



U.S. DEPARTMENT of STATE

Finland

Country Reports on Human Rights Practices - [2006](#)

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Finland is a constitutional republic of 5.3 million persons with a directly elected head of state (president), a unicameral parliament (Eduskunta), 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 most serious human rights problems reported were violence against women, trafficking in persons, and discrimination against immigrants and members of minorities, particularly 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 and constitution prohibit 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 was a continuing problem; the country's total prison capacity was approximately 4,000, but there were nearly 4,200 inmates at year's end. Prison overcrowding complicated efforts to deal with widespread inmate drug addiction; 70 percent of all prisoners were estimated by the government to be drug addicts and in need of rehabilitation.

On September 14, the Ministry of Justice appointed a rapporteur to assess the need to reform the administration of prisons. During the year prisons continued to operate beyond their original capacity due to increases in the inmate population in recent years.

An April 2005 study showed that an increasing number of young prison inmates suffered from mental health disorders such as schizophrenia. Nearly half of all inmates under age 21 had previously been hospitalized for one or more mental disorders. Mental health experts asserted that such prisoners belonged in the health care system rather than in prisons and recommended the hiring of additional mental health professionals for the country's prisons.

d. Arbitrary Arrest or Detention

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

The International Helsinki Federation reported that police at times picked up persons with mental disabilities when officers mistakenly believed such persons were intoxicated. Under police procedures, intoxicated persons found by the police are taken home; however, if their

home address cannot be established, they are taken to police station facilities designed to hold intoxicated individuals while they sober up. In the city of Vantaa, a patient who had come to a hospital seeking treatment for depression was awakened by police who mistook him for an intoxicated person and transferred him to a police station. When police discovered the mistake, they returned the man to the hospital. In March 2005 the deputy chancellor of justice criticized this practice carried out by Vantaa police and health care authorities.

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. In rare instances where police misconduct was reported, authorities responded quickly to investigate and discipline the officers involved. For example, in June 2005 the deputy parliamentary ombudsman criticized two police officers who had offered an injured person \$445 (340 euros) in exchange for agreeing not to file a complaint against the officers.

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.

e. Denial of Fair Public Trial

The law and constitution provide 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 six 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 and constitution provide 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 that might result in imprisonment or significant fines. 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 and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

According to the constitution, all citizens have a fundamental right to live under the rule of law and to have that law applied equally and without discrimination to all segments of society. The country had an independent judiciary that administered civil law. Under the constitution, all citizens are entitled to have a civil case heard by a court or an appropriate legal authority, such as a magistrate, appropriately and without undue delay.

In addition, the law provides that all citizens are entitled to have a decision or judgment affecting his or her rights or obligations reviewed by a court or another judicial authority and to appeal any adverse decision.

The civil judicial administration consists of independent courts of law; the prosecution service; enforcement authorities, who are authorized to enforce financial and other judgments; prison and probation services, who see to the enforcement of custodial sentences; and the national Bar Association and the other avenues of legal aid.

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 and constitution provide for freedom of speech and of the press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

The country had a large independent media, with approximately 200 newspapers, 320 popular magazines, and 2,100 professional magazines in publication; 53 of the newspapers were published daily. The Council for Mass Media, a regulatory board composed of members of the independent press, monitored journalistic ethics and handled public complaints about the print media. Major newspapers and magazines were published in Finnish, Swedish, and English.

There were 67 commercial radio stations, including three national public radio channels in Finnish, two in Swedish, and one in the Sami (Lapp) language. YLE, the Finnish state broadcast network, operated a radio station offering international programming from National Public Radio, the British Broadcasting Corporation, Deutsche Welle, and other networks. There were four national television channels, two of which offered public broadcasting and two of which offered commercial programming, and several cable television and satellite systems offering dozens of additional networks. The domestic film industry produced approximately 12 feature films annually.

The Ministry of Transportation and Communications exercised oversight over the broadcast networks and issues operating licenses to commercial radio and television broadcasters.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chatrooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail. The country had one of the world's highest rates of Internet connectivity, and virtually all citizens had access to the Internet at home or in schools and public libraries.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

The law and constitution provide 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. More than 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.

Amnesty International and other groups criticized the length of alternative civilian service for conscientious objectors as punitive and discriminatory.

Conscientious objectors were obliged to perform 395 days of civilian service, while normal military service was 180 days. In March the nongovernmental organization (NGO) War Resisters' International reported that 25 conscientious objectors were in prison for refusing to perform alternative civilian service.

Societal Abuses and Discrimination

The country's Jewish community numbered approximately 1,900. 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 criticized such acts and removed the graffiti when it was discovered.

School children begin studying the Holocaust and the Europe-wide phenomenon of anti-Semitism in eighth grade. The national curriculum applied since the fall of 2005 places the Holocaust in the context of other anti-Semitic persecution and pogroms, including those carried out by Josef Stalin in the Soviet Union.

The Muslim population numbered approximately 25,000. Despite isolated reports of fights between non-Muslim and Muslim youths, there was no pattern of societal violence against Muslims. The Ministry for Foreign Affairs created an office for Muslim outreach in 2005, and in March the ministry sponsored a parliamentary seminar on the Danish cartoon controversy and religious respect and tolerance. The foreign minister delivered the keynote address at the seminar.

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

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

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

The law and constitution provide 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 European Union (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.

During the year the country began granting asylum or residence permits to Chechens. As many as 21 Chechens were granted asylum and 76 others granted residence permits. This was the first time the country granted asylum to persons from Russia and areas of the former Soviet Union.

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 and eight women in the 18-member Council of State. The president was a woman.

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

Government Corruption and Transparency

During the year Transparency International gave the country a score of 9.6 on its 10-point index of the degree to which corruption is perceived to exist among a country's politicians and public officials, indicating that corruption was not perceived to be a problem. 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. During the first half of the year, incidents of domestic violence reported to the police fell slightly to 14,736, compared with 15,149 cases in the first six months of 2005. The total number of cases in 2005 was 31,656. Most researchers believed the actual number was higher since many cases went unreported. A UN Children's Fund report on domestic violence against or in the presence of children states that children had greater exposure to such violence than other children in the region. According to the report, five percent, or 61,000 children had witnessed or experienced violence in their homes. Approximately one out of every six cases of domestic violence involved a female perpetrator.

During the year police focused significant attention on reducing violence. Police have focused their efforts on increasing cooperation among parties involved, breaking the spiral of violence, and providing better support to victims and perpetrators.

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 June, 249 rapes were reported to the police, which was 71 fewer than in the corresponding period in 2005. 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 unreported 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. During the year, parliament adopted a law that criminalizes the purchase of all sexual services in cases where trafficking is involved.

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 in some government ministries.

In April 2005 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. Employers found to be in violation of the law are required to compensate women for lost wages. The new law,

which took effect in June 2005, 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.

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 seven 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.

The number of suspected sexual abuse cases reported to the police continued to increase slightly during the year, and an average of 600 cases are reported annually. According to the police, there were 150 reported victims of child abuse under the age of six in 2005. Analysts speculated that a greater willingness by the public to report cases of child abuse rather than an increased incidence may be the cause for the increase in reports.

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. The ombudsman monitored legislation and assessed its impact on children's welfare, with a particular focus on living conditions.

Trafficking in Persons

The law prohibits trafficking in persons, but there were reports that persons were trafficked to and through the country.

The country was a destination and transit point for trafficked persons. The actual incidence of trafficking remained unknown since no studies have been carried out to document the extent of 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. Many of these workers were Asian, employed by other Asians who frequently had family or clan ties to the victims.

The government and NGOs believed Russian organized crime syndicates to be the principal 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 the EU Schengen area to travel to any other EU Schengen country without inspection, facilitated the transit of persons trafficked into the country to other areas of Western Europe. In some cases traffickers confiscated victims' passports and used violence or the threat of violence to ensure their compliance.

The maximum penalty for trafficking in persons is seven years in prison. There are various other laws related to trafficking offenses that can be used to convict traffickers, including laws against organized prostitution, the dissemination of child pornography, the coordination of illegal entry into the country, and the marketing of sexual services.

In July the country conducted the first-ever prosecutions under anti-trafficking laws. Seven men and one woman were convicted and were given sentences ranging from 27 months to five years. The case involved the trafficking and exploitation of 15 Estonian women (one of whom suffered from an intellectual disability) who were forced to serve as prostitutes in Finland.

Authorities also targeted labor trafficking during the year. In September, police in Savonlinna arrested the owners of a Chinese restaurant on accusations that, over an eight-year period, the owners forced up to 10 Chinese workers to work for virtual slave wages and for hours far exceeding those prescribed by the labor law. In October two Vietnamese nationals were arrested in Pietarsaari on suspicion of labor trafficking in a similar case involving five Vietnamese restaurant workers.

Arrests in two unrelated cases of labor trafficking involving Chinese and Indian nationals were also made during the year, and trials in these cases were pending at year's end. 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 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 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.

During the year, antitrafficking efforts were assisted by the introduction of a specific type of residence permit for victims of trafficking. The permits allowed victims to remain in the country temporarily while recovering from their experience, seek employment, have access to healthcare and legal services, and have the opportunity to apply later for permanent residency.

In 2005 the government adopted a comprehensive national action plan to combat human trafficking. Based on the final report of an interagency 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. The government continued implementing each of these measures during the year.

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. The chairperson of the parliamentary human rights caucus, Ulla Antilla, organized several events focused on empowering persons with disabilities.

National/Racial/Ethnic Minorities

The country remained relatively homogenous, with most members of ethnic minorities having arrived as immigrants or asylum-seekers during the past 10 to 15 years. At the end of 2005, the immigrant population was estimated at 113,852 persons, or 2.2 percent of the total population. The largest immigrant groups were Russians (24,600), Estonians (15,400), Swedes (8,200), Somalis (4,700), and Serbians (3,300).

Although tension between citizens and minority groups was not overt, most racist and xenophobic incidents involved racial epithets directed toward immigrants in public. According to the Ministry of Interior, there were over 180 assaults or attempted assaults of a racist nature in 2004. Roma were the most frequent victims of racially motivated crimes, followed by Somalis, Russians, Turks, Iraqis, and Iranians. Ethnic Finns were also occasionally the victims of racially motivated crimes; these individuals were generally targeted because they associated with members of minority communities.

There were occasional reports of fights between Finnish and foreign-born youths. African and Middle Eastern immigrants were typically the targets. There were also reports of fighting between rival ethnic immigrant groups.

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 members of minority communities.

Reports of attacks against restaurants and other property owned by immigrants continued during the year. In August the homes of several Burmese refugees were attacked by approximately 20 local youth in the town of Kotka. Stones, bricks, and sticks were used as weapons to vandalize the homes. The Minister of Labor immediately criticized the attack, although no suspects were apprehended.

In August 2005 a pizzeria owned and operated by an immigrant in the city of Kajaani was raided by hooligans who destroyed the interior of the pizzeria and assaulted staff and customers. During the investigation that followed, the district police commander found that local police had failed to adequately respond to the incident, both in its immediate aftermath and in the ensuing investigation. Ten youths were charged in connection with the incident, and charges were pending at year's end.

Although no exact figures were available, the country had approximately 10,000 Roma, some of whom were native to the country and others who had arrived as asylum seekers or immigrants. According to the ombudsman for minorities, problems encountered by Roma extended to all areas of daily life, which resulted in serious marginalization, often extending to de facto exclusion from Finnish society.

Roma were frequently discriminated against in the areas of services and housing. In 2005 the NGO Finnish League for Human Rights conducted a study to test the extent of discrimination against Roma by sending Romani groups to several Helsinki restaurants. Many restaurants refused them entry, offering the Romas' own safety as justification. The human rights group criticized the government's slow response to their complaints.

Roma continued to experience difficulties in obtaining housing, and the minority ombudsman stated that such difficulties were on the rise throughout the country. Between 2004 and 2005, the number of housing complaints by Roma more than doubled.

In 2005 the minority ombudsman lodged complaints against at least two municipalities, Oulu and Lahti, for discriminatory housing practices toward Roma. The authorities found in favor of the Roma, and the Roma were granted apartments in the areas in question.

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 discrimination against Sami in employment, education, housing, or health services.

Despite protections in the constitution, members of the Sami community continued to protest the government's continued failure to pass legislation that would ensure protections of Sami land, resources, and economic livelihood. Sami complained that while 90 percent of the Sami home region is considered government-owned land, the government used this land for logging and other purposes without consulting the Sami.

During the year members of the Sami community continued to press legal challenges related to alleged violations of their land rights. In 2005 the state forestry administration extended logging into areas where Sami herdsmen held reindeer during the fall months. In November 2005 the Sami brought a complaint against the government to the UN Human Rights Committee, alleging that the logging was so intense that it threatened the Samis' traditional means of subsistence through reindeer herding. The committee issued an interim order asking the government to halt logging activities in the disputed areas; the state forestry administration abided by that order.

Sami complaints about logging practices continued during the year. On June 21, Sami herdsmen in Inari issued a report criticizing the National Forestry Board's "New Plan for Natural Resources," and noting that the plan had been prepared without Sami participation. On November 2, Sami representatives again expressed dissatisfaction with government attempts to address the logging problem and said that under the new plan, as much as four-fifths of forests outside of protected areas would be open to logging that could potentially harm traditional reindeer husbandry.

In April 2005 the UN Human Rights Committee decided another case involving Sami land rights, finding no violation of the Sami right to enjoy their culture. The applicants had alleged that since the 1980s, approximately 4,000 acres of their grazing land in Paadarskaidi had been logged, thereby destroying 40 percent of the tree lichen needed by grazing reindeer in winter and threatening their reindeer husbandry activities. The committee found that although there was a decrease in the number of reindeer as a result of the logging, the total number of reindeer remained relatively high and the logging therefore did not violate the Sami right to enjoy their culture.

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 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 age 16 from working more than six hours per 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

There is no legal minimum wage; however, the law requires all employers, including nonunionized employers, 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 five 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 four-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.