

FINLAND 2012 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 six-party coalition government. Municipal elections on October 28, presidential elections on January 22 and February 5, and parliamentary elections in 2011 were free and fair. Security forces reported to civilian authorities.

While serious abuses were rare, observers identified societal discrimination against Roma and members of other ethnic and linguistic minorities, particularly in the area of employment, as the country's most significant human rights problem. Domestic abuse and other violence against women and children were also chronic problems. Although the system for administering justice generally worked well, police at times failed to provide detainees timely access to legal counsel as required by law.

Other human rights problems included alleged bribery and abuse of trust involving elected officials and public statements by some politicians that demeaned ethnic and racial minorities.

The government took steps to prosecute officials suspected of corruption, and there were no reports of impunity during the year.

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

Prison and Detention Center Conditions

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

Physical Conditions: In 2011 the daily average prison population including pretrial detainees and remand prisoners was 3,262, of whom 0.2 percent were juveniles under 18 years of age, 2.4 percent were under 21 years of age, and 7.2 percent were women.

The 2011 annual report of the UN Committee against Torture expressed concern about overcrowding in some prisons and detention centers and the lack of appropriate sanitary facilities. On August 18, the media reported that although closures and renovations of selected prisons were underway, the number of inadequate cells where prisoners had only buckets for discharging human waste remained unchanged (222 prison cells). However, the media reported that all female and juvenile prisoners were located in cells with appropriate sanitary facilities. Prisoners and detainees had access to potable water.

Administration: Recordkeeping on prisoners was adequate, and authorities used alternatives to sentencing for nonviolent offenders. Prisoners and detainees had reasonable access to visitors and were permitted religious observance. Prisons did not have ombudsmen, but authorities permitted prisoners and detainees to submit complaints to judicial authorities and to the parliamentary ombudsman without censorship and request investigation of credible allegations of inhuman conditions. In 2011 the parliamentary ombudsman received 420 complaints regarding prison problems, including 136 cases that required follow-up or action.

Monitoring: The government permitted monitoring by independent nongovernmental observers in accordance with their standard modalities.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

Through the Ministry of the Interior, civilian authorities maintained effective control over the police, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment While in Detention

The law requires police to have a warrant issued by a prosecutor to make an arrest. A warrant must be obtained within three days if an individual is arrested while committing a crime; arrested persons must receive a court hearing within three days of arrest. Detainees must be informed promptly of the charges against them, and lawyers must be provided for the indigent. Authorities usually respected these rights in practice. There is no system of bail, but most defendants awaiting trial were eligible for conditional release based on personal recognizance. Reports have found that detainees' access to legal counsel often was delayed significantly. During the year there were no indications that this situation improved.

There were no reports of preventive detention, which the law allows 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 that suspects were detained incommunicado or held under house arrest.

e. Denial of Fair Public Trial

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

Trial Procedures

The constitution and law provide for the right to a fair, public trial without delay, and an independent judiciary generally enforced this right.

Defendants are presumed innocent until proven guilty. Detainees generally were informed promptly and in detail of the charges against them, with interpretation provided as necessary. The law does not provide for trial by jury. In criminal cases (and in some cases concerning family law) the court is composed of one presiding professional judge and three lay members (volunteers elected by the

municipal councils). Minor cases are tried by one judge alone. Defendants have a right to consult an attorney in a timely manner before trial. Defendants are given adequate time and facilities to prepare their defense. Attorneys are provided at public expense if defendants face serious criminal charges that can result in imprisonment or significant fines. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants 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. They have a 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 for human rights violations. They may appeal adverse decisions to the European Court for Human Rights (ECHR).

Regional Human Rights Court Decisions

When the ECHR finds a breach of the European Convention on Human Rights, the government's policy is to take action in the specific case in which the breach occurred and enact legislative and administrative changes to avoid a repeat of the infraction. The government paid monetary judgments awarded by the ECHR within the time period ordered by the court.

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

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

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and 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 press.

Freedom of Speech: The publication of hate material and public speech intended to incite discrimination or violence against any national, racial, religious, or ethnic group are crimes.

Internet Freedom

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms without appropriate legal authority. Approximately 95 percent of the population had access to the Internet.

Courts can fine persons found guilty of inciting racial hatred on the Internet, and during the year there were several reports that individuals incurred fines for publishing and distributing such material via the Internet.

On March 30, the media reported that the Kymenlaakso District Court fined Freddy van Wonterghem, a city councilman in Lappeenranta from the Finns Party, 420 euros (\$554) for a racist article published in the online newspaper *Uusi Suomi*.

On June 8, the Supreme Court confirmed the conviction of Jussi Halla-Aho, a parliamentarian from the Finns Party, for insulting Somalis and defaming Islam in blogs dating from 2008. In addition to levying a fine of 400 euros (\$530), the court ordered him to remove the offending material from his blog. While Halla-Aho removed the material, the blog entry contained links to news stories that still contained the offending material. Halla-Aho resigned from the chairmanship of the parliament's Administration Committee, which oversees immigration.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

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

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

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.

Safe Country of Origin/Transit: The EU's Dublin II Regulation recognizes all EU countries as safe countries of origin and transit. The regulation also authorizes the governments of EU member states to return asylum seekers to the countries where they first entered the EU. Following an ECHR judgment against Greece involving the treatment of asylum seekers, in January 2011 the Finnish Immigration Service temporarily stopped returning asylum seekers to that country.

Refugee Abuse: On May 25, Amnesty International (AI) criticized the government for its asylum procedures. AI expressed concern that many of those being detained were held in police detention facilities, contrary to international standards. In these cases, many were detained in mixed-sex facilities with individuals suspected of crime. Authorities also detained children seeking asylum, including unaccompanied children. AI stated that authorities were unable to provide comprehensive and reliable statistics on the numbers of irregular migrants and asylum seekers detained during the year.

In October the national broadcaster YLE reported that the parliamentary ombudsman reprimanded immigration officials for unnecessarily delayed processing of residence applications made on the grounds of family ties. The

ombudsman claimed that the Finnish Immigration Service's processing times for residence permits during the year were well in excess of the legal stipulation of nine months.

Durable Solutions: Parliament annually sets a quota for the number of refugees that may be admitted to the country. The government decides on the allocation of the quota. As in previous years, the quota was 750 persons.

The government assisted in the safe, voluntary return of refugees to their homes. A project launched in 2010 by the International Organization for Migration and the Finnish Immigration Service facilitated more than 288 safe returns from January to October and a total of 825 returns since the beginning of the project.

Temporary Protection: Between January and November the government provided subsidiary or humanitarian protection to 688 individuals who might not qualify as refugees.

Stateless Persons

According to the UNHCR, 3,614 stateless persons lived in the country at the beginning of January. 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. Involuntarily stateless persons and certain other special groups, such as refugees, have a shorter residency requirement--four years instead of six--than typical applicants before gaining citizenship.

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

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: On February 5, voters elected the center-right National Coalition Party's candidate, Sauli Niinisto, as the country's president in the runoff round of the election against Green League candidate Pekka Haavisto. In the first round of elections on January 22, two female and five male candidates representing

other political parties campaigned. Observers considered the presidential elections as well as the most recent parliamentary elections in April 2011 free and fair.

Participation of Women and Minorities: As a result of the April 2011 elections, 85 women entered the 200-seat parliament and nine women took portfolios in the 19-member Council of State (cabinet). The president of the Supreme Court was a woman. Four of the eight parties in parliament went into the election campaign with female leaders. Women were in the majority in two parliamentary groups: the Social Democratic Party (27 women and 15 men) and the Swedish People's Party (five women and four men).

There were 10 members of minority groups in parliament and two in the cabinet. Jani Toivola, a Kenyan-Finn from the Green League, became the first member of a racial minority to win a parliamentary seat, as well as one of the few openly gay members of parliament. The autonomous region of the Aland Islands elects one representative to the national parliament and has its own parliament. The indigenous Sami minority enjoys semiautonomous status and has its own parliament as well as full representation as citizens in the national parliament; however, no Sami were members of the national parliament.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively.

On April 18, the Helsinki District Court sentenced Ilkka Kanerva, a National Coalition Party member of parliament and former foreign minister, to a 15-month suspended sentence for bribery. The court found that property developers gave Kanerva's campaign donations and other support totaling more than 50,000 euros (\$66,000) to influence his approval of their development plans in his capacity as chairman of the Board of the Regional Council of Southwest Finland, a regional planning authority. Kanerva resigned from the planning authority but continued to serve in parliament and the municipal government of Turku. Kanerva appealed the ruling.

Nine persons, including Center Party member of parliament Antti Kaikkonen and Jukka Vihriala, a former Center Party member of parliament and head of the state-run Slot Machine Association (RAY), faced corruption charges related to donations made by the Youth Foundation, a nonprofit housing organization, in a continuing trial that began on January 15. Authorities accused Kaikkonen, a

former chairman of the board of the Youth Foundation, and other board members of making illegal political campaign contributions of 90,000 euros (\$119,000) between 1998 and 2009. The bribery charges related to Youth Foundation funds used to purchase works of art from a political action group supporting Vihriala, who was also the chairman of the board of the RAY. The foundation also financed travel for Vihriala. As chair of the RAY, Vihriala was directly involved in decisions on the distribution of state funding for the Youth Foundation.

By law income and asset information from all tax forms of all citizens, including public officials, must be made public each year. The Office of the Chancellor of Justice oversees government activities and prosecutes cases of possible corruption.

The law provides for public access to government information, with the exception of national security information and documents covered by privacy laws, and the government provided such access in practice.

Section 5. 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.

Government Human Rights Bodies: The parliamentary ombudsman enjoyed the government's cooperation, operated without government or party interference, and had adequate resources. The ombudsman investigates complaints that a public authority or an official has not observed the law or fulfilled a duty, or that fundamental human rights protections have not been appropriately implemented. In 2011, the most recent year for which data was available, 4,185 new matters were referred to the ombudsman, and the ombudsman issued a decision in 4,385 cases. The main targets of the complaints were the social welfare authorities, law enforcement authorities, healthcare, and penitentiary officials.

On March 1, the Human Rights Center began its operation as part of the parliamentary ombudsman's office. Its functions include promoting human rights, reporting on implementation of human rights, and participating in European and international cooperation on human rights. The center does not have the authority to investigate individual cases, however. On March 29, a human rights delegation composed of representatives of civil society that participate in promoting and

safeguarding rights was attached to the center. The delegation deals with far-reaching and important human rights matters and approves the center's operational plan and annual report.

The parliamentary Constitutional Law Committee analyzed proposed legislation for consistency with international human rights conventions. The parliamentary Legal Affairs Committee dealt with legislation relating to criminal and procedural law, the courts, and the prison system.

On March 22, the government adopted a national action plan on fundamental and human rights. The action plan outlines public projects to be implemented by each government ministry to promote the observance of constitutionally provided fundamental rights. The plan calls for 67 separate projects in the administrative branches of all ministries in 2012-13.

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

The constitution and law prohibit discrimination based on race, gender, disability, language, sexual orientation, and social status, and the government effectively enforced these prohibitions. However, there were reports of violence against women and children, trafficking in persons, and societal discrimination against foreign-born residents and Roma.

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and domestic violence, and the government enforced the law effectively. The law also defines coercion into a sexual act or intercourse, including with a defenseless person (that is, intoxicated or disabled), as a crime as severe as rape. The maximum prison sentence for rape is six years but can be as much as 10 years in cases of aggravated rape. Between January and June, police received 519 reported cases of rape, and in all of 2011, they received 1,039 cases of reported rape. In 2011, the most recent period for which government figures were available, courts convicted 177 persons of rape.

Domestic abuse may be prosecuted 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. The nongovernmental organization (NGO) Federation of Mother and Child Homes and Shelters stated domestic violence was a problem in all age and social groups regardless of level of education. Violent behavior within a family often went unreported to police. Government statistics indicated that in 2011, 38 women were killed, including 27 who were victims of domestic violence, compared with 28 in 2010. The annual homicide rate for women averaged 1.3 deaths per 100,000 inhabitants compared with a rate of 3.3 deaths for men. Statistics from 2003-10 indicated that the majority of female victims were killed at home (56 percent); in 67 percent of the cases the killer was a spouse or boyfriend.

Police may refer potential perpetrators or victims of domestic violence to government social welfare agencies that have programs to reduce domestic violence. These programs promoted cooperation between cohabiting partners by providing support to victims, with anger management counseling and other advisory services for perpetrators.

The government encouraged women to report domestic violence and abuse and provided counseling, shelters, and other support services to victims of domestic violence and rape. It also funded NGOs that provided additional services, including a telephone hotline and crisis center. However, the Council of Europe's Commissioner for Human Rights stated that the current action plan to reduce violence against women would require further resources to meet its targets. He also asserted that emergency shelters in the country were insufficient.

Sexual Harassment: Sexual harassment is prohibited by law, and the government generally enforced the law in practice. The prosecutor general is 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. According to the Office of the Ombudsman for Minorities, one of the official bodies that track gender-related problems in the country, inappropriate treatment of women in the workplace remained a problem.

Union leaders fired the media director of the Transport Workers' Union (AKT), Hilikka Ahde, after she filed a complaint of sexual harassment against the union's president, Timo Raty. Raty's secretary, Nesrin Can, made a similar complaint. On March 22, the AKT's board reinstated Ahde and relieved Raty of his responsibilities during the investigation. It fired him on June 7. The AKT board named Jarmo Piirainen as the new chairman on November 30.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, and have the information and means to do so free from discrimination, coercion, and violence. Women have access to contraception and skilled attendants during childbirth, including obstetric and postpartum care.

Discrimination: Women have the same rights as men under family and property laws and in the judicial system. The government maintained three entities devoted to gender equality problems: the ombudsman for equality, the Gender Equality Unit, and the Council for Equality.

The law stipulates that men and women must receive equal pay for equal work. The law provides that individuals may receive compensation for lost wages in cases where gender-based discrimination is proven. However, allegations of wage discrimination against women continued. In 2011 the equality ombudsman's office received 388 complaints (47 percent of all cases) alleging discrimination and unequal treatment based on gender.

During the year, according to Statistics Finland, women's pay was 84 percent that of men.

Children

Birth Registration: Citizenship generally is acquired at birth through one or both of the child's 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 in the Population Information System.

Child Abuse: Information on violence against children was not collected comprehensively. According to police statistics, there was at least one case involving the killing of a child in the first half of the year. The government ombudsman for children's affairs under the Ministry for Social Affairs and Health continued to work to raise public awareness of child abuse and promote the government's child, youth, and family policy program.

Child Marriage: The minimum age of marriage is 18. According to media reports the Justice Ministry, which must approve underage marriages, received fewer than

100 applications for underage marriage per year. Most cases were approved based on pregnancy or religion.

Sexual Exploitation of Children: Intercourse with a minor is considered an aggravated offense with penalties ranging from one to 10 years' imprisonment. The law prohibiting purchase of sexual services from minors covers so-called "grooming" (enticement of a child) including in a virtual environment or through mobile telephone contacts. All sexual crimes against children are subject to public prosecution, including if committed by the country's residents outside the country.

The country has laws against statutory rape; the age of sexual consent is 16. The minimum legal age for sex work is 18. A person whose age cannot be determined, but who can reasonably be assumed to be under the age of 18, is regarded as a child. Sexual abuse of a child carries a maximum sentence of four years' incarceration while aggravated sexual abuse of a child carries a maximum penalty of 10 years' imprisonment. Manufacturing, selling, renting, importing, or exporting sexually obscene pictures or recordings of children carries a maximum prison sentence of two years, and aggravated distribution of sexually obscene pictures of children carries a minimum sentence of four months and a maximum sentence of six years' imprisonment.

According to police statistics published by Statistics Finland, during the year there were 1,590 cases of child sexual abuse in the country, compared with 1,459 in 2011.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

According to Statistics Finland, the country's Jewish community numbered approximately 1,500. The largest Jewish community (in Helsinki) consisted of 1,150 members. In September the magazine *Kaleva* reported that the Central Council of the Jewish Community asked the police to investigate an anti-Semitic article that originated in Argentina and appeared in a free supermarket newspaper published by Magneettimedia, a private advertising firm. The publication reached approximately 300,000 persons. National broadcaster YLE reported that the matter was being investigated by police and the prosecutor general at year's end.

On March 11, Helena Eronen, an assistant to Finns Party parliamentarian James Hirvisaari, wrote in a blog that foreigners and other minorities should wear visible armbands so that police could more easily identify different minority groups. The blog entry was in response to wider public debate over personal searches conducted by police. Hirvisaari refused to fire Eronen, stating that the blog entry was satire and not a real proposal. In response, the Finns Party parliamentary group temporarily suspended Hirvisaari from the parliamentary caucus. On August 13, Eronen announced her resignation.

The Ministry of Education continued to integrate tolerance and antibias courses and material into the public-school curriculum. Students begin studying the Holocaust and the phenomenon of anti-Semitism in the eighth grade.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in all fields, including employment, education, access to health care, or the provision of other state services. The government effectively enforced these provisions.

Laws mandating access to buildings for persons with disabilities generally were enforced, although many older buildings remained inaccessible. Most forms of public transportation were accessible, but problems continued in some geographically isolated areas. The Ministry for Social Affairs and Health and the Ministry of Employment and the Economy are responsible for protecting the rights of persons with disabilities, and do so effectively.

Approximately 200,000 persons with disabilities lived in the country. On August 9, the Finnish Broadcasting Company reported that persons with physical disabilities were likely to experience difficulties entering the labor market, although many of them would like to work and would receive public training and educational services. A doctoral thesis for Eastern Finland University found that the public service system is too rigid to meet personal needs. The thesis proposed better collaboration between the government and persons with disabilities, as well as structural changes to public services.

Children and young persons with disabilities attend primary, secondary, and higher education school and study together with their peers. According to the most recent government statistics available, in 2011 44,081 pupils-- 8.1 percent of all pupils in the nine years of mandatory schooling--had disabilities.

The Council of Europe's human rights commissioner identified 21 hate crimes directed at persons with disabilities in 2010.

National/Racial/Ethnic Minorities

There was some societal tension between ethnic Finns and minority groups, and there were reports of racist or xenophobic incidents. On September 25, the Council of Europe's Commissioner for Human Rights reported, "Denigrating and degrading statements made by several populist politicians have also amounted to incitement to hatred against immigrant groups."

On December 13, the Northern-Savo District Court found a 27-year-old man guilty of incitement of hatred against immigrant groups. In April the man wrote in a public Internet discussion forum that he wanted to kill immigrants. The court fined him 120 euros (\$160).

In 2011 the police filed 918 reports of suspected hate crime cases, a 7 percent increase compared with the previous year. The majority of the cases (86 percent) were racist incidents ; 6.6 percent were motivated by the victim's religious background; 4.6 percent by sexual orientation; and 2.6 percent by disability. Somalis experienced the highest frequency of racially motivated crimes among foreign citizens resident in the country. The law does not have a specific category for "race-related crimes" or "hate crimes." However, racism as a motive or party to another motive to any other criminal act is a cause for aggravating the sentence.

According to the minority ombudsman, discrimination against the country's approximately 10,000-12,000 Roma extended to all areas of life, resulting in their effective exclusion from society. Groups of Roma have lived in the country for centuries, and Roma are classified as a "traditional ethnic minority" in the ombudsman's report. The Romani minority was the most frequent target of racially motivated discrimination, followed by Russian-speakers, Somalis, and Sami. Ethnic Finns were also occasionally victims of racially motivated crimes for associating with members of minority communities.

A significant influx of adult Romani beggars from Romania to Helsinki and other large cities started in 2007 after Romania joined the EU. The number of beggars varied significantly during the year, ranging from approximately 200-300 during the summer months to only a few dozen during the winter. Helsinki city officials believed that word had spread through the itinerant Romani community that winter conditions in the country are challenging.

Social workers launched an information campaign to educate Roma arriving in the country on local child welfare laws. Helsinki city officials and the Deaconess Institute distributed leaflets in English and Romanian highlighting Finnish laws, including those forbidding children from sleeping in cars or on the street. During the summer a Romanian police officer assisted Finnish police in dealing with problems involving the Romanian Romani community.

At the end of 2011, 58,300 Russian-speakers lived in the country, principally in Helsinki and areas along the Russian border. They were by far the largest minority not speaking Finnish or Swedish, the country's two official languages. The Finnish Union of Russian-Speaking Associations stated that Russian-speakers in the country risked being left in "an information vacuum" due to the lack of materials in their language.

According to a study by the Ministry of Economy and Employment, ethnic minorities faced discrimination at the recruitment stage in the labor market. Other grounds, such as age, gender, disability, sexual orientation, religion, and opinion, did not lead to labor discrimination as frequently as ethnicity, nationality, and language. Authorities estimated that the frequency of ethnic discrimination was more than three times higher than gender discrimination. A study in May cited by the Council of Europe's human rights commissioner found that job seekers with Russian names had to send twice as many applications as those with Finnish names in order to receive an invitation for a job interview. Earlier studies indicated that Somalis/Sub-Saharan Africans and Arabs perceived the most discrimination both in recruitment and at the work place, while Estonians and Ingrian-Finns reported only slight discrimination in all categories. According to research reported by the Council of Europe's human rights commissioner on September 25, 41.2 percent of young Somalis in the country did not go to school or work, compared with approximately 5 percent of young persons in the majority population who were considered marginalized.

The government strongly encouraged tolerance and respect for minority groups and sought to address racial discrimination. All government ministries included

antiracism provisions in their educational information, personnel policy, and training programs. The government monitored the treatment of national, racial, and ethnic minorities by police, border guards, and teachers. The government's minority ombudsman monitored and assisted victims of discrimination. The ombudsman for minorities supervised compliance with the prohibition of ethnic discrimination.

In 2011, the most recent year for which data was available, the ombudsman for minorities processed 830 cases of discrimination. Roma remained the largest ethnic group contacting the ombudsman for minorities. As in earlier years, the majority of Romani clients contacted the office about housing problems. The second-largest group to contact the ombudsman for minorities was Russian-speakers.

Indigenous People

The constitution provides for the protection of the Sami language and culture, and the government financially supported these efforts. The Sami, who constitute 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 the Interior. It can adopt legally binding resolutions, propose initiatives, and provide policy guidance.

Despite constitutional protections, members of the Sami community continued to protest the lack of explicit legislation to safeguard Sami land, resources, and economic livelihood. The government owned 90 percent of the land in the Sami home region, much of it in the form of national parks. Sami have alleged for decades that the government used their land for logging and other purposes without consulting them. On September 25, the Council of Europe's human rights commissioner advised the government to devote greater attention to problems regarding Sami land and reindeer herding.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits discrimination on the basis of gender identity, sexual orientation, or other personal characteristics. The government generally respected these rights, and law enforcement authorities investigated and punished violations.

On July 19, in the city of Oulu, local Helsinki politician Dan Koivulaakso was attacked with pepper spray while delivering a speech at a gay pride festival. Police arrested a suspect on October 10 and were investigating the case as battery and an attack on political freedom.

On August 17, the media reported that police had begun a criminal preinvestigation against Finns Party member of parliament James Hirvisaari for hate speech in which he compared homosexuality to mental retardation. On September 13, Deputy General Prosecutor Jorma Kalske closed the pretrial investigations regarding the case.

On May 4, the Helsinki appeals court confirmed suspended four-month sentences for assault, breach of political freedom, and weapons possession for three young men who attacked the 2010 Helsinki Pride parade.

Other Societal Violence or Discrimination

There were no reports of societal violence against persons with HIV/AIDS. However, authorities did not allow gay men to donate blood or organs for use in the country because of the perceived increased risk of hepatitis or HIV infection.

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, conduct legal strikes, and bargain collectively. The law prohibits antiunion discrimination, and there were no reports that such discrimination occurred during the year. Any restriction or obstruction of these rights is prohibited.

The law exempts from the right to strike public sector employees who provide essential services. An official dispute board can make nonbinding 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 provide for due process in the resolution of their concerns. Trade unions were independent of government influence.

The government respected the freedom of association and the right to collective bargaining. There were no instances of the government interfering in the functioning of workers' organizations.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government effectively enforced the law.

c. Prohibition of Child Labor and Minimum Age for Employment

The law allows children over the age of 15 but under 18 to enter a valid employment contract as long as work does not interrupt compulsory education. Such employment is restricted to no more than nine hours per day and 48 hours per week with mandatory minimum daily rest of 12 hours. Young workers (15-18 years old) may not work at night after 10:00 p.m. or under conditions that risk health and safety.

Children under the age of 15 may be employed for summer work, school-related events, modeling, and other similar purposes, but the approval of both their guardians and the Finnish Occupational Safety and Health Administration (OSHA) is required, and their working hours are limited in all cases. Employers are required to provide work insurance, social payments, and a letter of reference for all young workers. The law applies to work done by all persons under 18 years of age, whether in the private or public sector. In addition to employment relationships, the law applies to the practical training of pupils younger than 18 years old or practical work done at school.

The Ministry of Employment and the Economy effectively enforced child labor regulations. In 2011 OSHA conducted 22,300 inspections at nearly 16,000 sites. There were no reports of children engaged in work outside the parameters established by law.

d. Acceptable Conditions of Work

There is no national minimum wage law; however, the law requires all employers, including nonunionized employers, to pay minimum wages stipulated in collective bargaining agreements. The Ministry of Employment and the Economy is responsible for labor policy strategy and implementation, improving the viability

of working life and its quality, and promoting employment. The government sets occupational health and safety standards, and the Ministry of Social Affairs and Health enforced them effectively.

The standard workweek established by law is eight hours per day with no more than 40 hours of work per week. The Working Hours Act does not include a provision regarding a five-day work week, so the regular working hours may, at least in principle, be arranged to cover six days. The regular weekly working hours can also be arranged in such a way that the average is 40 hours over a period of no more than 52 weeks. According to Eurostat the full-time workweek averaged 35.3 hours for all workers in the second quarter of the year. Certain occupations, such as seamen, household workers, road transport workers, and workers in bakeries, are subject to separate workweek regulations. Employees working shifts or during the weekend are entitled to one 24-hour rest period per week. Workers are entitled to time-and-a-half pay for the first hour of overtime work and double-time pay for time beyond the first hour. The law limits a worker to 250 hours of overtime per year and 138 overtime hours in any four-month period. Employees are entitled to paid annual holidays and leave. The law requires equal pay for equal work, but in practice there appears to be a gap in pay between male and female employees. The government sets occupational health and safety standards

Labor and occupational safety laws cover all employees in the country, regardless of their nationality.

The Ministry of Employment and the Economy is responsible for labor legislation, and the Ministry of Social Affairs and Health is responsible for enforcement of labor legislation. The ministry's OSHA monitors compliance with occupational safety and health legislation, including overseeing the employment terms for young workers. OSHA has the right to enter workplaces and to carry out health and safety inspections. It conducted 22,300 workplace field inspections in 2011, the latest available data. The administration 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 involves a risk to life, an inspector may halt work on the site or issue a prohibition notice concerning the source of risk.

There was adequate enforcement of wage and overtime laws and adequate resources, inspections, and penalties to deter most violations.

In June OSHA inspectors discovered that employees of the real estate management firm Lassila & Tikanoja had worked hundreds of hours more than the maximum allowed overtime during the previous year. The agency was considering seeking criminal charges against the company. In July it cited the transport, stevedoring, and industrial sectors as the sectors with the worst records with regard to illegal overtime.

In 2011, the most recent year for which data was available, there were 111,000 workplace accidents which resulted in the loss of three or more days of work, an increase of 6.3 percent from the previous year. The sectors with the greatest number of accidents were construction and transportation. Workplace accidents led to 33 deaths.