

FINLAND 2013 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 and presidential elections in 2012 and parliamentary elections in 2011 were free and fair. Authorities maintained effective control over security forces, and security forces did not commit human rights abuses.

While serious abuses were rare, societal discrimination continued against Roma and members of other ethnic and linguistic minorities, particularly in the area of employment. Domestic abuse and other violence against women and children were also chronic problems.

Other human rights problems included the failure of police at times to provide detainees timely access to legal counsel as required by law, incarceration of unaccompanied minor asylum seekers, and alleged bribery.

The government took steps to prosecute officials who committed abuses, 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. The office of the prosecutor general investigates abuses by police.

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: On January 1, the prison population, including pretrial detainees and remand prisoners, was 3,134. In January 2012 of the prison population 0.3 percent were juveniles under 18 years of age, and 7.2 percent were women.

On May 16, the government reported “slight overcrowding” in the prisons in Vantaa, Kerava, Jokela, Kuopio, Pelso, Kylmakoski, and Turku. At the end of 2012, a total of 73 cells in the Helsinki Prison and 125 in Hameenlinna Prison lacked 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 could observe their religious practices. 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 to request investigation of credible allegations of inhuman conditions. In 2012 the parliamentary ombudsman received 324 complaints regarding prison problems, including 106 cases that required follow-up or action.

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 had 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 of Detainees

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. There is no system of bail, but most defendants awaiting trial were eligible for conditional release based on personal recognizance. The government must provide lawyers for the indigent. Authorities usually respected these rights. Persons detained for “minor” criminal offenses do not have a right to an attorney from the outset of detention or prior to interrogation. There were reports that detainees’ access to legal counsel was sometimes delayed.

There were no reports that suspects were detained *incommunicado* or held under house arrest.

The law entitles a litigant to receive compensation from the government if trial proceedings are delayed.

e. Denial of Fair Public Trial

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

Trial Procedures

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

Defendants are presumed innocent until proven guilty. Authorities generally informed detainees promptly and in detail of the charges against them, 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 consists of one presiding professional judge and three lay members (volunteers elected by the municipal councils). One judge alone tries minor cases. Defendants have a right to consult an attorney in a timely manner before trial. The government provides attorneys at public expense if defendants face serious criminal charges that can result in imprisonment or significant fines. Authorities give defendants adequate time and facilities to prepare their defense. 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.

The constitution and law extends the above rights to all citizens, and no groups were denied these rights.

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.

Regional Human Rights Court Decisions

Individuals may appeal adverse court decisions affecting their human rights to the European Court for Human Rights (ECHR). As of September the ECHR issued two judgments against the country during the year. 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.

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. An independent press, an effective judiciary, and a functioning democratic political system combined to promote 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 is a crime.

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.

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 internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

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

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 III 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. The policy remained valid during the year. An unsuccessful asylum seeker may request a suspension of deportation proceedings pending an appeal, and such requests are granted as a matter of policy. An appeal does not, however, suspend deportation proceedings, which the asylum seeker must request separately.

Refugee Abuse: Amnesty International's annual report on May 23 continued to criticize the country for incarcerating in police facilities children seeking refugee status. The government indicated that, in most instances, this only occurs for a few hours at a time when the refugee detention centers are too full to accommodate additional refugees. The parliamentary ombudsman's annual report noted that typically the complaints concerning immigration officials related to unsatisfactory decisions regarding visa, residence and asylum decisions, and long processing periods.

On July 25, the UN Human Rights Committee expressed concern about the capacity of the Metsala detention center and the placement of detained individuals whom Metsala could not accommodate in police detention facilities.

Durable Solutions: Parliament annually sets a quota for the number of refugees for admission 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 of the International Organization for Migration and the Finnish Immigration Service facilitated 192 safe returns from January to July.

Temporary Protection: According to the most recent statistics available, between January and September the government provided temporary protection to 259 individuals who might not qualify as refugees.

Stateless Persons

According to the UNHCR, 2,017 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 through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: Municipal elections in November 2012 were considered free and fair. In February 2012 voters elected the center-right National Coalition Party's candidate, Sauli Niinisto, as the country's president in free and fair elections.

Participation of Women and Minorities: Following the 2011 elections, there were 85 women in the 200-seat parliament. Nine women held portfolios in the 19-member Council of State (cabinet). The president of the Supreme Court was a woman. 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, was 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; no Sami were members of the national parliament.

Section 4. Corruption and Lack of Transparency in Government

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

Corruption: On January 30, the Helsinki District Court gave Antti Kaikkonen, a member of parliament from the Center Party, a five months' suspended sentence for abusing his position of trust in a youth foundation with close ties to the party in order to funnel money to other Center Party politicians from 1998 to 2009. The court also sentenced Jukka Vihriala, chair of the Slot Machine Association (RAY), to 18 months on parole for taking bribes from the foundation while the RAY cleared large grants to the foundation.

The trial of six former executives of the Finnish defense company Patria accused of bribery began on August 21. The defendants, among them former Patria chief executive officer Jormo Wiitakorpi, are charged with offering bribes to Slovenian officials in order to secure a contract for providing armored vehicles to the Slovenian army.

Whistleblower Protection: The law provides protection from retaliation to public and private employees for making internal disclosures or lawful public disclosures of evidence of illegality, such as the solicitation of bribes or other corrupt acts, gross waste or fraud, gross mismanagement, abuse of power, or substantial and specific dangers to public health and safety.

Financial Disclosure: 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.

Public Access to Information: The law provides for public access to government information, with the exception of national security information and documents covered by privacy laws. The government had a sufficiently narrow list of exceptions for nondisclosure, responded in a timely manner to information requests, and enforced public access regulations with government officials.

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 appropriately implemented fundamental human rights protections. In 2012, the most recent year for which data was available, the ombudsman received 4,723 new matters and issued a decision in 5,002 cases. The main targets of the complaints were social welfare authorities, law enforcement authorities, healthcare, and penitentiary officials.

The Human Rights Center operated 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. A human rights delegation composed of representatives of civil society who 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.

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. 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 with a disability), as a crime as severe as rape. The maximum prison sentence for rape is six years, which courts can extend up to 10 years in aggravated cases. There were 1,009 rapes reported in 2012. Individual reports of an offense may include a series of incidents comprising several criminal acts.

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

Violence against women, including spousal abuse, continued to be a problem. Violent behavior within a family often went unreported to police. Amnesty International estimated that less than 10 percent of all rapes were reported and that, of those reported, less than 20 percent resulted in a conviction. The organization believed that conciliation and mediation were widely used to deal with crimes of domestic violence and violence against women.

According to a study by the National Research Institute of Legal Policy published on June 18, women and men reported an equal number of violent incidents. Men more often reported themselves as victims of aggravated violence. Surveys indicated that women were more commonly subject to workplace and domestic violence than were men.

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. The government established an online portal to provide information for domestic and sexual violence victims, information on safe houses, etc. It also funded nongovernmental organizations that provided additional services, including a telephone hotline and crisis center.

In its July 25 observations on the implementation of civil and political rights in the country, the UN Human Rights Committee found that the country had insufficient facilities available to female victims of violence.

Sexual Harassment: The law prohibits sexual harassment, and the government generally enforced the law. 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 in prison. According to the Office of the Ombudsman for Minorities, inappropriate treatment of women in the workplace remained a problem.

In January a Helsinki court charged the former president of the Transport Workers' Union, Timo Raty, with violating workplace security in connection with allegations of sexual harassment by the union's former employee, Hilde Ahde. His trial continued in September.

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.

Discrimination: Women have the same rights as men under the law. The government maintained three entities devoted to gender equality: the ombudsman for equality, the Gender Equality Unit, and the Council for Equality.

The law prohibits pay discrimination on the basis of sex or gender. The law provides that individuals may receive compensation for lost wages in cases where gender-based discrimination is proven. In 2012 the equality ombudsman's office received 255 complaints (49 percent of all cases) alleging discrimination and unequal treatment based on gender.

During the year, according to Statistics Finland, women's pay was 82 percent that of men.

Children

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

Child Abuse: Authorities did not collect information on violence against children comprehensively. The government ombudsman for children's affairs under the Ministry for Social Affairs and Health continued to raise public awareness of child abuse and promote the government's child, youth, and family policy program.

Forced and Early 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 during the year. It approved most cases based on pregnancy or religion.

Sexual Exploitation of Children: The law considers intercourse with a minor an aggravated offense with penalties ranging from one to 10 years in prison. 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. The law regards a person whose age cannot be determined, but who can reasonably be assumed to be under the age of 18, as a child. Sexual abuse of a child carries a maximum sentence of four years in prison while aggravated sexual abuse of a child carries a maximum penalty of 10 years in prison. 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 in prison.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's country-specific information at www.travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

According to Statistics Finland, at the beginning of the year the country's Jewish community numbered 1,188 persons, living mostly in the Helsinki area.

On May 31, the media reported that the deputy state prosecutor charged Juha Karkkainen, the publisher of the *Magneettimedia* newspaper, which is circulated free of charge to more than 350,000 homes in the Oulu, Lahti, and Kokkola areas, with inciting hatred against an ethnic group. The newspaper translated and republished three anti-Semitic articles by two American and one Argentine author. The district court found Karkkainen guilty on October 21 and ordered his publishing company to pay a fine of 45,000 euros (\$61,000). On July 25, *Magneettimedia* published a biographic profile about an American pastor who writes anti-Semitic literature. At the end of the year *Magneettimedia* ceased publication.

In March police contacted several members of the country's Jewish community after finding details about them on a removable flash drive in the possession of a neo-Nazi activist. Police had taken the man into custody earlier for a stabbing at an event on right-wing extremism and found the flash drive upon searching his apartment.

The speaker of parliament reprimanded Finns Party Member of Parliament James Hirvisaari and the Finns Party expelled him from the party after he took a photo of right-wing political activist Seppo Lehto giving the Nazi salute in the Grand Chamber of parliament on September 27. Lehto was visiting parliament as a guest of Hirvisaari and later posted the photo to his Facebook account. Hirvisaari later apologized for the incident and stated he condemned Nazism.

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.

Authorities generally enforced laws mandating access to buildings for persons with disabilities, 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 did so effectively.

Approximately 200,000 persons with disabilities lived in the country. According to the Finnish Broadcasting Company, persons with physical disabilities were likely to experience difficulties entering the labor market.

On August 16, the Finnish Broadcasting Company reported concerns of national disability associations that the needs of persons with disabilities were not sufficiently addressed during new construction projects.

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

National/Racial/Ethnic Minorities

There was some societal tension between ethnic Finns and minority groups, and there were reports of racist or xenophobic incidents.

In 2011 police filed 918 reports of suspected hate crime cases, a 7-percent increase from the previous year, and prosecuted 29. The majority of the cases (86 percent) involved racist incidents; the victim's religious background motivated 6.6 percent of the remaining cases, sexual orientation 4.6 percent, and disability 2.6 percent. 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," but the presence of racism as a motive or partial motive to any other criminal act is a cause for aggravating the sentence.

On July 9, the European Commission against Racism and Intolerance (ECRI) released a report that expressed concern immigrants still suffered discrimination in various fields including employment and that the country's Aliens' Act contained discriminatory provisions. The ECRI noted that the National Discrimination Tribunal neither awarded compensation to victims of discrimination nor dealt with cases of discrimination in employment or immigration matters. The report also noted that a shortage of human and financial resources undercut the effectiveness of the Ombudsman of Minorities and the Advisory Board for Ethnic Relations.

In 2012, the most recent year for which data was available, the minority ombudsman processed 641 cases of discrimination. Roma filed 60 cases, 40 of which related to housing and residence problems.

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. 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 seasonal influx of adult Romani beggars from Romania to Helsinki and other large cities continued. 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 about the challenging winter conditions in the country. The ECRI report placed Romani unemployment at 40 percent.

Social workers continued 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.

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 2012 cited by the ECRI report 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. According to research reported by the Council of Europe's human rights commissioner in September, 41 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. The July ECRI report estimated Somali unemployment

at 50 percent. Statistics Finland estimated the Somali population in the country to be 7,468 in 2012.

At the end of 2012, an estimated 62,550 Russian-speakers lived in the country, principally in Helsinki and areas along the Russian border, 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 in "an information vacuum" due to the lack of materials in their language.

In May several prominent Swedish-speaking Finns reported to police that they had received threatening anonymous e-mails. Police believed the threats to be the work of a single person or small group of individuals. On August 23, Minorities Ombudsman Eva Biaudet reported in the press that individuals using language tying her to the Swedish-speaking political party had publicly confronted her twice within a week. Prime Minister Jyrki Katainen and public opinion in general strongly condemned the threats.

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.

The July ECRI report cited as improvements the strengthening of the criminal law punishing offenses motivated by "race," color, ethnic or national origin, religion and beliefs; the establishment of a Discrimination Monitoring Group to gather information on the efforts to combat discrimination; the publication of the national policy on Roma; and the reduction in the residence period required for acquiring citizenship.

Indigenous People

The constitution provides for the protection of the Sami language and culture, and the government financially supported these efforts. The Sami, who constituted less than 0.1 percent of the population, have full political and civil rights as citizens as well as a measure of autonomy in their civil and administrative affairs. A 21-

member Sami parliament (Samediggi), popularly elected by the Sami, is responsible for the group's language, culture, and matters concerning their status as an indigenous people. The Sami parliament is an independent body but operates under the purview of the Ministry of the Interior. It can adopt legally binding resolutions, propose initiatives, and provide policy guidance.

The law provides the right for Sami-speakers to use Sami when accessing health services in their homeland area. Services have helped improve the Sami people's quality of life, well-being, and health. A targeted state grant has been available to municipalities since 2002 for ensuring the availability of social and health care services in Sami.

On July 25, the UN Human Rights Committee expressed concern about the rights of the Sami people to participate in decision-making concerning their own culture and way of life, drawing specific attention to their rights to land and resources. It recommended that the country take appropriate measures to guarantee that all Sami children are entitled to be taught in their own language.

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.

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

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

On June 4, the media reported that Helsinki Lutheran Bishop Irja Askola received hundreds of hate messages and letters condemning her announcement that she had selected a same-sex couple for missionary work in Asia. She stated in the media that the decision to select the same-sex couple was not a statement about the church's stance concerning same-sex marriage, but rather was based on the couple's skills.

On June 11, the state prosecutor filed charges against a man who attacked politician Dan Koivulaakso with pepper spray while delivering a speech at a gay pride festival in July 2012. The defendant faced charges of assault and violation of political freedom and the right to assemble.

On January 28, the Helsinki Court of Appeals fined Kai Telanne, the managing director of Alma Media, approximately 7,000 euros (\$9,500) for sexual discrimination against Johanna Korhonen. In 2008 Alma Media fired Korhonen from her position as the editor of regional daily *Lapin Kansa* on learning that she was lesbian.

Other Societal Violence or Discrimination

There were no reports of societal violence against persons with HIV/AIDS. Authorities did not allow gay men to donate blood or organs for use in the country.

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 any restriction or obstruction of these rights.

The law excludes from the right to strike public sector employees who provide “essential services” including police officers, firefighters, medical professionals, and border guards. An official dispute board can make nonbinding recommendations to the cabinet on ending or limiting the duration of strikes when they threaten national security. Employees prohibited from striking can use arbitration to provide for due process in the resolution of their concerns.

The government effectively enforced all applicable laws regarding the freedom of association and the right to collective bargaining. Freedom of association and collective bargaining were respected in practice, and there were no reports of violations. Employers who violate the rights of employees to organize and retain employee representatives may face administrative measures, legal proceedings, and fines. The penalties for such violations are generally sufficient to deter violations. Administrative and judicial procedures in labor cases were not subject to lengthy delays and appeals. There were no reports of antiunion discrimination during the year.

b. Prohibition of Forced or Compulsory Labor

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

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. It restricts such employment 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 after 10:00 p.m. or under conditions that risk their health and safety.

Children under the age of 15 may engage in summer work, school-related events, modeling, and other similar purposes, but both their guardians and the Finnish Occupational Safety and Health Administration (OSHA) must approve; the law limits their working hours in all cases. The law requires employers 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. The penalties for violators of child labor regulations range from a fine to up to 12 months in prison. In 2012 OSHA conducted 22,500 inspections at nearly 19,000 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 standard workweek established by law is eight hours per day with no more than 40 hours of work per week. The law does not include a provision regarding a five-day workweek, so the regular working hours may, at least in principle, 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. Certain occupations, such as seamen, household workers, road transport workers, and workers in bakeries, are subject to separate workweek regulations. The law entitles employees working shifts or during the weekend to one 24-hour rest period per week. Compensation for overtime work was 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 there appeared to be a gap in pay between male and female employees.

The Ministry of Employment and the Economy is responsible for drafting labor legislation and the Ministry of Social Affairs and Health is responsible for enforcement of labor laws and regulations. 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'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. OSHA employed 350 labor inspectors and conducted 22,500 workplace inspections in 2012, according to the latest available data. The administration informs employers of inspections in advance unless a surprise inspection was 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 issued an improvement notice and monitored the employer's compliance. When necessary, OSHA may issue a binding decision and impose a fine. If a hazardous situation involved a risk to life, an inspector could halt work on the site or issue a prohibition notice concerning the source of risk.

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

There were 126,500 workplace accidents in 2012. The construction and industry sectors had the greatest numbers of accidents. Workplace accidents led to 28 deaths.