

[Home](#)[Issues & Press](#)[Travel & Business](#)[Youth & Education](#)[About State Department](#)

## Finland

### Country Reports on Human Rights Practices - [2005](#)

Released by the Bureau of Democracy, Human Rights, and Labor  
March 8, 2006

Finland is a constitutional republic of 5.2 million persons with a directly elected head of state (president), a parliament, a head of government (prime minister), and an independent judiciary. The March 2003 elections to the 200-seat parliament were free and fair and resulted in the formation of a new coalition government led by the Center Party. Civilian authorities generally maintained effective control of all military and security forces.

The government generally respected the human rights of its citizens, and the law and judiciary provided effective means of addressing individual instances of abuse. The following human rights problems were reported:

- anti-Semitic incidents
- violence against women
- trafficking in persons
- discrimination against immigrants and Roma

#### RESPECT FOR HUMAN RIGHTS

##### Section 1 Respect for the Integrity of the Person, Including Freedom From:

###### a. Arbitrary or Unlawful Deprivation of Life

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

###### b. Disappearance

There were no reports of politically motivated disappearances.

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

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

There were reports of police discrimination against immigrants (see section 5).

###### Prison and Detention Center Conditions

Prison conditions generally met international standards, and the government permitted visits by independent human rights observers.

Overpopulation of prison facilities complicated efforts to deal with the drug problem. Of the nearly four thousand inmates in the country's prisons, 70 percent were estimated by the government to be drug addicts and in need of rehabilitation.

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

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

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

The national police force is centralized under the control of the Ministry of the Interior, which also controls various other law enforcement organizations such as the frontier guards, customs and immigration agencies, the national bureau for investigation (NBI), and the security

police. These organizations carried out their responsibilities for law enforcement and maintenance of order, but chronic underfunding sometimes compromised their effectiveness. Law enforcement organizations maintained internal investigation units that examined allegations of police abuse or misconduct. Corruption was not a problem during the year.

#### Arrest and Detention

A warrant issued by a prosecutor is required for an arrest. If an individual is arrested while committing a crime, a warrant must be obtained within three days. Once arrested, the accused must receive a court hearing within three days. Detainees were promptly informed of the charges against them, and lawyers were provided for the indigent. These legal provisions were generally enforced in practice. There is no system of bail, but most defendants awaiting trial were eligible for conditional release based on personal recognizance. Criminal detainees were allowed prompt access to counsel and family. There were no reports of preventive detention, which was allowed only in exceptional circumstances, such as during a declared state of war, or for narrowly defined offenses, including treason, mutiny, and large-scale arms trafficking.

There were no reports of political detainees.

#### e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice.

The judiciary consists of the supreme court, the supreme administrative court, and a system of lower courts. The president appoints supreme court justices, who in turn appoint the lower court judges. Rulings of the 61 district courts can normally be appealed to the 6 appellate courts, which are courts of first instance in matters of treason and certain offenses of public office. The supreme court rules on the appeals of appellate court decisions. A system of administrative courts provides oversight of decisions made by local and state authorities. Four specialized courts review market, labor, insurance, and impeachment matters, respectively.

#### Trial Procedures

The law provides for the right to a fair public trial, and an independent judiciary generally enforced this right. Local courts may conduct closed trials in juvenile and guardianship cases, divorce proceedings, or when publicity would offend morality or endanger the security of the state.

Defendants are presumed innocent until proven guilty, and they have the right to appeal adverse judgments. The law does not provide for juries to be used in trials. Defendants have the right to be present and to consult with an attorney in a timely manner, and attorneys are provided at public expense if defendants faced serious criminal charges. Defendants can confront and question witnesses against them and present witnesses and evidence on their own behalf. Defendants and their attorneys have access to government-held evidence relevant to their cases.

The law extends these rights to all citizens and legal residents. Illegal immigrants enjoy the same rights but may be removed from the country or deported in a separate process.

#### Political Prisoners

There were no reports of political prisoners.

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

The law prohibits such actions, and the government generally respected these prohibitions in practice.

### Section 2 Respect for Civil Liberties

#### a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice and did not restrict academic freedom. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

#### b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights in practice.

#### c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice. The government recognizes the Evangelical Lutheran Church of Finland and the Orthodox Church as state churches. Over 80 percent of the population belonged to the Lutheran Church. Nontraditional religious groups practiced their religion freely. There was a small but growing Muslim population and a small

Jewish community. Any organization with more than 20 members could register as a religious community as long as its primary mission was spiritual.

All citizens who belonged to one of the two state churches paid a church tax as part of their income tax. However, citizens may opt out of paying this tax by officially disassociating from the church. Nontraditional religious groups were eligible for tax relief as long as the government had registered and recognized them as legitimate religious communities.

Although religious instruction in Lutheran or Orthodox doctrine was part of the standard curriculum in public schools, students could substitute philosophy or world religion courses. In some urban communities where Islam is the second-largest religion, students may choose to receive Islamic religious instruction.

#### Societal Abuses and Discrimination

The country's Jewish community was relatively small. There were a few reports of anti-Semitic incidents, chiefly graffiti such as swastikas and anti-Semitic slogans being spray-painted in public locations. The government condemned such acts and removed the graffiti when it was discovered. Critiques of Israeli policy occasionally took on anti-Semitic features. In 2004 the justice ministry ruled that the distributor of an anti-Semitic book, *The Protocols of the Elders of Zion*, was liable under the country's "hate speech" provisions and ordered the distributor to pay a fine and remove the book from circulation.

The government criticized anti-Semitism, principally through public remarks made by senior officials, including the president and minister of justice. In June 2004 the parliament and a local nongovernmental organization (NGO) cosponsored a conference in Helsinki on anti-Semitism, and officials played an active role in international conferences on anti-Semitism.

The Muslim population numbered approximately 20 thousand. Despite isolated reports of fights between non-Muslim and Muslim youths, there was no pattern of societal violence against Muslims. In June the Ministry for Foreign Affairs created an office for Muslim outreach, but no domestic activities were planned by the end of the year.

The Ministry of Education continued to integrate tolerance and antidiscrimination education into the public school curricula.

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

#### d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the government generally respected them in practice.

The law prohibits forced exile, and the government did not employ it.

#### Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against *refoulement*, the return of persons to a country where they feared persecution. The government granted refugee status or asylum.

The government automatically denied asylum to anyone who had already been rejected by another EU state.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention and the 1967 protocol. The government included the number of persons who received temporary protection in overall asylum statistics.

The government cooperated with the office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers.

There were some reports of discrimination against immigrants, including refugees and asylum seekers (see section 5).

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

#### Elections and Political Participation

Free and fair parliamentary elections held in March 2003 resulted in the formation of a coalition government led by the Center Party.

There were 76 women in the 200-seat parliament. There were 8 women in the 18-member cabinet. The president was a woman.

There were 10 members of minorities in the parliament and 2 minorities in the cabinet. The indigenous Sami (Lapp) minority enjoys semiautonomous status and has its own legislative body.

#### Government Corruption and Transparency

There were no reports of government corruption during the year. An anticorruption network in the Ministry of Justice met several times to address transnational bribery.

The law provides for public access to government information, except for information classified for national security, or when release of documents would constitute a violation of privacy laws, and the government provided such access in practice.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations 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 cooperative and responsive to their views.

#### Section 5 Discrimination, Societal Abuses and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status; violence against women, trafficking in persons, and discrimination against immigrants and Roma were problems.

##### Women

Violence against women, including spousal abuse, continued to be a problem. Although police statistics reported approximately 10 thousand cases of domestic violence annually, most researchers believed the actual number was higher since many cases went unreported. The government reported that up to 30 women died from domestic violence. Domestic abuse may be prosecuted as a variety of different crimes, including rape, assault and battery, harassment, and disturbing the peace. It was not possible to determine how many convictions in each category constituted domestic abuse cases.

The law criminalizes rape, including spousal rape, and the government enforced the law effectively. Through September, 488 rapes had been reported to the police, which were 8 more than in the corresponding period in 2004. Police believed the true number of rapes during the year to be higher than those actually reported, attributing this underreporting to the social stigma encountered by rape victims. Researchers believed that 75 percent of these rapes were committed by a known assailant.

The government encouraged women to report domestic violence and abuse to the police. The government provided counseling and support services to victims of domestic violence and rape and operated a network of shelters for victims. The government provided funding to NGOs that provide additional services, including a telephone hot line and crisis center. According to researchers, most women seeking shelter from violence were between the ages of 25 and 35 who were either married or in a cohabiting relationship; nearly one-third were immigrants. Immigrants without proficiency in either Finnish or English experienced some difficulty accessing domestic violence services.

Prostitution is legal, but the purchase of sexual services is a civil offense. Prostitution was generally limited to private apartments and certain nightclubs in larger cities. At year's end the parliament had not yet voted on a government proposal to criminalize the purchase of sexual services.

Trafficking in women for the purpose of sexual exploitation was a problem (see section 5, Trafficking).

Sexual harassment is prohibited by law, and the government generally enforced the law in practice. The office of the prosecutor general was responsible for investigating sexual harassment cases. Employers who fail to protect employees from harassment are subject to fines or a maximum of six months' imprisonment.

Women and men have identical legal rights under family and property law and in the judicial system. The government placed a high priority on gender equality and maintained three primary government organizations devoted to gender equality issues: the ombudsman for equality, the gender equality unit, and the council for equality.

In practice there was still economic discrimination against women. Women's average earnings were 82 percent of men's. Women were overrepresented in lower paying occupations, and men tended to dominate the upper ranks in industry and finance, and some government ministries.

In April parliament passed a law amending existing legislation to increase gender equality in the workplace and to promote the principle of equal pay for equal work. At year's end no determination had been made about which government agencies would have primary responsibility for implementing the law's provisions. Employers found to be in violation of the law are required to compensate women for lost wages. The new law, which took effect on June 1, extended compensation eligibility to a greater number of women. The government's equality ombudsman received hundreds of complaints during the year, and generally determined approximately 20 percent of them to be violations of the law.

In August the Ministry of Social Affairs and Health, in cooperation with the Ministry of Labor and the Monika Naiset Women's Resource

Center, published a guidebook to help social workers who work with immigrant populations to identify cases of violence, such as honor-related violence, forced marriages, and genital mutilation.

## Children

The government was strongly committed to children's rights and welfare. Public education and health care systems were well funded. Education was free and compulsory for all children ages 7 to 16, more than 99 percent of whom attended school. Most children attended school until graduation from high school. Education at universities and trade schools was also free.

The government offered free medical care for children through a comprehensive public health care system. Boys and girls had equal access to health care services.

There were isolated reports of child abuse.

There were reports of trafficking of children for sexual exploitation (see section 5, Trafficking).

During the summer parliament passed legislation creating the country's first ombudsman for children's issues. The ombudsman took office on September 1. Paying particular attention to children's living conditions, the ombudsman monitored legislation and assessed its impact on children's welfare.

## Trafficking in Persons

The law prohibits trafficking in persons, but there were reports that persons were trafficked to and through the country. There are also related laws that can be used to convict traffickers, including organized prostitution; the dissemination of child pornography; the coordination of illegal entry into the country; and the marketing of sexual services. The maximum penalty for trafficking is seven years in prison, but there were no convictions for trafficking during the year. Police and prosecutors were hampered in their enforcement efforts by a lack of experience and training in trafficking cases.

The ministries for foreign affairs, interior, justice, labor, education, and social welfare were all involved in combating trafficking, and each was represented on the interagency antitrafficking working group. The parliamentary human rights caucus, the NBI, frontier guards, customs and immigration, and various municipal police were also involved in antitrafficking efforts.

The government participated in multilateral and regional efforts to combat trafficking, through organizations such as the Council of Baltic Sea States, Nordic Council of Ministers, and the Barents Euro-Arctic Council.

The country was a destination and transit point for trafficked persons. The actual incidence of trafficking was unknown since no studies have been done about the problem.

Most trafficking involved women and girls from Russia, although Estonian, Latvian, Lithuanian, Ukrainian, and Belarusian women were also trafficked for sexual exploitation. Increasing numbers of Asian women, most of whom were believed to be Chinese and Thai, were trafficked through the country to other parts of Europe.

Some persons were trafficked for labor, and most of these cases involved persons coerced into restaurant work, in construction, and as maids. They were often forced to work long hours for low pay, and were often reluctant to approach authorities due to the cultural gap and fear of deportation or confinement.

The government and NGOs believed Russian organized crime syndicates to be the principle traffickers of women and girls into the country. Although traffickers led some of the women to believe that they would be employed as domestic servants or waitresses, most were aware that they would be prostitutes. Economic incentives for poor women seemed to play a larger role in trafficking than physical coercion. Most trafficking victims entered the country with valid visas obtained at Finnish consulates abroad. The Schengen Treaty, which allows travelers already within EU borders to travel to any other EU country without inspection, facilitated the transit of trafficked persons from Russia and the Baltics to Western Europe. In some cases traffickers confiscated victims' passports and used violence or the threat of violence to ensure their compliance.

In March border guards at the Finnish-Russian border put a busload of Georgian women into protective custody for several days to determine whether they were trafficking victims. Although none of the women wanted to remain in the country, officials detained the women at a refugee-asylum center and interviewed them over the course of several days, rather than allowing them to return immediately to Russia. Media questioned whether the government responded appropriately by detaining the women.

Although there were no NGOs specifically dedicated to assisting trafficking victims, several focused on women's rights and general victim assistance issues, which included aid to trafficking victims. NGOs and government facilities operated by the Ministry of Labor provided victims with shelter, subsistence, medical services, and psychological counseling.

The parliamentary human rights caucus organized briefings on trafficking in the Nordic-Baltic region and lobbied for increased victim assistance and protection measures.

Law enforcement and prosecutorial officials received training in antitrafficking measures.

On August 25, the government adopted a comprehensive national action plan to combat human trafficking. Based on the final report of an inter-agency working group appointed by the Ministry for Foreign Affairs, the plan called for a victim-centered approach to trafficking, including strengthened victim protection measures, an end to quick deportation of foreign victims, increased social and economic assistance for victims, and aggressive prosecution of traffickers. By year's end the government had begun implementing each of these measures, although no trafficking prosecutions had yet occurred.

#### Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services, and discrimination was not a problem. The law mandates access to buildings for persons with disabilities, and the government generally enforced these provisions in practice. Many older buildings, however, remained inaccessible. Most forms of public transportation were accessible, but problems remained in some areas. For example, a few geographically isolated areas lacked adequate ramps for wheelchairs. The Ministry for Social Affairs and the Ministry for Labor were responsible for protecting the rights of persons with disabilities. In November the government submitted to parliament proposed legislation on protections and allowances for persons with disabilities. The chairperson of the parliamentary human rights caucus organized several events focused on empowering persons with disabilities.

#### National/Racial/Ethnic Minorities

Immigrants numbered approximately 108,350, or 2 percent of the population at the end of 2004. The chief ethnic immigrant groups were Russians (24 thousand), Estonians (14 thousand), Swedes (8.2 thousand), Somalis (4.7 thousand) and Serbs and Montenegrins (4 thousand).

Although tension between citizens and immigrant groups was not overt, most racist and xenophobic incidents involved racial epithets directed toward immigrants in public. There were occasional reports of fights between native youth and immigrant youth. African and Middle Eastern immigrants were typically the targets. There were also reports of fighting between rival immigrant groups. Some immigrants reported being denied entry to restaurants, although these claims could not be independently verified. Approximately 70 percent of immigrants who reported experiencing racism did not report it to police, explaining that they had experienced police discrimination. Immigrants alleged that police did not take their claims of discrimination and unfair treatment seriously.

The government strongly encouraged tolerance and respect for minority groups and established an ombudsman for minorities to protect minority interests. All government ministries included antiracism provisions in their educational information, personnel policy, and training programs. The government also monitored police, border guards, and teachers regarding their treatment of immigrants and nonnative groups.

The minority ombudsman criticized the slow police response on July 30 when local youths assaulted the owners of a Kajaani restaurant and vandalized the property. The police acknowledged their delayed response, but attributed it to a limited staff. They claimed that the only available officers had been investigating a separate incident and arrived at the restaurant as quickly as possible. The case attracted significant media attention, leading to calls for an end to violence directed at immigrants. The prosecutions of 10 youths involved in the incident were underway at year's end.

The NGO Finnish League for Human Rights accused authorities of ignoring discrimination against Roma. The group conducted a study to test whether there was discrimination against Roma by sending Romani groups to several Helsinki restaurants. Many restaurants refused them entry, offering the Roma's own safety as justification. The human rights group criticized the government's slow response to their complaints.

#### Indigenous People

Sami (Lapps) constituted less than 0.1 percent of the population. The law provides for the protection of Sami language and culture, and the government financially supported these protections. Sami enjoyed full political and civil rights as citizens, as well as a measure of autonomy in their own civil and administrative affairs. Sami had the right to use their language in dealings with administrative and judicial authorities and in schools, media, economic and commercial life, and cultural activities. Sami communities received subsidies to continue their traditional way of life. There were no reports of any discrimination against Sami in employment, education, housing, health services, or land rights.

#### Section 6 Worker Rights

##### a. Right of Association

The law allows workers to form and join unions of their choice and workers exercised this right in practice. Approximately 79 percent of the workforce was unionized.

##### b. Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively, and the government protected this right in practice. Collective bargaining

agreements usually were based on tripartite wage policy agreements among employees, employers, and the government. All unionized workers were covered under the collective bargaining agreements. Employers of nonunionized workers were required to compensate their employees at a wage equal to that stipulated by existing collective bargaining agreements.

The law grants employees the right to strike, with some exceptions for public sector employees who provide essential services. An official dispute board can make non-binding recommendations to the cabinet on ending or limiting the duration of strikes when national security is threatened. Employees prohibited from striking can use arbitration to ensure due process in the resolution of their concerns. A strike is legal when an employment contract is not in effect and the action is pursuant to new contract negotiations. Strikes are considered illegal after a contract agreed to by all parties is in effect. Fines may be imposed for illegal strikes. Workers exercised this right in practice; there were 167 strikes in the first 6 months of the year.

There are no export processing zones.

#### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see section 5).

#### d. Prohibition of Child Labor and Minimum Age for Employment

The government has implemented laws and practices to protect children from exploitation in the workplace. The law prohibits children under 16 years of age from working more than 6 hours a day and from working at night. The law sets occupational health and safety restrictions for children, and the government implemented these provisions effectively.

The labor ministry enforces child labor regulations; no complaints about the exploitation of children in the work force arose.

#### e. Acceptable Conditions of Work

Although no legislated minimum wage exists, the law requires all employers, including nonunionized ones, to meet the minimum wages agreed to in collective bargaining agreements in each sector of the workforce. Almost all workers were covered under such arrangements. These negotiated minimum wages provided a decent standard of living for workers and their families.

The legal workweek consists of 5 days not exceeding 40 hours. Employees working shifts or during the weekend are entitled to a 24-hour rest period per week. Workers are entitled to premium pay for overtime work. The law limited a worker to 250 hours of overtime per year and to 138 overtime hours in any 4-month period. Foreign workers were also protected by these laws, which the government effectively enforced.

The government sets occupational health and safety standards, and the labor ministry effectively enforced them. Workers have the right to refuse dangerous work situations without penalty, and the government enforced this right in practice.

[Updates](#) | [Frequent Questions](#) | [Contact Us](#) | [Email this Page](#) | [Subject Index](#) | [Search](#)

The Office of Electronic Information, Bureau of Public Affairs, manages this site as a portal for information from the U.S.

State Department. External links to other Internet sites should not be construed as an endorsement of the views or privacy policies contained therein.

[FOIA](#) | [Privacy Notice](#) | [Copyright Information](#) | [Other U.S. Government Information](#)

