocaust-era restitution has not been an issue, and that no litigation or restitution claims were pending before authorities regarding real or immovable property covered by the Terezin Declaration, to which the government is signatory.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution and law provide for freedom of expression, including for the press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

Freedom of Expression: Public speech intended to incite discrimination against any national, racial, religious, or ethnic group is a crime. Hate speech is not a separate criminal offense, but may constitute grounds for an aggravated sentence for other offenses.

Press and Media Freedom: The distribution of hate material intended to incite discrimination against any national, racial, religious, or ethnic group in print or broadcast media, books, or online newspapers or journals is a crime.

Independent media were active and expressed a wide variety of views with little restriction.

Violence and Harassment: Journalists who covered sensitive topics, including immigration, far-right organizations, and terrorism, reported ongoing extragovernmental harassment. While prosecutors initiated cases related to the harassment of reporters, the Union of Journalists in Finland released a public statement criticizing the prosecutor's office for its failure to protect journalists. In one notable case, a reporter who wrote about the role of an Afghan asylum seeker who rendered first aid to victims of a 2017 domestic terror attack was subjected to such intense harassment she relocated to Helsinki. Police declined to press charges against her harassers, who included members of anti-immigrant groups.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. The law provides for everyone to have a "subjective right to a telephone subscription and an internet connection." According to International Telecommunication Union statistics, an estimated 88 percent of the population used the internet in 2017.

Courts can fine persons found guilty of inciting racial hatred on the internet. There were a few reports that individuals incurred fines for publishing and distributing such material via the internet. On June 26, Ilja Janitskin, founder of the anti-immigrant website *MV-lehti*, was freed to await a verdict in his trial on charges of ethnic agitation and defamation. On October 18, the Helsinki District Court found Janitskin guilty on multiple counts of aggravated incitement against an ethnic group and sentenced him to 22 months in prison.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Abuse of Migrants, Refugees, and Stateless Persons: There were several reports of violence against asylum seekers. In January an asylum seeker at the Joutseno migrant reception center committed suicide while awaiting deportation, sparking protest among other residents at the converted prison facility. Right-wing extremist groups hostile to asylum seekers and immigrants, including the neo-Nazi Nordic Resistance Movement (NRM) and the vigilante group Soldiers of Odin, maintained an active presence both online and in street demonstrations.

### **Protection of Refugees**

Refoulement: Lawyers specializing in asylum cases alleged the government deported asylum seekers to countries where they are likely to face persecution or torture, most notably Iraq and Afghanistan. In September the Immigration Service announced it would suspend deportations to Afghanistan following new guidance from UNHCR regarding safety conditions in the country.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. Parliament sets an annual quota for refugee admissions, and the government decides its allocation. Asylum seekers have the right to free legal representation throughout their application procedure. There were numerous reports by media and civil society organizations, including the president of the Supreme Administrative Court responsible for reviewing asylum decision appeals, that

asylum seekers lacked adequate access to legal assistance during the initial stages of the asylum application process and during subsequent appeals.

Safe Country of Origin/Transit: The government adheres to the EU's Dublin III Regulation that establishes which EU member state is responsible for examining the asylum application. The government does not, however, return asylum seekers to Greece or Hungary under the Dublin Regulation.

Employment: Asylum seekers who have valid travel documents, but do not yet have a valid residence permit, are allowed to begin working three months after they have submitted their asylum application. Asylum seekers who do not have valid travel documents must wait six months after they have submitted their asylum application before they can begin working.

Durable Solutions: According to UNHCR the government accepted 1,094 refugees for resettlement during 2017, a number similar to previous years. The government also assisted in the safe, voluntary return of migrants to their home countries. Between January and June, the Finnish Immigration Service and the International Organization for Migration helped more than 480 persons to return voluntarily to their homes in 29 different countries.

Temporary Protection: From January to May the government provided temporary protection to 191 individuals who did not qualify as refugees but who were deemed to qualify for subsidiary protection. From January to May, the government also offered protection to 209 individuals based on "other grounds," including medical and compassionate grounds.

## **Stateless Persons**

According to UNHCR 2,749 stateless persons resided in the country at the end of 2017. Involuntarily stateless persons and certain other special groups, such as refugees, have a shorter residency requirement--four years instead of six--than other persons before they are eligible to apply for citizenship. A child may obtain citizenship from either the mother or father regardless of the place of birth and may also acquire citizenship if the child is born in the country and would otherwise be stateless.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

Recent Elections: The country's presidential election on January 28 and national parliamentary elections in 2015 were considered free and fair.

Participation of Women and Minorities: No laws limit participation of women and members of minorities in the political process, and they did participate.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively. There were isolated reports of government corruption during the year.

Financial Disclosure: By law appointed and elected officials must each year declare their income, assets, and other private interests that could overlap with their official duties. Officials must make their initial declaration within two months of assuming office and declare any potential conflicts of interest that arise during their tenure. The law does not provide for specific criminal penalties for nondisclosure. By law income and asset information from the tax forms of all citizens must be made public each year.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were often cooperative and responsive to their views.

Government Human Rights Bodies: The parliamentary ombudsman enjoyed the government's cooperation, operated without government or party interference, and had adequate resources. The parliamentary ombudsman investigates complaints that a public authority or official failed to observe the law, fulfill a duty, or appropriately implement fundamental human rights protections. The main targets of the complaints were social welfare agencies, police, and health care.

The Human Rights Center operated as part of the parliamentary ombudsman's office. The center's functions include promoting human rights, reporting on the implementation of human rights obligations, and cooperating with European and international bodies on human rights matters. The center does not have authority to investigate individual human rights abuses. A delegation of representatives from civil society who participated in promoting and safeguarding human rights frequently cooperated with the center.

The parliamentary Constitutional Law Committee analyzes proposed legislation for consistency with international human rights conventions. The committee deals with legislation relating to criminal and procedural law, the courts, and the prison system.

The law requires the ombudsman for children, the nondiscrimination ombudsman, and the ombudsman for equality impartially to advance the status and legal protection of their respective reference groups. These ombudsmen operate under the Ministry of Justice.

Responsibility for developing antidiscrimination policies and legislation as well as for the Advisory Board for Ethnic Relations resides with the Ministry of Justice's Unit for Democracy, Language Affairs, and Fundamental Rights.

The nondiscrimination ombudsman also operated as an independent government-oversight body that investigates discrimination complaints and promotes equal treatment within the government. The nondiscrimination ombudsman also acted as the national rapporteur on trafficking in human beings and supervised the government's removal of foreign nationals from the country.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and the government enforced the law effectively. Rape is punishable by up to four years' imprisonment. If the offender used violence, the offense is considered aggravated, and the penalty may be more severe. The maximum penalties are six years' imprisonment for rape and 10 years for aggravated rape. All sexual offenses against adults, except sexual harassment, are subject to public prosecution. Sexual

offenses against a defenseless person (intoxicated or with a disability) are considered as severe as rape.

Authorities may prosecute domestic abuse under various criminal laws, including laws prohibiting rape, assault and battery, harassment, and disturbing the peace. The penalty for physical domestic violence ranges from a minimum of six months to a maximum of 10 years in prison.

Violence against women, including spousal abuse, continued to be a problem, as one out of every five women reported in a survey by the Ministry of Interior in May that they have been a victim of intimate partner violence. In July the Helsinki District Court found a man guilty in the strangling death of a woman and sentenced him to life in prison. Courts had convicted the man on three prior occasions for killing women by strangulation; he had been released after completing his prison sentence on each occasion.

The government body that manages shelters for victims of domestic violence reported a 9-percent increase in demand for its services in 2017 over the previous year, and victim rights nongovernmental organizations (NGOs) highlighted lack of sufficient shelter space as a high priority. The national police carried out a number of new training initiatives to improve response to domestic violence complaints and emphasize a victim-centered approach to early abuse investigations. According to Statistics Finland, in 2017 approximately 69 percent of the victims of domestic and intimate-partner violence were women.

The government encouraged women to report rape and domestic violence and provided counseling, shelters, and other support services to survivors.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C under the statutes for assault, aggravated assault, and minor assault, although prosecutors have never indicted any perpetrators under the relevant statutes. The law considers the risk of being compelled to undergo FGM/C sufficient grounds for asylum. NGOs reported cases in which citizens were taken abroad for the purpose of undergoing FGM/C. Police reported they were investigating a small number of cases of suspected FGM/C, although no cases went to trial by year's end.

Sexual Harassment: The law defines sexual harassment as a specific, punishable offense with penalties ranging from fines up to six months' imprisonment. Employers who fail to protect employees from workplace harassment are subject to

the same penalties. The prosecutor general is responsible for investigating sexual harassment complaints. The government generally enforced the law.

On June 18, the Helsinki District Court fined Teuvo Hakkarainen, a member of parliament from the True Finns Party, 3,060 euros (\$3,520) for assault and sexual harassment of his fellow parliamentarian, Veera Ruoho (National Coalition Party). According to True Finns' parliamentary leader Leena Meri, the group contemplated no further disciplinary action against Hakkarainen, although party chairman Jussi Halla-aho promised to "talk" to Hakkarainen about the matter. The prosecutor announced he would appeal the sentence.

A survey published in February by the Confederation of Finnish Industries reported that 12 percent of the female respondents and 2 percent of the male respondents had experienced sexual harassment during the preceding year.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for the same legal status and rights for women as for men. The government enforced the law effectively.

## **Children**

Birth Registration: A child generally acquires citizenship at birth through one or both parents. A child can also acquire citizenship at birth if the child is born in the country and meets certain other criteria, such as if the parents have refugee status in the country or if the child is not eligible for any other country's citizenship. A local registration office records all births immediately.

Child Abuse: The law prohibits child abuse, defining children as individuals younger than age 16. The law defines rape of a minor (younger than 18 years) as aggravated rape. Rape of a child carries a minimum penalty of one-year imprisonment and a maximum of six years. Child negligence and physical or psychological violence carry penalties of up to six months in prison and up to two years in prison, respectively. Aggravating factors may increase the length of the prison term.

Early and Forced Marriage: The minimum age of marriage is 18, but the law allows exceptions. Minors who want to marry must submit an application to the Ministry of Justice providing a justification based on religious beliefs, cultural

practices, or pregnancy. The minister of justice makes the final ruling on whether to approve a request to marry.

Sexual Exploitation of Children: The country prohibits the commercial sexual exploitation of children, including the sale, offering, or procuring of children for prostitution, and child pornography. The law prohibits purchase of sexual services from minors and covers “grooming” (enticement of a child), including in a virtual environment or through mobile telephone contacts. Authorities enforced the law effectively.

The minimum age for consensual sex is 16. The law regards a person whose age cannot be determined, but who can reasonably be assumed to be younger than 18, as a child.

From January to March, police received 329 reports of sexual exploitation of children, an increase of 17.9 percent over the same period in 2017. The MTV television station reported that on July 20 the Northern Karelian District Court convicted a 51-year-old man of six counts of sexual exploitation of children between the ages of 10 and 13. The court also convicted him of the aggravated sexual assault of a minor close relative. The court sentenced the man to three years and 10 months in prison.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

## **Anti-Semitism**

Government statistics and Jewish leaders place the size of the Jewish population between 1,500 and 2,500 individuals, most living in the Helsinki area.

The Jewish community continued to be the target of harassment, with anti-Semitic acts accounting for 13 percent of all hate crimes reported in 2017, despite Jews’ making up less than 1 percent of the population. High-profile Jewish sites in Helsinki were regular targets for graffiti during the year.

Major consumer brands continued to boycott the Karkkainen chain of department stores due to anti-Semitic public statements by the company’s owner, Juha

Karkkainen. Karkkainen funded the newspaper *KauppaSuomi*, a periodical with a claimed circulation of 270,000, which published anti-Semitic editorials.

In response to reports in 2017 about the high number of hate crimes targeting the Jewish population, on January 14, then-speaker of parliament Maria Lohela spoke publically at an event at the Helsinki Synagogue and pledged the government's support to defend all Jews in the country.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The constitution and law prohibit discrimination against persons with disabilities in all fields, including the provision of state services. The government effectively enforced these provisions.

Authorities generally enforced laws mandating access to buildings for persons with disabilities, although many older buildings remained inaccessible. Despite public notifications from the Ministry of Justice regarding a need for accessible polling facilities, disabled voters continued to encounter inaccessible polling stations or stations where they had to compromise the secrecy of their ballot in order to vote.

Most forms of public transportation were accessible, but problems continued in some geographically isolated areas.

### **National/Racial/Ethnic Minorities**

The law does not include a specific "hate crime" statute; instead, the presence of racism as a motive is considered a factor in sentencing. In 2017, the most recent year for which data were available, official police figures recorded 1,165 complaints of crimes motivated by discrimination based on ethnicity, an 8 percent increase compared to 2016 but on par with 2015 levels. Among the categories of victims, the sharpest increase was seen against the Muslim population. Of these, 236 were physical assaults, 70 cases of damage to property or theft, 302 verbal assaults, and 223 other crimes.

The Romani community numbered 10,000 to 12,000 persons. They reported discrimination in employment and daily life. For example, in August a court found a taxi driver in the city of Turku guilty of ethnic discrimination after he refused to drive two Roma, a mother and child. The driver admitted in court that he denied service to the two individuals based on their ethnicity. The court fined the driver 2,800 euros (\$3,220).

In addition to the Romani minority, Russian-speakers, Somalis, and Sami experienced discrimination. Persons of Somali heritage in particular reported being stopped and asked for proof of residence by police, who are empowered to enforce immigration laws. Somali-Finns also reported persistent discrimination in employment. A survey conducted by the EU Agency for Fundamental Rights in 2015-16 and released in December 2017 found 45 percent of citizens of Sub-Saharan African descent experienced discrimination.

On August 18, the NRM and the Nationalist Alliance marched in Turku to commemorate the first anniversary of a terrorist attack. At least three subnational leaders of the True Finns Party participated in the Nationalist Alliance's march. An anti-Nazi counterdemonstration was organized to coincide with the Nationalist Alliance's march.

The government strongly encouraged tolerance and respect for minority groups, sought to address racial discrimination, and assisted victims.

### **Indigenous People**

The constitution provides for the protection of the Sami language and culture, and the government financially supported these efforts. The Sami, who constituted less than 0.1 percent of the population, have full political and civil rights as citizens as well as a measure of autonomy in their civil and administrative affairs. A 21-member Sami parliament (Samediggi), popularly elected by the Sami, is responsible for the group's language, culture, and matters concerning their status as an indigenous people. The Sami parliament is an independent body but operates under the purview of the Ministry of Justice. It can adopt legally binding resolutions, propose initiatives, and provide policy guidance.

Despite constitutional protections, members of the Sami community continued to protest a lack of explicit laws safeguarding Sami land, resources, language, and economic livelihood and to call for greater inclusion in political decision-making processes. The Sami parliament and the Ministry of Justice sought to resolve

ongoing disagreements concerning criteria for membership in the Sami community and voting rights.

Sami activists continued to dispute the 2017 law restricting traditional fishing practices in the Teno River on the grounds they were unable to exercise their free, prior, and informed consent in its drafting. In September activists protested along the proposed route for an Arctic railroad that would connect southern Finland with either the Barents or Norwegian Sea, citing its effect of bisecting reindeer grazing land and increasing related mining activities.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on gender identity, gender expression, or sexual orientation. Nonetheless, the law requires that a transgender person present a medical statement affirming their gender identity and a certificate of infertility before the government will legally recognize their gender identity. A certificate of infertility is conditional upon medical sterilization of a transgender person. While the law prohibits “conversion therapy” in medical settings, it continued to be practiced in private and informal associations.

### **Other Societal Violence or Discrimination**

In 2016, the latest year for which data is available, the nondiscrimination ombudsman received 891 discrimination complaints, 37 (or 4 percent) of which involved religious discrimination.

According to the Ministry of Interior’s annual report *Violent Extremism in Finland--Situation Overview 1/2018*, police identified 50 violent extremist offenses during 2017, including assault, ethnic agitation, and attempted aggravated assault. Of those offenses, approximately one dozen were committed by right-wing extremists, which the ministry described as having “the biggest impact on everyday security.” The ministry investigates separately offenses committed by organized national or international hate groups.

In January the Helsinki Court of Appeal extended by three months the two-year prison sentence given to NRM leader Jesse Torniainen for aggravated assault against a counterprotester, who later died, at the Helsinki Railway Square in 2016.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination and any restriction or obstruction of these rights.

The government effectively enforced all applicable laws regarding the freedom of association and the right to collective bargaining. Workers without permanent residence may not be eligible to join voluntary unemployment insurance funds. Employers who violate the rights of employees to organize and retain employee representatives may face administrative measures, legal proceedings, and fines. The penalties were generally sufficient to deter violations. Authorities and employers generally respected freedom of association and the right to collective bargaining, and there were no reports of violations. All workers, regardless of sector union membership, or nationality, are entitled to the same wages negotiated between employers and trade unions via generally applicable collective agreements.

The law does not permit public-sector employees who provide “essential services,” including police officers, firefighters, medical professionals, and border guards, to strike. An official dispute board can make nonbinding recommendations to the cabinet on ending or limiting the duration of strikes when they threaten national security. Employees prohibited from striking can use arbitration to provide for due process in the resolution of their concerns.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. The government effectively enforced the law. Penalties for forced or compulsory labor depend on the severity of the crime and range from four months to 10 years in prison. Despite strong penalties for violations, some cases of persons subjected to conditions of forced labor in the country were reported during the year.

Men and women were subjected to conditions of forced labor in the construction, restaurant, agriculture, metal, and transport sectors and as cleaners, gardeners, and domestic servants. The sexual services sector, legal in certain circumstances, also saw incidences of trafficking and forced labor.

In January a court sentenced a man to 18 months of probation for withholding passports and using outsized debts to coerce Thai nationals to work for his berry-picking company. The case was the highest-profile labor trafficking incident to date.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law allows persons between the ages of 15 and 18 to enter into a valid employment contract as long as the work does not interrupt compulsory education. It provides that workers who are 15 to 18 years of age may not work after 10 p.m. or under conditions that risk their health and safety, which the Ministry of Social Affairs and Health defines as working with mechanical, chemical, physical, or biological hazards or bodily strain that may result from lifting heavy loads.

Penalties for violations of child labor regulations range from a fine to up to 12 months in prison. The Ministry of Economic Affairs and Employment effectively enforced child labor regulations. There were no reports of children engaged in work outside the parameters established by law.

### **d. Discrimination with Respect to Employment and Occupation**

The Center for Occupational Safety (OSHA) received 545 reports of work place discrimination in 2017. Of the reports that resulted in further inspection, 9 percent concerned ethnicity, nationality, language, or religion while 13 percent involved alleged discrimination based on age, disability, sexual orientation, or gender. The government effectively enforces applicable laws against employment discrimination.

### **e. Acceptable Conditions of Work**

While there is no national minimum wage law, the law requires all employers, including nonunionized employers, to pay the minimum wages stipulated in collective bargaining agreements. Authorities adequately enforced wage laws.

The standard workweek established by law is no more than 40 hours of work per week with eight hours work per day. The law does not include a provision regarding a five-day workweek, so regular work hours may, at least in principle,

span six days. The regular weekly work hours can also be arranged so that the average is 40 hours over a period of no more than 52 weeks. Certain occupations, such as seamen, household workers, road transport workers, and workers in bakeries, are subject to separate workweek regulations. The law entitles employees working shifts or during the weekend to one 24-hour rest period per week. The law limits a worker to 250 hours of overtime per year and 138 overtime hours in any four-month period.

The Ministry of Economic Affairs and Employment is responsible for labor policy and implementation, drafting labor legislation, improving the viability of working life and its quality, and promoting employment. The Ministry of Social Affairs and Health is responsible for enforcement of labor laws and regulations. In addition, OSHA enforces appropriate safety and health standards and conducts inspections at workplaces. Individuals who commit work safety offenses are subject to a fine or imprisonment for a maximum of one year; individuals who commit working hours' offenses are subject to a fine or imprisonment for a maximum of six months. The center informs employers of inspections in advance unless a surprise inspection is necessary for enforcement purposes. A subsequent inspection report gives employers written advice on how to remedy minor defects. In the case of serious violations, the inspector issues an improvement notice and monitors the employer's compliance. When necessary, OSHA may issue a binding decision and impose a fine. If a hazardous situation involved a risk to life, an inspector can halt work on the site or issue a prohibition notice concerning the source of risk.

Authorities adequately enforced wage and overtime laws. Government resources, inspections, and penalties were adequate to deter most violations.

The law requires employees to report any hazards or risks they discover in working conditions, including in machinery, equipment, or work methods. The law also requires employees, where possible, to correct dangerous conditions that come to their attention. Such corrective measures must be reported to the employer.