

FINLAND

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SUMMARY

Discrimination against Sámi minority

The only indigenous people within the territory of Finland are the Sámi, who enjoy cultural autonomy in the Sámi Homeland. The Constitution of Finland protects the right of the Sámi to maintain and develop their own language and culture as well as a provision on the self-government of the Sámi.

The intention is to ratify the Convention No. 169 of the International Labour Organisation concerning Indigenous and Tribal Peoples during this Government's term of office.

The Act on the Sámi Parliament is being reviewed with a view to determining the need for amendments.

As regards the right of the Sámi to their traditional lands, a working group has been appointed by the Ministry of Agriculture and Forestry in 2012 to prepare legislation for increasing the participation right of the Sámi people in the decision-making procedure for issues related to the use of land and water areas. Also the participation rights of the rest of the local population will be taken into account by the working group. The working group will complete its work in March 2014.

The Sámi Language Act establishes the right of the Sámi to use their own language also directly in practice, not only through interpretation and translation. A report on the functioning of the Sámi Language Act shows that authorities still have very few employees who know some of the three Sámi languages (North Sámi, Inari Sámi and Skolt Sámi) spoken in Finland, and that Sámi is used only scarcely. To improve the situation, a decision-in-principle on the revival programme for the Sámi language is being drafted under the leadership of the Ministry of Education and Culture. The Ministry of Education and Culture has also supported language nest activities arranged in all three Sámi languages.

Issues related to detention conditions

The National Action Plan to fundamental and human rights contains projects to improve conditions for detainees, renovate the facilities for persons deprived of their liberty and review the provisions on placing foreigners into detention.

In 2008 CPT found the persons detained under the Aliens Act were still frequently held in police establishments. In principle, aliens detained on the basis of the Aliens Act are placed in closed detention unit of reception centres for asylum seekers. So far, Finland has only one detention unit for aliens. Because the capacity of this unit is insufficient, aliens are also placed in police detention facilities as permitted by law. In 2013 the Government decided to have a detention unit with 30 places. In this unit it will be possible to arrange a separate department for families and persons in a vulnerable situation.

Four prisons of total of 26 are slightly overcrowded in Finland. Remand prisons have been most overcrowded. Efforts have been made to reduce overcrowding by establishing remand prison departments in another two prisons.

The number of cells without appropriate sanitary facilities has continued to fall. The Criminal Sanctions Agency has recently adopted its vision of well functioning prison facilities. The vision serves as a basis for necessary development measures.

Violence against women

Although good progress has been made in gender equality, the likelihood that a woman will fall victim of domestic violence in Finland is more than double the European Union average.

Many actions have been taken including initiating a cross-sectoral National Action Plan to Reduce Violence against Women. The aims of the Action Plan are to tackle violence proactively by seeking to influence attitudes and behaviours; to prevent repeated violence; to improve the position of victims of sexual violence and the crisis assistance and support provided for them; develop methods for identifying and intervening in the violence experienced by vulnerable groups; to enhance the knowledge and skills of the authorities and professional service providers in preventing violence against women and in helping victims.

The Government Action Plan for Gender Equality 2012-2015, adopted in June 2012, collates the most important measures by which the government promotes equality between women and men and combats gender based discrimination. The Action Plan contains objectives and actions in several theme areas, one of which is integrating the gender perspective in the promotion of health and wellbeing and the combating of intimate partner violence and domestic violence, violence against women and sexual violence.

Finland signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on 11 May 2011 and has organised activities to raise awareness of the existence of the Convention and to promote its ratification. In January 2012, the Council of Europe and the Finnish Delegation to the CoE Parliamentary Assembly /Parliament of Finland, in collaboration with the Ministry for Foreign Affairs of Finland, organised a regional conference on the Istanbul Convention.

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DISCRIMINATION AGAINST THE SÁMI MINORITY

The Status of the Sámi

1. The only indigenous people within the territory of Finland are the Sámi, who enjoy cultural autonomy in the Sámi Homeland. According to statistics compiled in the context of the Sámi Parliament election in 2011, the total number of Sámi was approximately 10,000 at that time. Of all Sámi approximately 65% were residing outside the Sámi Homeland and abroad.
2. Section 17, paragraph 3, of the Constitution of Finland protects the right of the Sámi to maintain and develop their own language and culture.
3. The Constitution also contains a provision on the self-government of the Sámi. According to Section 121, paragraph 4, of the Constitution, the Sami have linguistic and cultural self-government in their native region, as provided by an Act. The Act on the Sámi Parliament regulates the implementation of the self-government in more detail (974/1995). The cultural self-government is intended to evolve, and will be taken into account in future legislative and administrative work.
4. The Skolt Act (253/1995) aims at enhancing the living conditions and livelihoods of the Skolt Sámi, as well as maintains and promotes the Skolt culture.
5. The right of the Sámi to use their own language before courts and other authorities as well as the obligations of public authorities to realise and promote the linguistic rights of the Sámi are regulated by the Sámi Language Act (1086/2003).
6. The promotion of the rights of the Sámi is at a dynamic stage in Finland. Pursuant to the June 2011 Government Programme of Prime Minister *Jyrki Katainen*, the Government will further develop the cultural autonomy of the Sámi people and the preconditions for the operation of the Sámi Parliament. The rights of the Sámi people as an indigenous people will be developed, for instance, by clarifying the legislation concerning the use of land, and actively participating in the international cooperation for enhancing legal and actual protection of indigenous peoples. The measures of the revival programme for the Sámi language will be implemented and the provision of relevant resources ensured.
7. The Act on the Sámi Parliament is being reviewed with a view to determining the need for amendments.
8. The aim is to ratify the Convention No. 169 of the International Labour Organisation concerning Indigenous and Tribal Peoples during this Government's term of office.
9. The National Action Plan on Fundamental and Human Rights was adopted by the Government in March 2012. The Action Plan translates into concrete terms the duty to guarantee the observance of fundamental rights and human rights imposed on public authorities by the Constitution of Finland. This is a cross-administrative action plan that focuses on concrete projects. Among other things, it contains projects to increase participation rights for the Sámi people concerning the planning of the use of State owned land and water areas.
10. In December 2012, the Government decided to form a Ministerial Working Group for Sámi Affairs to decide on Sámi issues that need political decision-making and on issues that arise during the negotiations on the Nordic Sámi Convention. The Working Group was established in April 2013.

Measures to eliminate discrimination against Sámi

11. Under the national action programme to combat discrimination, the Legal Affairs Unit of the Ministry of the Interior has taken different measures to eliminate all discrimination against Sámi people and to advance the equality of Sámi with the majority population.

12. In 2008-2013 a number of seminars were held in the Sámi Homeland to deal with the equality of the Sámi, equality planning and the position of indigenous peoples. Under YES Projects funded by the European Commission, the Legal Affairs Unit has prepared web-based training material for schools, arranged empowerment training for Sámi organisations, and published equality planning guides that also pay attention to the equality of Sámi people.

13. In addition, the mechanism to monitor discrimination, coordinated by the Ministry of the Interior, has produced information about the discrimination that Sámi people encounter in different spheres of life.

Revision of the Act on the Sámi Parliament

14. The Ministry of Justice appointed a working group in June 2012 to prepare a proposal for the revision of the Act on the Sámi Parliament. The Act on the Sámi Parliament, which is important for the regulation of the self-determination of the Sámi, was enacted in 1995. Since then, the Act has been amended several times to better meet practical needs. Now the revision is considered necessary.

15. The Working Group was composed of three representatives from the Sámi Parliament and three civil servants from the Ministry of Justice. The former Parliamentary Ombudsman was the Chair of the Working Group. In accordance with its mandate, the Working Group heard such other ministries and authorities whose field of competence includes Sámi issues with relevance for the Working Group, as well as representatives of municipalities and the local population in the Sámi Homeland. The Working Group concluded its work by issuing its proposal for the revision of the Act in October 2013.

16. In addition to other issues, the Working Group analysed the so-called definition of a Sámi (the conditions for approval for inclusion into the election roll of the Sámi Parliament) and its relationship with Finland's other international obligations. The Working Group also put forward a proposal to extend the contents of the duty of the authorities to conduct consultations with the Sámi Parliament.

17. The Sámi Parliament considers it necessary that the definition of a Sámi is changed before the next elections to the Sámi Parliament. The Sámi Parliament has stated that if the definition of a Sámi is not changed, the Sámi risk forced assimilation with the Finnish culture, the Sámi Parliament may become Finnish and the genuine Sámi culture will disappear from Finland in a very short time. The Sámi Parliament furnished the Working Group with its own views on the revision of the definition of a Sámi based on, *inter alia*, the Declaration on the Rights of Indigenous Peoples, articles 1 and 27 of the International Covenant on Civil and Political Rights, as well as on the relevant recommendation of the Committee on the Elimination of Racial Discrimination.

18. The proposal was widely circulated for comments. Civil society was also heard online with an opportunity provided over a six-week period from December 2013 to January 2014 to comment freely on the proposal via the "Take a Stand" (*Ota kantaa*) online discussion forum.

19. Based on the comments received the Ministry of Justice will consider adequate measures to be taken in order to be able to submit a Government Bill to Parliament.

Obligation to negotiate

20. The most significant way for the Sámi to participate into societal decision-making processes lies on the statutory obligation set out in the Act on the Sámi Parliament to authorities to negotiate with the Sámi Parliament in various issues. According to Section 9 of the Act, the authorities shall negotiate with the Sámi Parliament in all far-reaching and important measures which may directly and specifically affect the status of the Sámi as an indigenous people and which concern matters in the Sámi Homeland as referred to in the Act. These matters are:

- Community planning;
- The management, use, leasing and assignment of state lands, conservation areas and wilderness areas;
- Applications for licenses to stake mine claims or file mining patents;
- Legislative or administrative changes to the occupations belonging to the Sámi culture;
- The development of the teaching of and in the Sámi language in schools, as well as social and health services; or
- Any other matters affecting the Sámi language and culture and the status of the Sámi as an indigenous people.

21. The obligation to negotiate applies to a wide range of issues. To fulfil its obligation to negotiate, the relevant authority shall provide the Sámi Parliament with the opportunity to be heard and to discuss the matters. The obligation to negotiate applies to all levels of administration, in other words, to local, regional and nationwide authorities.

22. The obligation to negotiate is completed by a provision in the Parliament's Rules of Procedure (40/2000). Issues for Parliament's plenary sessions (Government Bills, reports to be submitted to the Parliament etc.) shall be prepared in Parliamentary Committees. When a legislative proposal or another matter specifically involving the Sámi is being considered, the Parliamentary Committee shall reserve the representatives of the Sámi an opportunity to be heard, unless there are special reasons for the contrary (Section 37; 1272/2011). At this stage it is still possible to influence in the subject matter of the proposal.

23. The Skolt Act includes provisions on the participation of the Skolt Sámi into decision making.

24. As mentioned above, the Act on the Sámi Parliament is currently being reviewed with a view to determining the need for amendments.

25. The possibilities of the Sámi to influence decision-making in various issues have been developed through legislation. The new Mining Act (621/2011) and Water Act (587/2011) were adopted in March 2011. Both Acts include special provisions aimed at an improved consideration of the status of the Sámi as an indigenous people. In addition, the Sámi Parliament has given a right to appeal, if the rights of the Sámi as an indigenous people were not adequately considered when making decisions pursuant to these acts. The aim of the provisions is to prevent from projects that would weaken the right of the Sámi as an indigenous people to maintain and develop their culture.

Access to justice

26. According to Section 21 of the Constitution of Finland everyone has the right to have his or her case dealt with appropriately and without undue delay by a legally competent

court of law or other authority, as well as to have a decision pertaining to his or her rights or obligations reviewed by a court of law or other independent organ for the administration of justice. Compared with the rest of the Finnish population, the Sámi have equal opportunities to have violations of their rights examined by courts of law or other independent judicial bodies.

27. According to Section 6, paragraph 1, of the Constitution of Finland everyone is equal before the law. As regards the various forms of sentences and the type and level of penalties provided for in respect of particular offences, a Sámi person cannot be treated differently from other people.

28. According to Section 22 of the Constitution of Finland the public authorities shall guarantee the observance of basic rights and liberties and human rights.

29. Chapter 1, Section 11 of the Finnish Code of Judicial Procedure provides that, in the absence of statutory law, courts must be guided by the custom of the land, if not unreasonable. Through free evaluation of evidence, too, customary law may have an impact on court rulings. Further, customs of different peoples may be taken into account to some extent in meting out punishment.

30. Legal aid is available under the Legal Aid Act (257/2002). Legal aid is given at the expense of the state to a person who needs expert assistance in a legal matter and who for lack of means cannot self pay the expenses of having the matter dealt with. Legal aid is available to persons resident in Finland, residents of another member state of the European Union and residents of the European Economic Area. Companies and corporations are not entitled to legal aid (sections 1 and 2 of the Act). The Legal Aid Act does not contain any provisions deviating from this main rule by stipulating on the right of Sámi people to legal aid in general or issues important to them in principle.

31. According to the established practice of the Supreme Administrative Court the Sámi Parliament may, without any specific legal provision to that effect, appeal against decisions with a bearing on the Sámi Homeland.

32. In the cooperation between the pre-trial investigation authorities, prosecutors and the District Court of Lapland, the pre-trial investigation authority inquires which language the parties to a criminal case speak as their mother tongue and whether they wish to use Sámi at the pre-trial stage and before court. In this manner it is possible to prepare already at the pre-trial stage for having the relevant documents translated and for rendering services in Sámi. In the view of the Leading District Prosecutor of Lapland, the service provision in Sámi in the administration of criminal justice is satisfactory in the region. Furthermore, the interpretation and translation service attached to the Sámi Parliament is available for use also in criminal matters.

Linguistic rights

33. The right of the Sámi to use their own language before courts and other authorities as well as the obligations of public authorities to realise and promote the linguistic rights of the Sámi are regulated by the Sámi Language Act, which entered into force on 1 January 2004.

34. Section 24 of the Act provides that an authority must, in its activity and on its own, ensure that the linguistic rights guaranteed in the Act are secured in practice. The authority must show to the public that it offers service also in Sámi, and may provide also better linguistic service than what is required in the Act.

35. Section 3 of the Sámi Language Act lists the authorities and institutions to which the Act applies. These include the courts in the Sámi Homeland, the Chancellor of Justice of the

Government, the Parliamentary Ombudsman, some other national authorities examining complaints, and those administrative authorities of the Government which, in the capacity of appellate authorities, process issues raised before the listed authorities. Thus, the scope of the Act covers for instance the Supreme Court and the Supreme Administrative Court, for their jurisdiction encompasses the Sámi Homeland.

36. A central goal of the Sámi Language Act is to ensure that the right of the Sámi to use their own language is realised also directly in practice, not only through interpretation and translation. Efforts have been made to reduce the need for interpretation and translation, for example by enacting legal provisions on required linguistic qualifications and language training. All Sámi languages spoken in Finland (North Sámi, Inari Sámi and Skolt Sámi) are defined in legislation as independent Sámi languages, not as different forms of one language.

37. A report on the functioning of the Sámi Language Act shows that authorities still have very few employees who know some of the three Sámi languages spoken in Finland, and that Sámi is used only scarcely.

38. In March 2012, a working group under the Ministry of Education and Culture submitted its proposal for a programme to resuscitate the Sámi language. The proposal was sent to a large number of actors for comment. In December 2012 the Government discussed the further preparation of Sámi-related projects and decided to continue the preparation of the revival programme in line with the objectives of the Government Programme.

39. A decision-in-principle on the revival programme for the Sámi language is being drafted under the leadership of the Ministry of Education and Culture, on the basis of the working group proposal of 2012, the comments made on it, and the position taken by the Government. In January 2014 the drafters negotiated the programme with the Sámi Parliament in accordance with section 9 of the Act on the Sámi Parliament. The decision-in-principle will be finalised as soon as possible.

40. The Ministry of Education and Culture has supported language nest activities arranged in all three Sámi languages. Language nests consist of day care activities provided especially to indigenous children by means of the immersion course method. The purpose is to revive and resuscitate the traditional language of the children's families. The language nests are maintained by either municipalities or Sámi associations, depending on locality.

41. Earlier, language nests existed only in the Sámi Homeland, but since the turn of 2013-2014, such activities are provided elsewhere, too, including the Helsinki metropolitan area. This expansion is very important for maintaining the Sámi language and culture, for currently most Sámi children and young people live outside the Sámi Homeland. In recent times, the Ministry has supported the language nests increasingly.

42. In the Basic Education Act it is stated that most of teaching in the basic education in the Sámi Homeland must be in Sámi language. The Ministry of Education and Culture grants full support to the instruction in Sámi language and of Sámi language in Sámi Homeland. The National Board of Education also grants separate subsidies to arrange instruction of Sámi language as pupil's mother tongue outside Sámi homeland. The subsidy covers two hours for weeks for a minimum amount of pupils in class room being two.

43. The National Board of Education grants the Sámi Parliament yearly state subsidies for the production of Sámi textbooks and learning materials in Sámi. This yearly grant increased from 290 000 euros to 400 000 euros in 2014. In the Children's Day Care Act it is stated that children that have Sámi as their mother tongue have right to day care in Sámi language. The Ministry of Education and Culture grants yearly grant to the day care in Sámi language in the

Sámi Homeland area. Sámi culture and language nest activities are supported through the appropriations for the development of child and youth policy.

44. All Acts of Parliament applicable specifically to the Sámi have been translated into Sámi, mainly North Sámi. By contrast, the principal acts related to the legal protection of individuals, such as the Code of Judicial Procedure, the Administrative Procedure Act and the Land Use and Building Act, do not exist as Sámi translations.

45. A number of forms used for administration of justice have been translated into all three Sámi languages. Thus, forms are available in Inari and Skolt Sámi, but the users do not always know Sámi terminology, and especially the Skolt Sámi orthography is often deficient. Therefore, Finnish forms are frequently used instead of Sámi forms.

46. In 2013 the National Police Board set up a working group to assess the realisation of linguistic police services in police administration. In its final report of 31 October 2013, the working group proposed a number of measures to develop and improve the linguistic rights of the Sámi (e.g. to translate forms used by the police into Sámi, and to centralise police services provided in Sámi). The means and schedule for carrying out the proposed measures are still open.

47. According to the Emergency Warnings Act, in force as from June 2013, all emergency warnings concerning the Sámi Homeland must be issued in the three Sámi languages. In July 2013 the Regional State Administrative Agency of Lapland published a translation of the emergency warning guide into Sámi, to facilitate the production of warnings in Sámi. The guide has been translated into all three Sámi languages used in Finland. A supplement to the emergency warning guide is being prepared. It will contain model phrases of different authorities (incl. the police) translated into the three Sámi languages. The Sámi radio service of the Finnish Broadcasting Company (YLE Sápmi) has the round-the-clock obligation to read the emergency warnings in Sámi in their radio broadcasts.

48. Efforts are being made in Finland to secure possibilities to influence and participate for indigenous children and youth. By supporting the possibilities of Sámi children to their own culture and language, the survival of the Sámi language and culture is ensured also in the future.

49. The Sámi Cultural Centre, SAJOS, was inaugurated in April 2012. SAJOS is the new centre of Sámi culture and administration in Finland. The library will concentrate on services to the Sámi people, focusing on children and young people.

The right of the Sámi to their traditional lands

50. In accordance with the decision made by the Government in December 2012, the Ministry of Agriculture and Forestry appointed a working group to prepare legislation for increasing the participation rights of the Sámi people in the decision-making procedure for issues related to the use of land and water areas. Also the participation rights of the rest of the local population will be taken into account in the work of the working group and necessary provisions will be included in the legislation concerning the organisation of Metsähallitus (the Finnish Forest and Park Service, a state enterprise that administers more than 12 million hectares of state-owned land and water areas).

51. The working group will complete its work in March 2014. Thereafter, the proposal of the group will be sent out for comment together with the proposal for the revised Act on Metsähallitus. The new Act on Metsähallitus, including stronger rights of participation for the Sámi, is planned to take effect at the beginning of 2015.

52. Metsähallitus cooperates closely with the Sámi Parliament and conducts several yearly consultations in accordance with Section 9 of the Act on the Sámi Parliament as well as several unofficial consultations. Metsähallitus also cooperates with the Sámi Parliament within several working groups. Metsähallitus has also concluded agreements with individual herding cooperatives on areas that were excluded from forestry for 20 years.

53. In environmental matters, the obligation to negotiate is supplemented in practice by the Akwé:Kon Guidelines (Instructions of the environmental administration, no. 1/2011). These guidelines, applied voluntarily, are part of the implementation of the United Nations Convention on Biological Diversity CBD. The guidelines are intended for use in the Sámi Homeland for assessing cultural, environmental and social impacts of those projects and plans which may influence Sámi culture, industries and cultural heritage. The National Forest Authority applies the guidelines in land use planning in the Sámi Homeland.

Reindeer herding

54. The legislation on reindeer husbandry is based on the Reindeer Husbandry Act (848/1990) and on the Reindeer Husbandry Decree (883/1990) issued pursuant to the Act. The administrative basic unit of reindeer husbandry is the herding cooperative and there are 56 such cooperatives. The task of the herding cooperative is, *inter alia*, to see to it that the reindeers of the members of the herding cooperative are taken care of within the herding area and that the herding tasks pertaining to the herding cooperative are carried out. In the meetings of the herding cooperative a member may vote with the same number of votes that corresponds to the number of reindeers owned. The decision of the meeting is considered to be the view, which the majority of the votes cast has supported.

55. Since information regarding the race or ethnic origin of a person is considered sensitive personal data pursuant to the Personal Data Act (523/1993) and the collection thereof is in principle prohibited, the Finnish authorities do not have exact information on the distribution of Sámi and non- Sámi among members of different herding cooperatives, neither do they have information on the number of reindeers that these groups own.

56. The meaning of the expression 'traditional Sámi reindeer herding' has not been defined exactly. There are no significant differences between different reindeer herding methods, even though in the herding cooperatives in the north where the Sámi herd reindeers along with others, reindeer herding is mainly based on circulation of pastures and free grazing throughout the year, whereas the herding cooperatives in the south usually take in the reindeers part of the year for pen feeding. Reindeer herding methods may, however, differ significantly from herding cooperative to herding cooperative both in the north and in the south.

57. Sámi reindeer herding often also refers to arranging reindeer herding by whole village communities or in so called tokka (large herd of reindeers) associations. Tokka associations are not mentioned in the Reindeer Husbandry Act, but a tokka association may, even in the current herding cooperative system have its own foreman to organise the reindeer husbandry work of the area and to take care of issues related to the reindeers.

Sámi in Finnish policies on sustainable development

58. The Finnish Committee on Sustainable Development coordinates the implementation of the United Nations' policy process on sustainable development in Finland. The Sámi Parliament has been a member of the Committee since 1993. The Committee, consisting of approx. 50 members, is chaired by a minister appointed by the Government, currently by the Minister of Finance. In December 2013 the Committee adopted a national societal commitment for sustainable development entitled "*Suomi, jonka haluamme 2050*" ("Finland

that we want in 2050"). The commitment contains a vision of the year 2050, the key principles for sustainable development, and eight objectives. The first objective reads as follows:

59. "All members of society will be guaranteed equal prospects for health, education and employment. We will hold to a high standard of education and general knowledge, while also promoting social mobility. Sustainable development will be integrated into primary education, the education of all specialised fields and lifelong learning. We will reduce inequality by ensuring an adequate livelihood and basic social security. We will pay special attention to the well-being of children and young people. We will ensure equivalent welfare services and equal access to all welfare services. We will support the recognition of cultural rights and we will strengthen cultural values that support sustainable development. We will support possibilities for the indigenous Sámi people to practice their own culture in accordance with sustainable development and to transmit their culture from one generation to the next. We will do what we can to eliminate extreme poverty and reduce inequality and discrimination in the world. We will fulfil our development cooperation commitments."

Sámi language media

60. Yle Sápmi is the voice of the indigenous people Sámi and the most important Sámi media in Finland. Yle Sápmi performs the Sámi-language public service in the Finnish Broadcasting Company Yle. Yle Sápmi provides content in all three Sámi languages, Northern Sámi, Inari Sámi and Skolt Sámi, spoken in Finland. News are broadcasted on week days on national tv, internet and own radio channel in Northern Finland. Yle Sápmi also makes current affairs, youth, children's, cultural and spiritual radio programmes.

61. In December 2013 the Finnish Broadcasting Company Yle began a wholly in-house produced TV news service, Yle Ođđasat (meaning Yle News), in the Sámi language. Yle Ođđasat is a daily, nationwide broadcast on Yle TV1, and it can be viewed on Yle Areena for a month after it has been broadcast, also outside Finland. The first broadcast of Yle Ođđasat had 120 000 viewers.

62. As of January 2014 Skolt Sámi will be heard more on Yle Sápmi's radio channel. From now on, in addition to Nuõ'rttsäämas-program, one more radio broadcast a week will also be hosted in Skolt Sámi.

63. Up until now, and continuing in future, Yle also provides, Ođđasat, TV news for the indigenous Sámi people jointly produced by public service broadcasters in Norway, Sweden and Finland. Also Ođđasat is available of Yle Areena.

64. In 2014, Yle Sápmi Radio will have an even stronger role in resuscitating the Sámi language, when the two lesser used Sámi languages will be used more in radio broadcasts. The Yle Ođđasat will have more broadcasting time on television.

65. Otherwise, Yle Sápmi will prioritise reforming its radio presentations, continuing its own TV news broadcasts in all three Sámi languages, and introducing new live broadcasting technologies, enabling direct radio and TV broadcasts by means of mobile technologies.

66. During 2014 Yle Sápmi also intends to launch a comprehensive project to digitalise the archives of Yle Sápmi Radio. The archives contain cultural material of immeasurable value in all three Sámi languages spoken in Finland. The oldest material dates back to the 1970s. The material could be used for many purposes, e.g. for language revival, teaching and research. It could also be published at the "YLE Living Archives" (*Elävä arkisto*) website.

67. The Lapin Kansa newspaper, issued in Rovaniemi, has annually been granted a press subsidy of EUR 50,000 for publishing a supplement in Sámi. The subsidy is based on the

Government Decree on Press Subsidies (389/2008). The supplement is published in paper but is available also electronically.

68. By means of a broadband subsidy for sparsely populated areas, granted under the "Broadband for all 2015" project (*Laajakaista kaikille 2015*), TeliaSonera Finland Lpc has built an optical fibre network in Utsjoki municipality. The Government funded approx. EUR 1.5 million of the subsidy. According to a study of the Finnish Communications Regulatory Authority, completed in June 2013, Utsjoki municipality now has the best access to broadband networks based on optical fibre in the whole country.

Well-being of Sámi - social and health services

69. In 2013 the Ministry of Social Affairs and Health commissioned a study on the health and well-being of Sámi living in the Sámi Homeland. A central factor for the well-being of Sámi is coping with life. This is based on their independent living, assistance from relatives and the community, and support and services from society. The Sámi population lives in the middle of pressures for change, as the population ages, young Sámi move to live elsewhere, ways of life and livelihoods change, and the Sámi community disintegrates.

70. A positive finding is that both the Sámi identity and the Sámi language and culture have gained more strength. Because of the changes, public services provided in the Sámi language have an important role in ensuring the well-being of Sámi people. However, the history of public services available to the Sámi is short. Their access to services has improved, although slowly. In women's opinion, the nuclear family has a clearly stronger role as an everyday source of help than in men's opinion. In recent decades, the third sector has rapidly gained in significance in supplementing welfare services and everyday safety networks.

71. Public services have improved Sámi people's standard of living, well-being and health. However, the study indicates that, in general, Sámi people are clearly less satisfied with the available services than the average in Finland, and their access to services is clearly lower. The respondents in the study were most satisfied with the services of general practitioners and child day care. The availability of day care and language nest services provided in the Sámi language has clearly improved in recent years. By contrast, the response to elderly people's growing needs for services provided in Sámi is still insufficient. A new finding in the study was that many elderly Sámi feel lonely. The scarcity of mental health services provided in the Sámi language is one of the most serious concerns. The distance from the services is the most important influencing factor. The farther the services are located the less satisfied people are with them. The availability of these services varies largely between municipalities. The situation is worst in outlying villages. Another challenge is that the services should be provided in all three Sámi languages.

72. The earmarked state subsidy that the Ministry of Social Affairs and Health grants to the municipalities in the Sámi Homeland is vital for improving the availability of services in the Sámi language. The study confirms the assumption that the realisation of Sámi people's linguistic rights is still coincidental in practice. The respondents also considered that they did not receive enough information about the services. Moreover, there is lack of both guidance and information material published in Sámi and of Sámi-speaking professionals. Both the quality and quantity of the social and health services provided in Sámi should be improved.

73. In September 2013 the Ministry of Social Affairs and Health and the Sámi Parliament held a seminar on the development of social and health services provided in Sámi. The seminar underlined the importance of services for the elderly and neighbourhood services. The situation of the Skolts and reindeer herders was discussed, too. Regional development projects have produced good results. In future, attention should be paid to the provision of

information and to systematic collection of client feedback. Local authorities must continue active efforts to recruit Sámi-speaking staff and fund language training and development projects.

74. The Research Department of the Finnish Social Insurance Institute (Kela) published a study in 2011 on the rights and status of the Sami as an indigenous people in the social security implemented by Kela. The study examined how the rights and status of the Sami as an indigenous people are taken into account in the social security legislation implemented by Kela: how it fulfills their linguistic rights, how it takes account of their culture and supports their traditional livelihoods and how it promotes their *de facto* equality. Further, it studied how the Sami have been able to influence the social security services that concern them. In addition to reviewing the legislation and the guidelines on its application, information on the applicability of social security in relation to the Sami was collected by interviewing public authorities in the Sami homeland.

75. According to the study there had been recent improvements in Kela regarding services in Sami but that also the cultural characteristics of dealing with authorities should be taken into account in customer service. Several proposals to further improve the situation of the Sami people were put forward.

UN Declaration on the Rights of Indigenous Peoples

76. In Finland, the adoption of the Declaration was welcomed with satisfaction. The adoption of the Declaration brought a new significant instrument for international cooperation and, most importantly, for national work in partnership with the Sámi people. The Declaration has become a valuable tool in the preparation of a multitude of national measures, ranging from legislation to action plans. Finland pursues the objectives of the Declaration, for example, by means of a National Action Plan on Fundamental and Human Rights, adopted in March 2012.

Nordic Sámi Convention

77. Finland, Sweden and Norway initiated negotiations in March 2011 on a Nordic Sámi Convention that will seek to improve the status of the Sámi as an indigenous people and to strengthen and consolidate their rights.

78. In their annual joint meeting on 22 November 2010, the ministers responsible for coordination of Sámi issues in Finland, Norway and Sweden and the Sámi Presidents in the three countries agreed on the principles concerning the delegations for the negotiations, chairing the meetings and the time frame for the negotiations. Each country appointed a delegation of six persons representing the respective Government and the respective Sámi Parliament. Meetings are chaired on a rotational basis. The aim is to carry out negotiations in five years.

ISSUES RELATED TO DETENTION CONDITIONS

79. The National Action Plan on Fundamental and Human Rights contains projects to improve conditions for detainees, renovate the facilities for persons deprived of their liberty and review the provisions on placing foreigners into detention. The regulation on detainees and their conditions will be developed based on proposals of the Ministry of Justice working group (Ministry of Justice reports and statements 81/2010). In connection with this project, particular attention will be paid to avoiding overcrowding when placing detainees in prisons, reducing the number of detainees placed in police facilities, examining the possibilities for

introducing an electronically controlled travel ban, and improving the possibilities of detainees to take part in activities outside their cells.

80. Project to review the provisions on placing foreigners into detention includes reviewing the provisions on placing minors into detention (amendments to the Aliens Act) and examining alternatives for detention.

Detained aliens

81. The Finnish Aliens Act (301/2004) permits authorities to deprive the liberty of aliens on administrative grounds in certain cases. In principle, administrative detainees are placed in closed detention units of reception centres for asylum seekers. Chapter 7 of the Aliens Act contains provisions on holding an alien in detention.

82. In principle, aliens detained on the basis of the Aliens Act are placed in closed detention units of reception centres for asylum seekers. So far, Finland has only one detention unit for aliens, at Metsälä Reception Unit in Helsinki. Because the capacity of this unit is insufficient, aliens are also placed in police detention facilities as permitted by law. However, in 2013 the Government decided to have a new detention unit with 30 places built in connection with Joutseno Reception Centre. In this unit it will be possible to arrange a separate department for families and persons in a vulnerable situation. The Act on the Treatment of Aliens Placed in Detention and on Detention Units (116/2002) regulates detention units and the conditions there.

83. Sections 118–120 of the Aliens Act contain provisions on interim measures alternative to detention. These measures include obligation to report, handing over one's travel documents to authorities (police or border control authorities), giving authorities the address where one may be reached, and giving a security. The possibility of using interim measures is always assessed before making a detention decision.

84. Section 121 of the Aliens Act lays down the preconditions for administrative detention. Section 123 contains provisions on decisions on holding an alien in detention and placing a detained alien. According to section 123 the detained alien or his or her legal representative must also be informed of the grounds for detention. According to section 8 of the Act, an alien has the right to use a counsel when his or her matter is being processed.

85. A project carried out by the Ministry of the Interior is developing the alternatives to detention as envisaged in the Government Programme. The project aims at developing measures alternative to detention especially for families with children and for vulnerable persons. The working group has now finalized a draft proposal for amending the Aliens Act accordingly. The proposal to amend the Act is based both on the obligation to bring EU legislation into force in Finland and on national needs for amendment.

86. The proposal would prohibit authorities from placing unaccompanied children seeking international protection in detention (section 122(3) of the Aliens Act). The length of the detention of other unaccompanied children would be limited to a very short time (72 hours + another 72 hours for a special reason; section 122(4) of the Aliens Act). In addition, the Aliens Act would contain more precise and clearly delimited provisions on the preconditions for placing a child in detention. The preconditions would concern both accompanied and unaccompanied children to be placed in detention. One precondition would be that the child must be heard before deciding on the placement in detention.

87. All children placed in detention on the basis of the Aliens Act would be placed in a detention unit, irrespective of the question whether they are accompanied or unaccompanied while staying in Finland. In other words, after the amendment of the Act, children would never be placed in police detention facilities. The new detention unit to be

established in connection with Joutseno Reception Centre makes it possible to better take account of the needs of children and families with children. Similarly, the placement of applicants for international protection in detention facilities of the police or the Border Guard would be avoided with all possible means.

88. The proposal intends to clarify the general and special preconditions for depriving aliens of their liberty. According to the proposal, section 121 of the Aliens Act would regulate the placement of an alien in detention. In addition, decisions to place an alien in detention should have to fulfil both the general precondition laid down in section 118(1) and the special precondition laid down in section 121 of the Act. According to section 118(1)(1), interim measures and also the placement in detention may, in principle, have two alternative objectives: either to examine the person's eligibility for entry into or residence in Finland, or to ensure that the person is removed from Finland. Section 121 of the Aliens Act would be amended to stipulate the special preconditions for the deprivation of an alien's liberty: that the person has been found guilty of an offence or is suspected of an offence and that the person is considered a risk to national security. In this respect, the proposed amendment of the Act is based on the obligation to bring the EU Reception Directive¹ into force in Finland.

89. The obligation to report under section 118 of the Aliens Act would be revised so that an alien could be obligated to report at regular intervals not only to police or border control authorities but also to a reception centre. The proposed amendment is intended to increase the use of the obligation to report as an alternative to detention. The amendment proposed to section 121, too, underlines the primacy of the use of alternative interim measures over detention and encourages to the use of interim measures whenever possible.

90. Section 124 of the Aliens Act stipulates that the official responsible for a decision on holding an alien in detention must, without delay and no later than the day after the alien was placed in detention, notify the District Court of the municipality where the alien is held in detention or, in an urgent case, another District Court of the matter. The District Court shall hear a matter concerning the detention of an alien without delay and no later than four days from the date when the alien was placed in detention. If the alien is not held in a detention unit but in police detention facilities far from the nearest detention unit, the matter shall be heard without delay and no later than 24 hours from the notification.

91. According to section 126 of the Aliens Act a District Court must order a detained alien to be released immediately if there are no grounds for holding him or her in detention. Section 128 stipulates that the District Court of the place of detention must, on its own initiative, always rehear the detention matter concerning the detention no later than two weeks after the decision under which the District Court ordered continuation of the detention of the alien.

92. According to section 127 of the Aliens Act, the authorities handling the matter must order a detained alien to be released immediately once the requirements for detention cease to exist. The detained alien must be released no later than six months from the detention decision. The detention period may, however, be longer but no longer than 12 months, if the detained alien refuses to co-operate for his or her removal from the country or if a third state does not provide the necessary documents for the removal and the removal is delayed for these reasons.

¹ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast)

93. Sections 118–120 of the Aliens Act contain provisions on interim measures alternative to detention. These measures include obligation to report, handing over one's travel documents to authorities (police or border control authorities), giving authorities the address where one may be reached, and giving a security. The possibility of using interim measures is always assessed before making a detention decision. A project carried out by the Ministry of the Interior is developing the alternatives to detention as envisaged in the Government Programme. The project aims at developing measures alternative to detention especially for families with children and for vulnerable persons.

94. In principle, aliens detained on the basis of the Aliens Act are placed in closed detention units of reception centres for asylum seekers. So far, Finland has only one detention unit for aliens, at Metsälä Reception Unit in Helsinki. Because the capacity of this unit is insufficient, aliens are also placed in police detention facilities as permitted by law. However, in 2013 the Government decided to have a new detention unit with 30 places built in connection with Joutseno Reception Centre. In this unit it will be possible to arrange a separate department for families and persons in a vulnerable situation. The Act on the Treatment of Aliens Placed in Detention and on Detention Units (116/2002) regulates detention units and the conditions there.

95. In the detention unit, detained aliens are provided with accommodation, full board and access to interpretation services, and their basic needs are met. They must be treated fairly and their human rights must be respected. Their rights must not be restricted more than the purpose and security of the detention and the maintenance of security and order necessarily require. Detained aliens must be informed about their rights and obligations. On conditions stipulated by law, detained aliens have the right to contact persons outside the unit and to receive visitors.

96. The Ministry of Justice is drafting legislation to supplement the provisions of the Imprisonment Act, the Remand Imprisonment Act and Chapter 2c of the Criminal Code. Because of this amendment, some necessary and urgent amendments are also being made to the Act on the Treatment of Persons Held in Detention by the Police.

97. In 2014 the Ministry will start the second stage in reforming the Act on the Treatment of Persons Held in Detention by the Police, by conducting a preliminary study on the needs to amend and update the Act.

Coercive Measures

98. Data from the police statistics system show that the police used apprehension and arrest under the Coercive Measures Act in a total of 38,304 cases of suspected offences. Of these cases, 10,126 involved a period of arrest exceeding 24 hours. In Finland, the maximum duration of arrest is 96 hours. Within this time the suspect must either be released or proposed for detention. In 2012, detention was used in 2,474 of the cases mentioned above. The average length of remand imprisonment in police detention facilities was 14 days.

99. The new Criminal Investigations Act and Coercive Measures Act took effect in January 2014. Chapter 4, section 10 of the new Criminal Investigations Act contains more precise provisions on the right of a suspect to use a counsel in pre-trial investigation, and also strengthens this right. The suspect must be informed about this right in writing immediately when deprived of his or her liberty because of apprehension, arrest or detention. The pre-trial investigation authorities must ensure also otherwise that the right of a party to use a counsel *de facto* materialises if the party so wishes.

Remand imprisonment

100. A working group on remand imprisonment completed its work in November 2010 (published in Finnish, Oikeusministeriön mietintöjä ja lausuntoja 81/2010). The working group proposed a total of 17 measures and recommended eight measures to improve the conditions of remand prisoners. For instance, the working group proposed that authorities should concentrate the detention of remand prisoners in fewer police departments, renovate detention facilities, equip prisons with proper interrogation rooms, study and develop alternatives to remand imprisonment and shorten the detention in police facilities under the Detention Act.

101. The proposals of the working group have been circulated for comments and summarised in an opinion summary (publication of the Ministry of Justice no. 45/2011). The proposals to renovate police detention facilities and prisons, in particular, have gained wide support. The proposal to study alternatives to remand imprisonment has also gained support. However, some actors have opposed the proposals to shorten the detention period of remand prisoners in police facilities and to concentrate their detention in fewer police departments.

102. The Ministry of Justice, the Ministry of the Interior, the National Police Board and the Criminal Sanctions Agency are responsible for further preparing the implementation of the proposals in their respective fields. A working group has been placed in spring 2014 to study and evaluate efficient alternatives to remand imprisonment, e.g. electronic supervision of travel ban and the bail-system. One task of the working group is to consider possibilities to place all remand prisoners into the prisons instead of police establishments. The working group should also make a proposal how to organize the separation of investigative and custodial functions paying special attention to concerns expressed by CPT in its reports.

103. The Ministry of Justice regularly monitors the implementation of the working group's proposals and discusses the implementation e.g. under the leadership of the Ministry of the Interior.

104. In January 2013 a total of 66 remand prisoners were kept in police detention facilities and in March 2013 their number was 92. The yearly average of remand prisoners in police facilities in year 2013 was 95.

Treatment of detained persons

105. The National Police Board has issued instructions to the police on the treatment of persons detained by the police (2020/2012/4941, in force as from January 2013). The treatment of persons deprived of their liberty and held in police detention facilities is regulated by the Act on the Treatment of Persons Held in Detention by the Police (841/2006), to the Government Decree on the Treatment of Persons Held in Detention by the Police (645/2008), issued on the basis of the Act, and to the Decree of the Ministry of the Interior on the Treatment of Persons Held in Detention by the Police (646/2008).

106. The Act on the Treatment of Persons Held in Detention by the Police applies to aliens placed in police detention facilities on the basis of the Aliens Act, with consideration to the ground for detention. If, however, aliens detained on the basis of section 121 of the Aliens Act are held temporarily in police detention facilities, their treatment is primarily governed by the Act on the Treatment of Aliens Placed in Detention and on Detention Units (116/2002), which is intended to protect the rights of aliens and guarantee them appropriate treatment.

Overcrowding of prisons

107. In February 2014 four prisons of total of 26 prisons were slightly overcrowded. Remand prisons have been most overcrowded. Efforts have been made to reduce overcrowding especially in Vantaa Prison by establishing remand prison departments in Helsinki and Riihimäki Prisons.

108. The number of cells without appropriate sanitary facilities has continued to fall. There are under 200 cells in Finnish prisons that do not have a functioning toilet. However, prisoners in a toiletless cell do not need to use the buckets. They can ask a guard to let them use a toilet outside the cell. A provision of the prisoners' right to use a toilet at any time of the day is being drafted at the moment. Toiletless cells will be put in shape in 2018 at the latest. The Criminal Sanctions Agency has recently adopted its vision of well-functioning prison facilities. The vision serves as a basis for necessary development measures.

Prisoners under 18 years of age

109. In 2012 the Criminal Sanctions Agency issued an instruction on the enforcement of penalties of prisoners under 18 years of age, and their placement, release and surveillance. The instruction applies to assessment centres, prisons and community sanctions offices.

110. According to the instruction, the placement of a child – as all activities during his or her imprisonment – must serve the best interests of the child. Maintaining family ties of minor prisoners is particularly important, if these ties support his or her best interest. Therefore, minor prisoners must be placed as close to their place of residence as possible.

111. Neither the Prison Sentences Act nor the Detention Act contains any special provision on the placement and separation or segregation of juvenile prisoners (under 21 years). The age of a prisoner is mentioned as one of the factors to be taken into account in placing him or her in a prison. Other factors include the prisoner's gender, health, place of residence, contacts with his or her close persons, earlier offences and sentences, the plan for the prisoner's prison term, and his or her wishes and opportunities to be referred to activities scheduled in the plan. These criteria serve the specific purpose of integrating the prisoner in society after the imprisonment. Placing juvenile prisoners (under 21 years) in prisons strictly according to their age or age group would conflict with the objectives of the Prison Sentences Act. Neither can a strict separation of all young persons from adults be considered to serve the best interest of young persons or children in all cases.

112. There are very few juvenile prisoners in Finland. In January 2014 there were a total of 85 prisoners aged 18-20 years. Three of them were women; one sentenced prisoner and two remand prisoners. At the same time there were six prisoners aged 15-17 years. Four of them were remand prisoners and two sentenced prisoners. Thus, the total number of juvenile prisoners (aged 15-20 years) registered in prisons was 91, which accounts for 3.1 per cent of all registered prisoners on 1 January 2014 (2,908 persons). Because of the small number of juvenile prisoners and their scattered placement in different prisons in Finland, close to their families and places of residence, their strict separation from other prisoners would often mean that they would practically live alone, which cannot be considered to serve the best interest of juvenile prisoners.

VIOLENCE AGAINST WOMEN

113. The rate of violence in Finland is only slightly higher than the average for Western industrialized countries. Finland is distinguished from other Western European or Nordic countries primarily by its high number of homicides. Violence in Finland is typically closely

associated with the abuse of alcohol for intoxication purposes. Violence against women is partly characterized by special features and partly by features typical of Finnish violence in general. The high number of homicides is also linked to the probability of violent death for women.

114. Although good progress has been made in gender equality, the likelihood that a woman will fall victim to domestic violence in Finland is more than double the European Union average. The statistics do not include all offences, as contacting the authorities to report domestic violence is often considered difficult. The National Research Institute of Legal Policy has recently published a study according to which still very few cases of domestic violence become known to the police. In cases where the victim is male, only 3 % on recent cases became known to the police. In women's cases every tenth case (10 %) was reported to the police². Despite the fact that in 2013 approximately thousand suspected cases of rape were registered by the police, it is likely that many rapes remain underreported.

115. A comprehensive approach is required to break the vicious cycle of violence. Most perpetrators of violence have also themselves been victims of such violence at some point. The previously mentioned study by the National Research Institute of Legal Policy also shows that experiences of threat and violence cumulate. Violence is equally unacceptable regardless of the gender of victim or perpetrator, and both must be offered gender-sensitive assistance corresponding to their needs in order to prevent and stop violence.

116. The Ministry of Social Affairs and Health appointed a working group in 2008 to deal with questions of close relations and domestic violence cross-sectorally. After the term of the working group ended, a new working group was appointed for a fixed term of 2011–2015. The working group is composed of representatives and deputy representatives of the Ministry of Social Affairs and Health, the Ministry of the Interior, the Ministry of Justice, the Ministry of Employment and the Economy and the Ministry for Foreign Affairs. The working group also includes representatives of the National Police Board and the National Institute for Health and Welfare. The Ministry of Education and the Finnish National Board of Education are consulted where necessary.

117. A cross-administrative, interministerial working group for the prevention of intimate and domestic violence coordinates the prevention, monitors the trends of this violence in Finland and draws attention to it. Moreover, the group functions e.g. as the steering group for the Action Plan to Reduce Violence against Women. The working group agrees about further measures to be taken within each responsible branch of government. The common objective of the working group is to reduce intimate and domestic violence. Multiprofessional, cross-administrative cooperation at different levels is considered vital in this work. There is an emphasized need for such cooperation between, for instance, the police and social welfare authorities.

Istanbul Convention

118. Finland signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on 11 May 2011. A working group appointed to analyse the measures required for ratifying the Convention, with a view to completing ratification during the term of the present Government, submitted its report to the Ministry for Foreign Affairs in March 2013.

²http://www.optula.om.fi/material/attachments/optula/julkaisut/verkkokatsauksia-sarja/DzlYiw7b/parisuhdevakivalta_34.pdf

119. In January 2012, the Council of Europe and the Finnish Delegation to the CoE Parliamentary Assembly/Parliament of Finland, in collaboration with the Ministry for Foreign Affairs of Finland, organized a regional conference on the Istanbul Convention to encourage member states to sign and ratify the Convention and to raise awareness of its existence among members of parliament, NGOs, the media and professionals working in the field. During the Conference, participants considered the scope and content of the Convention. Particular emphasis was placed on the added value of the Convention, the link between achieving gender equality and combating violence against women, as well as recognising violence against women as a human rights violation.

120. In January 2014, the Ministry for Foreign Affairs of Finland and the Cross-sectoral working group, in collaboration with the Council of Europe, on the prevention of interpersonal and domestic violence organized a working meeting on the co-ordinating body prescribed by article 10 of the Istanbul Convention, which obligates parties to the convention to designate or establish one or more official bodies responsible for the co-ordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by the Convention. The meeting was attended by the Head of the Violence against Women and Domestic Violence Unit of the Council of Europe. The aim of the meeting was to help Finland to form the co-ordinating body prescribed by article 10 of the Istanbul Convention. Preparations continue on the domestic level alongside the ratification process.

National Action Plan to Reduce Violence against Women

121. In connection with adopting the Action Plan for Gender Equality 2008-2011, the Finnish Government took the decision to initiate a cross-sectoral National Action Plan to Reduce Violence against Women 2010–2015. The aims of the Action Plan are to tackle violence proactively by seeking to influence attitudes and behaviours; to prevent repeated violence; to improve the position of victims of sexual violence and the crisis assistance and support provided for them; develop methods for identifying and intervening in the violence experienced by vulnerable groups; to enhance the knowledge and skills of the authorities and professional service providers in preventing violence against women and in helping victims.

122. The Action Plan takes a broad and comprehensive approach to the challenge of reducing violence against women, following the three P's principle (prevention of violence against women, protection of victims and prosecution of perpetrators of violence against women).

123. The National Action Plan to Reduce Violence against Women is implemented according to a yearly plan. The implementation is monitored annually. All measures are not implemented simultaneously. Some have already been implemented, some are ongoing and some are waiting for implementation or further funding. Although no budget was allocated to the Action Plan, some funding has been allocated to the programme from the ministries in charge of the measures, such as the Ministry for Social Affairs and Health. Some of the measures can be implemented without separate funding and those, for which there is no funding, are sought to be carried out within the framework of other programmes aimed at improving the service structure in Finland, such as the National Development Programme for Social Welfare and Health Care (Kaste).

124. The implementation of the Action Plan to Reduce Violence against Women still continues for two years. In the remaining years, the know-how of staff on this subject will be reinforced by continuing training already arranged, and by training more trainers. This is organised so that key trainers from the Regional State Administrative Agencies train social

welfare and health care staff in the respective regions. This is considered the best way of encouraging social welfare and health care staff to broach intimate and domestic violence with their clients, and to improve the personnel's skills to recognise violence and intervene in it proactively. The training material is published at the website of the National Institute for Health and Welfare in order that the training be uniform all over the country. Some universities and polytechnics, too, have included material on the recognition of intimate and domestic violence in their teaching material. The intention is to include training on this subject in all educational lines leading to vocational qualification.

125. As a part of the Action Plan the Ministry of Social Affairs and Health has decided to implement the *Multi-Agency Risk Assessment Conference - MARAK* working model on nationwide level during 2014 and 2015.

126. The National Action Plan to Reduce Violence against Women 2010-2015 will be evaluated during the last year of the programme.

Action Plan for Gender Equality 2012 – 2015

127. The Government Action Plan for Gender Equality 2012 – 2015, adopted in June 2012, collates the most important measures by which the government promotes equality between women and men and combats gender based discrimination. The Plan is an instrument to coordinate the government's equality policy and it includes measures for all the government ministries.

128. The Action Plan is based on the Government Programme and the Government Report on Gender Equality drawn up in 2010 for the first time in Finland. The Action Plan contains objectives and actions in several theme areas, one of which is integrating the gender perspective in the promotion of health and wellbeing and the combating of intimate partner violence and domestic violence, violence against women and sexual violence.

129. The implementation of the Action Plan for Gender Equality is monitored by a working group where all ministries are represented. Each ministry is responsible for measures in their respective administrative sectors. An interim report on the implementation of the Action Plan (June 2012–September 2013) was submitted to the government in November 2013. NGOs and other interest groups were consulted during the preparation process of the interim report. The Action Plan for Gender Equality is also a key tool for implementing and monitoring the measures outlined in the above mentioned Government Report on Gender Equality. The policy outlines of the Report extend to the year 2020.

Third Internal Security Programme

130. The third Internal Security Programme of the Ministry of the Interior, too, contains measures to reduce intimate partner and domestic violence. The programme is monitored and steered by the ministerial group on the Internal Security Programme. The group comprises all ministers relevant to the reduction of intimate partner and domestic violence. The purpose is that the ministers, in their respective branches of government, support efforts and proposals to reduce such violence. Each ministry allocates the necessary budget funds for measures to reduce intimate partner and domestic violence within their respective branches of government. This is considered the best way of making the measures influence the structures.

National Action Plan on Sexual and Reproductive Health

131. The National Action Plan on Sexual and Reproductive Health for 2013–2020 sets as objectives to improve, in social welfare and health care services, the identification of symptoms caused by sexual violence and to improve the know-how of school staff and social welfare staff to identify sexual violence. Another objective of the action plan is to include information about sexual violence in compulsory studies in the basic education of different vocational groups e.g. in social welfare, health care, pedagogy and education.

Action Plan for the Prevention of Circumcision of Girls and Women

132. The Action Plan for the prevention of circumcision of girls and women 2012 – 2016 was published by the Ministry of Social Affairs and Health in August 2012. The purpose of the Action Plan is to create permanent national and regional structures to prevent circumcision of girls and women. Therefore, the aim is to ensure the preservation of the existing expertise and the long-term development of the preventive work. Other goals of the Action Plan include more effective collaboration, clearer division of work and better coordination between different authorities and other actors.

133. The Ministry of Social Affairs and Health has, together with the National Institute for Health and Welfare, organized seminars and meetings on the implementation of the Action Plan, targeted particularly at persons working with women and girls.

134. Finnish authorities are not aware of any circumcisions conducted in Finland. The circumcisions conducted abroad still remain unnoticed until childbirths. Actors working with children and young people train them in attitudes, and this training is beginning to bring results. The actors consist of municipal staff, especially in the educational, social welfare and health care sectors, and of organisations.

Multi-Agency Risk Assessment Conference - MARAK

135. The National Institute for Health and Welfare has piloted a project (Multi-Agency Risk Assessment Conference, MARAK) to decrease serious violence in relationships and to support victims. The aim of the project is to identify high risk victims and ensure better protection for them from further abuse through multi agency coordination. The multi-agency approach is found essential when combating domestic violence. In accordance with the method, risk assessment is conducted in meetings of local inter-professional groups, involving the police, social and health care workers, child welfare authorities and other authorities if needed. An assessment has been made of the initial one year MARAK pilot phase which ended in 2011. The conclusions of the assessment single out certain critical points in the process that need to be developed in the future. Recommendations include providing further training on violence in relationships and the MARAK-method and steering and financing the project on a nationwide level. To that effect, the minister group for the Third Internal Security Programme 2011–2015 will be steering the project from the beginning of 2014 onwards. The Ministry for Social Affairs and Health will be responsible for Government level cross-sectional coordination of the project. The National Institute for Health and Welfare will continue to implement the MARAK method in different parts of the country. A variety of professional groups and administrative levels are involved in the work.

Rape crimes

136. In February 2012 the National Research Institute of Legal Policy completed a report on rape crimes (*Selvityksiä raiskausrikoksista*). One of the main findings in the report was that

the numbers of rape crimes known to the police and resulting in sentences have doubled during the last 10 years. This development is attributable, above all, to the overall increase in the inclination to report crimes and to those legislative amendments which have expanded the right to bring charges.

137. The normal punishment imposed for a crime fulfilling the basic constitutive elements of rape (Chapter 20, Section 1 of the Criminal Code) is unconditional imprisonment for about two years. Slightly less than one third of all perpetrators are sentenced to conditional imprisonment for an average of one and a half year, and every seventh perpetrator is sentenced to a combination of conditional imprisonment and community service. The average punishment for aggravated rape (Chapter 20, Section 2 of the Criminal Code) is unconditional imprisonment for 3–4 years. Coercion into sexual intercourse is usually punished by conditional imprisonment for slightly less than a year. Every sixth perpetrator is sentenced to unconditional imprisonment for an average of slightly more than a year. An analysis of the grounds for the rulings indicates that the sentences seldom take account of mitigating circumstances. The stated reasoning mostly indicates aggravating factors.

138. The above-mentioned report of the National Research Institute of Legal Policy shows that in 2006–2010 the police referred to the prosecutor 94% of all rape crimes they had cleared up. In 2010, prosecutors waived prosecution in 25% of all rape crime cases referred to them. In 2009, lower courts rejected the charges in 20% of all rape crime cases.

139. When comparing the situation regarding rape crimes in 1994–1998, on one hand, with that in 2005–2009, on the other, the report shows a clear increase in the percentage of prosecuted and sentenced cases among the cases known to the police.

140. The Government has continued to draft amended provisions on rape crimes, and the related draft government proposal has been submitted to Parliament in January 2014.

Mediation

141. The Government Action Plan for Gender Equality 2012–2015 lists limiting the use of mediation in offences involving intimate partner violence as one of the measures to combat intimate partner violence, domestic violence, violence against women and sexual violence, pursuant to the Government Programme. For example, national guidelines will be applied to ensure that practices throughout the country are in line with the limits set by law with respect to mediation and referral to mediation in cases involving intimate partner violence or domestic violence.

142. Act on Conciliation in Criminal and Certain Civil Cases (1015/2005), section 3, subsection 1, states that conciliation may deal with crimes that are assessed as eligible for conciliation, taking into account the nature and method of the offence, the relationship between the suspect and the victim and other issues related to the crime as a whole. Crimes involving underage victims must not be referred to conciliation if the victim needs special protection because of the nature of the crime or because of his/her age. If a crime cannot be referred to conciliation, issues related to compensation of the damage caused by it must not be referred to conciliation either.

143. Out of all the criminal and civil cases referred to mediation, just over 50 per cent were violent crimes in 2011 and 2012 (53,4 %). In 2011 the share of violent crimes of all mediated criminal and civil cases increased by around 6 percentage points, and by 1 % in year 2012. In 2012 total amount of cases referred to mediation decreased 7 %.

144. Domestic crimes are increasingly referred to mediation, which is partly due to an amendment to the Penal Code under which also petty assaults in domestic settings are offences under public prosecution. Year 2012 the share of domestic crimes was 17 % of all violent crimes.

145. Year 2012 the total number of criminal and civil cases referred to mediation decreased 7 % compared to year 2011, amounting to 12 306 cases. The total number of mediated cases included 11 908 criminal cases and 398 civil cases.

Legislation on buying sexual services

146. The Government Action Plan for Gender Equality sets the following objective: "A comprehensive assessment of the legislation on buying sexual services will be conducted and further action outlined. Sweden's experiences of the implementation of legislation on buying sexual services will be taken into account in the assessment."

147. In 2013 the Ministry of Justice commissioned researchers at the University of Helsinki to assess the functioning of the current prohibition of purchase of sexual services, as planned in the Action Plan for Gender Equality. In their report, submitted in September 2013, the researchers recommended primarily that the purchase of sexual services be prohibited entirely in Finland, too.

148. The Ministry of Justice is considering possible further measures.

Stalking

149. As of 2014, stalking has been made a criminal offence in Finland. Stalking is subject to public prosecution, which means that a prosecutor may bring charges against the perpetrator even if the injured party did not demand punishment for the perpetrator.

Shelters

150. In the division of work within the Government, the Ministry of Social Affairs and Health is responsible for issues related to shelters. Under the second Internal Security Programme, the Ministry prepared a report on the situation of shelters in Finland. The report was completed in 2010.

151. According to the report, there were 21 shelters in Finland, most of which are non-profit associations. However, the number of shelters is still low compared to the population and the funding for shelters is unstable. For victims of intimate partner and domestic violence, there are 123 family shelter places in Finland. The provision of shelters is being considered in an ongoing work preparing ratification of the Istanbul Convention of the Council of Europe as well as in the process of reforming the Act on Social Services.

152. The Government made a decision-in-principle on the third Internal Security Programme in June 2012. One of the expert groups set up to prepare the programme examined the position of crime victims and the services available to them. At the initiative of the Ministry of Social Affairs and Health, issues related to shelters were excluded from the preparation. Based on the preparations by the expert group, the Government's decision-in-principle on the Internal Security Programme contains three measures to improve the services available to crime victims. The most important measure is to ensure crime victims' access to sufficient services with comprehensive regional coverage by preparing alternative

models for sustainable financing of the services, including the founding of a fund for crime victims.

153. The National Institute for Health and Welfare (THL) published National Quality Guidelines for shelters in June 2013. The guidelines define the guiding principles for customer work at shelters, describe the process of customer work and define the objectives and criteria of the work.

154. In November 2013, the Government made a decision on the implementation of a structural policy programme. In the programme, as part of proposals for the reduction of local government tasks and obligations, the transfer of shelters to the responsibility of the central government from the beginning of 2015 has been entered. The decision requires the preparation of an Act on Shelters. The proposal will be presented to Parliament in September 2014.

155. As from the beginning of 2015, the shelter services will be organised by local authorities but funded by the Government. The Government will conclude contracts with those service providers who are considered capable of supplying shelter services. The National Institute for Health and Welfare coordinates the shelter services as the representative of the Government. The Ministry of Social Affairs and Health is the highest decision-making and supervisory authority.

156. The Istanbul Convention recommends the number of shelter places recommended by the Council of Europe, i.e. 1/10 000 family places. In proportion to the population in Finland, this would mean 530 family places. At the moment, Finnish shelters have 123 places for families, which is about one fourth of the number recommended by the Council of Europe. However, according to the Istanbul Convention shelters must be provided in sufficient numbers considering the need. The need existing in Finland will be known when shelter services start functioning in sparsely populated areas, too.

Telephone helpline

157. The need for a round-the-clock telephone helpline for victims of intimate partner violence and domestic violence has been discussed. When preparing the ratification of the Istanbul Convention, the Government paid attention to the issue again, because the Convention requires such a service. The Government conducted a preliminary study on the operation of a helpline for victims of intimate and domestic violence as early as in 2008. In Finland, different actors operate telephone helplines at certain times of the day and on certain days of the week, but none of the helplines is available round the clock. Now, the Government will update the 2008 study and examine how the helpline would serve best round the clock. In Finland, the general emergency number 112 is available for help in acute cases, but it is not a counselling helpline. The Parliament has directed some funds in 2014 for the preparations for ratification of the Istanbul Convention, including development of a telephone helpline³.

Right to choose – End to sexual violence and harassment!

158. The Ministry of the Interior has started to carry out the EU-funded two-year project entitled Right to choose – End to sexual violence and harassment! The project aims to

³ On 13 December 2013 the Finance Committee of Parliament, in its report (VaVM 34/2013) on the Government proposal to Parliament for supplementing the budget proposal of 2014 (HE 112/2013 vp), proposed adding to the budget EUR 300,000 for preparations of the implementation of the Istanbul Convention, i.a. for establishing the telephone helpline.

reduce sexual violence and harassment against women and girls. It is carried out jointly with non-governmental organisations and the national Police University College. The project will study sexual harassment experienced by young people.

159. The short video films produced under the project describe sexual violence and harassment against women and girls. Drawing on research information, the subjects of the videos focus on the most hidden or unidentified forms of harassment and violence. The content of the videos is supplemented with other material. All the material is publicly available at a website with links to other relevant websites and data banks. The videos are also published in the YouTube and advertised in the social media.

160. The materials are targeted at girls and women, but can also be used at schools and in other contexts when discussing sexual violence and harassment. The material is addressed to the perpetrators, too, to raise their awareness of the victims' feelings.

161. The National Institute for Health and Welfare has launched a campaign against sexual violence targeted at young people, making use of electronic media (*Mun kroppa. Mä päätän siitä.*). The website of the campaign provides information on sexual violence and what measure can be taken to combat it. The campaign highlights the sexual self-determination of young people. The campaign aims to encourage young people to set their own boundaries, identify threats and talk about violations of their rights. The campaign is targeted at young people aged 15–17. The campaign website is running until the end of 2015. The campaign has been carried out as part of the National Action Plan to Reduce Violence against Women 2010–2015.

Women in vulnerable positions

162. The National Action Plan to reduce Violence against Women acknowledges that some demographic groups may fall victim to violence more easily than others and that falling victim to violence may have different consequences and effects for different groups. A multiple minority position may increase exposure to violence and thereby present special challenges for intervention and prevention. The Action Plan comprises ethnic and cultural minorities, disabled groups and sexual and gender minorities as well as victims of human trafficking and procuring, women prisoners and substance abusers.

163. The Action plan acknowledges that there are still problems with how primary and specialized services deal with immigrants, groups of persons with disabilities, older people and groups who have experienced violence. The availability of special services for victims of violence, violent offenders and children witnessing violence must be ensured nationally, and furthermore it is necessary to clarify how these services shall be delivered and funded jointly by local governments, central government and organizations.

164. The Action Plan lists several measures aimed at improving the ability of the authorities and professionals working with vulnerable women to identify and intervene in the violence experience by these groups. There are also targeted measures designed to prevent the various forms of violence experienced by immigrant women and children, such as honour-related violence, forced marriages, polygamy and female genital mutilation, in addition to intimate partner violence.

165. According to the Action Plan, broad-based education campaigns are needed to inform public opinion. As far as the immigrant population is concerned, the campaigns shall encourage men to examine and challenge cultural attitudes that are used to legitimate

violence against women. The most effective strategy of prevention is through comprehensive integration. The aim is not just to find jobs for immigrants, but more generally to restore their sense of life control. One way of doing this is by providing information, guidance and support in the early stages of integration, with due consideration to the background of each individual immigrant. In the prevention of violence against immigrant women, it is particularly important to take account of the cultural background of women and men as well as the challenges associated with immigration and integration. In order to reduce the occurrence of honour-related violence and forced marriages it is important that immigrants have access, in their own language, to more information and guidance about their own rights, their individual freedoms and the rules of Finnish society.

166. To root out these phenomena altogether, it is necessary that low threshold services and activities as well as peer support groups are available and that people who are in need of help are informed about these services by the authorities.

167. As for more concrete measures, the Action plan proposes providing safety education contents for basic and supplementary training in the field of school and student health care and for school psychologists, teachers and early childhood education staff, which reflect the diversity of gender and sexual orientations.

168. The Action plan also proposes to revise legislation on immigrant integration to reflect the rights of all immigrants to basic information about Finnish legislation, immigrants' rights and duties in society and in the workplace, the service system and other basics about society as well as to develop peer group activities for both women and men by making funding available to projects designed to support the work done by both new and traditional organizations of ethnic minorities and immigrants to provide information about violence against women and related services in Finland.

169. Other proposed measures include

- providing training for people working with ethnic minorities and immigrants (social and health care staff, school and student health care, teachers, the police, prosecutors, people working in integration planning, staff at Employment and Economic Development Offices and parishes, professionals providing language training) to help them identify and intervene in violence;
- developing a training package for the Online University of Applied Sciences on the distinctive features of violence against sexual and gender minorities and its prevention that can be used both in contact teaching and in other learning;
- creating a national data bank of information for social and health care professionals about how to respond to disabled people and how to identify and raise the issue of domestic and intimate partner violence and sexual violence and how to refer the victim of violence to professional help. The data bank must be designed with a view to accessibility, plain language and sign language;
- developing and establishing low threshold guidance and advice services for immigrants, with special reference to issues of violence against women;
- providing training for the police in matters concerning extensions to residence permits so that they acknowledge situations where the divorce was due to violence on the part of the applicant's spouse;
- compiling a guide on how to identify violence experienced by disabled women and how to help them. Include case examples to make it easier for staff to identify

violence; including in the Manual for disabled services guidelines and frameworks of practice for identification, prevention, intervention and referral in cases of domestic and intimate partner violence and sexual violence;

- giving attention to the occurrence of violence and abuse in connection with the monitoring of disabled institutions.

170. According to the Action Plan, training for social and health care staff and for people working in services organized by NGOs shall include information about how to respond to vulnerable groups and how to identify and intervene in violence they have experienced, so that vulnerable groups can be offered the same services as other victims of violence. Training and guidelines shall be provided in order to equip people working in special disabled services (e.g. staff and social workers at schools and residential homes) with the skills they need to identify violence.

171. New material and existing material that will be updated will be designed and compiled in such a way that they reflect the position of society's most vulnerable groups, such as ethnic minorities, sexual and gender minorities and disabled people. In the case of disabled people this means that education must be generally available and accessible: information as well as feedback must be available in plain language and/or sign language and via several channels.

172. In order to promote awareness of violence against persons with disabilities, the National Institute for Health and Welfare (THL) provides an eHandbook on Disability Services. The eHandbook provides information and support for professionals working with disability issues. It is also used by disabled people. The eHandbook contains a section Disability & Violence which includes information on violence against persons with disabilities with a special focus on women, children and elderly. The Disability & Violence section includes information on all forms of violence including physical, emotional and sexual violence as well as discrimination and hate crimes. The section provides information on how to recognize violence (in the home environment or in services) and how to address it. The section was published in January 2012. In its first year the section had nearly 4500 visits and the amount of visits on the site is increasing every year.

173. The National Institute for Health and Welfare provides online information on prevention of domestic violence on the website *Kasvun kumppanit* ('Partners promoting the well-being of children'). The section also addresses honour violence and violence against persons with disabilities. The section aims to inform professionals and municipalities in organising preventive work through their well-being strategies and safety plans. Every municipality must have an appointed coordinator for the prevention of violence. The Ministry of Social Affairs and Health has published in 2009 recommendations for the prevention of interpersonal and domestic violence (Recognise, protect and act. How to guide and lead local and regional activities in social and health care services). In the recommendations on domestic and intimate partner violence to the social welfare and health services, local governments are requested to pay attention to the service needs of elderly persons, persons with disabilities as well as children and young persons.

174. In August 2013 the National Institute for Health and Welfare published a guide 'Dare to be, dare to speak – women with disabilities and violence' (*Uskalla olla, uskalla puhua - vammainen nainen ja väkivalta*). The guide contains vivid examples of violence that women with disabilities face in Finland – at school, at work, at home and in institutions. It guides and encourages women with disabilities to use public services and suggests several measures to

develop the current situation. The guide is aimed at women and girls with disabilities and at professionals working with persons with disabilities.

175. In June 2013 the National Institute for Health and Welfare published national quality recommendations for shelters (*Turvakotipalvelujen kansalliset laatusuosituks*). The recommendations state that accessibility and the needs of special groups must be taken into consideration in the planning of shelters. However, more attention must be paid into making shelters that operate today and their services accessible to persons with disabilities as at the moment none of the shelters are wheelchair accessible.

176. In 2012 the National Institute for Health and Welfare published an updated guide on safety skills for young people (*Turvataitoja nuorille - Opas sukupuolisen häirinnän ja seksuaalisen väkivallan ehkäisyyn*). The guide is aimed at professionals working with young people and its purpose is to prevent violence, abuse and harassment through education and awareness raising. The guide has a human rights based approach and it addresses young people with disabilities in a separate section but also throughout the guide.

177. Disability as a motive of crime is defined as an aggravating circumstance in the Penal Code (39/1889). The Penal Code deals with sexual crimes, where a special consideration is taken in situations when the perpetrator abuses persons who due to their disability, illness or other vulnerable situation are not able to defend their sexual self-determination. Sexual crimes against children are defined, also specifically in situations where the victim is dependent on the perpetrator, when the crime has taken place at hospital, school or other similar situations.

178. Finland has adopted a National Plan to Reduce Corporal Punishment of Children 2010–2015 titled “Don't hit the child!”. Children with disabilities and their parents are one of the target groups of the plan, owing to their higher vulnerability. The Plan proposes that the State increase availability of home services especially for families with small children, many children or disabled or chronically ill children, and single-parent households.

179. All action plans, guides and websites have been designed and produced in direct cooperation with different disability organisations and representatives such as the Disability Forum (*Vammaisfoorumi*), the DPO women's network (*Vammaisjärjestöjen naisverkosto*), The National Council on Disability (*VANE*) and the Network of organisations of parents of disabled children (*Vammaisten ja pitkäaikaissairaiden lasten ja heidän perheidensä yhteistyöryhmä YTRY*).

180. The intention is to ratify the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol during the term of office of the present Government. An interdepartmental working group submitted its report, including a draft for a Government Bill for ratification, in December 2013.

Study on intimate partner violence and domestic violence directed against Roma women

181. In 2013 the Ministry of Social Affairs and Health studied intimate partner violence and domestic violence directed against Roma women. The study was conducted under the Action Plan to Reduce Violence against Women, 2010–2015. This study was the first of its kind. The steering group for it consisted of experts in both Roma culture and Roma women's circumstances and in intimate and domestic violence.

182. The primary aims of the study were to chart the special features of the intimate and domestic violence experienced by Roma women, and to recommend measures by which

different support services could improve the prevention of violence and address its consequences. The material of the study consisted of interviews with Roma women and specialists in addressing intimate and domestic violence.

183. The study showed that many reasons prevent Roma women from seeking help, and that these reasons cannot be identified without knowing the special features of Roma culture. It also seems that shelter services are important for Roma women. Those who had used the services were satisfied with them but found it challenging to reach them.

184. The study report recommends that the staff of shelter services be introduced into Roma culture and that Roma women be informed about the support services available to them. The material produced in the study also indicated the need to increase services for children experiencing domestic violence.

185. The information produced in the study will be utilised for example when preparing training material for different authorities on the identification of intimate and domestic violence. In addition, the Advisory Board on Roma Affairs will prepare a guide, customised to the specific features of Roma culture, for divorcing Roma.

Trafficking in women

186. The mandate of the Steering Group appointed by the Ministry of the Interior was to assess the implementation of the Revised Plan of Action against Trafficking in Human Beings and to prepare recommendations for developing the anti-trafficking legislation and measures. In February 2012, on the basis of the Steering Group's findings, the Ministry set up a project to prepare a proposal for more detailed regulation of the assistance system for victims of trafficking. The project takes account of the recommendations of the Steering Group.

187. The mandate of the project group is

- to examine and assess the current status and functioning of the existing legislation concerning victims of trafficking (especially the Act on the Reception of Persons Seeking International Protection and the Aliens Act), and to analyse the various alternative means of regulating the assistance for victims of trafficking, incl. the effects of the means, in order to improve the assistance system,
- to compare the legislations on assistance and support for victims of trafficking in those industrial countries which are most important from the project perspective, and
- drawing on the findings from the examination, to prepare a proposal for more detailed regulation of the assistance and support for victims of trafficking.

188. A report describing the current situation and supporting the proposal was completed in autumn 2013 and the Steering Group approved the conclusions of the report in November 2013. The project group proposed in its report that, at first, the deficiencies identified in the regulation of assistance to victims of trafficking be corrected by supplementing and clarifying the Act on the Reception of Persons Applying for International Protection. The threshold for access to the assistance services will remain low in the future, too, and the number of authorities and actors identifying victims of trafficking will be as high as possible. The relevant legislation will be supplemented with provisions on eligibility for access to the assistance services. The government proposal to be drafted on the basis of the report will be submitted to Parliament at the beginning of its autumn session 2014 at the latest.

189. The Ministry of Justice is currently preparing amendments to the Criminal Code provisions concerning trafficking offences. The aim is to clarify the difference between trafficking offences and pandering and also between trafficking offences and extortionate work discrimination. The Government proposal is planned for submission to Parliament in spring 2014.

Maternity and child health clinics

190. In the health care sector, attention has been paid especially to the occurrence of domestic violence, the early identification of such violence, and the intervention in it. Maternity and child health clinics use a form for identifying domestic violence during medical examinations of pregnant women. Pregnant women are entitled to a maternity grant on condition that they, before the end of the fourth month of the pregnancy, have undergone a medical examination at a doctor's surgery or antenatal clinic. The purpose of the form is to monitor and promote the health of both the mother and the foetus. The maternity grant is available either as a maternity package or a lump sum of money. The maternity and child health clinics also reach most children. According to the Health Care Act (section 15), maternity and child health clinics are responsible for checking and promoting the well-being of children and families, for identifying early any special needs for support, and for arranging the necessary support. The Health Care Act also regulates school-based health care (section 16) and student health care (section 17). The services of school-based and student health care are supported by the new Act on Pupil and Student Welfare Services (1287/2013).

191. The Government Decree on Maternity and Child Health Services, School and Student Health Care and Preventive Oral Health Care for Children and Young People (338/2011) regulates the activities of maternity and child health clinics in more detail. The decree contains provisions on comprehensive health checks examining the well-being of entire families. The National Institute for Health and Welfare has issued instructions for comprehensive health checks in a guide (2012: guide no. 22). The Child Welfare Act, too, imposes obligations on maternity and child health clinics. They are, e.g. obligated to notify the municipal body responsible for social services of a child's need for child welfare measures, and to notify the police of any suspected crime or possibility of crime against the child. These notifications provide information about the whole family's problems, including violence. Thus, the parents can be referred to assistance with their problems.

192. Decree 338/2011 also ensures activities to promote the health of immigrants and to prevent their problems in many ways. The needs of the whole population must be taken into consideration when organising health counselling and health checks. An action plan must be prepared regarding the above-mentioned services, jointly with educational and social welfare authorities, which are the most evident authorities in identifying the special features of the immigrants in each municipality. The well-being of a child's family is monitored and supported by means of comprehensive health checks. If necessary, one check must be conducted multiprofessionally during the pregnancy, three checks before the child reaches the school age, and three checks while the child attends comprehensive school.

193. The decree requires very extensive health counselling. Family training must be organised in multiprofessional cooperation. A house call must be paid to all families expecting or having got their first child. The need of children, young persons and families for special support must be identified, and the necessary support must be provided; where needed, in multiprofessional cooperation.

194. The implementation of the decree is supported by a number of guides: The reasoning for the decree and instructions for applying it (publications of the Ministry of Social Affairs and Health, no. 2009:20). This guide deals with e.g. sufficient numbers of staff and the factors influencing it, including the number of immigrants in the region; comprehensive health checks. Guide for maternity and child health clinics and school health care (National Institute for Health and Welfare, guide no. 22, 2012); Guide for antenatal clinics (National Institute for Health and Welfare, guide no. 29, 2013). The latter guide includes a chapter on multicultural issues and recommendations on e.g. the arrangement of interpretation services and reserving 1.5 times more reception time for immigrant mothers.

195. The National Institute for Health and Welfare is responsible for supporting local authorities in the realisation of health care. It is aware of the needs of the population of an immigrant origin: the subject was discussed during the annual assembly of maternity and child health clinics in autumn 2013. The Institute has a number of web services dealing with the subject: e.g. a website for promoting the well-being of children (*Kasvun kumppanit*), and an electronic guide for child health clinics (*Sähköinen lastenneuvolakäsikirja*). In addition, the Institute will shortly publish an updated action plan on sexual and reproductive health. It will discuss multicultural issues comprehensively.

196. A major structural reform of the organisation of services is going on in Finland. In the current service system, local authorities bear the main responsibility for organising social welfare and health care services equally for all municipal residents. The obligation of local authorities to organise services concerns social and health services available to all municipal residents. In the context of the ongoing major reform of local government, the organisation and funding of social and health services, too, will be reformed. The new service system is planned to include units for addressing intimate partner and domestic violence, including shelters, so that shelter services will be available to all in need of them, regardless of place of residence.

Cooperation between authorities at police departments

197. In 2014, the police administration intends to introduce, at all police departments, several authorities' cooperation on early intervention to address young persons with criminal behaviour and to find out the reasons for the behaviour. Such multiprofessional teams for early intervention (ANKKURI teams) already work at some police departments. The reason for a young person's criminal behaviour may be domestic violence. In such cases the authorities also have the opportunity to jointly intervene in the situation.

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