

FINLAND

EXECUTIVE SUMMARY

The Republic of Finland is a constitutional republic with a directly elected president and a unicameral parliament (Eduskunta). The prime minister heads a six-party coalition government. Parliamentary elections on April 17 were free and fair. Security forces reported to civilian authorities.

While serious abuses were rare, societal discrimination against ethnic minority residents was seen as the country's most significant human rights problem. Domestic abuse and other violence against women and children were also a chronic problem. Although the system for administering justice generally worked well, police at times failed to provide detainees timely access to legal counsel as required by law.

Other human rights problems during the year included instances of alleged bribery and abuse of trust involving elected officials, and allegations that local government officials used harsh methods to break up illegal Romani settlements in the country.

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

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

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

b. Disappearance

There were no reports of politically motivated disappearances.

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

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

Prison and Detention Center Conditions

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

In 2010, the most recent period for which data was available, the daily average prison population including pretrial detainees and remand prisoners was 3,291, of whom 0.2 percent were juveniles under 18 years of age, 2.4 percent were under 21 years of age, and 7.0 percent were women.

Prisoners and detainees had reasonable access to visitors and were permitted religious observance. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and request investigation of credible allegations of inhumane conditions. There were no such complaints during the year.

The annual report of the UN Committee against Torture expressed concern about overcrowding in some prisons and detention centers and the lack of appropriate sanitary facilities in 222 prison cells, where prisoners had only buckets for discharging human waste.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the military and the national police force, which are under the centralized control of the Ministry of Defense and the Ministry of the Interior, respectively. Police have responsibility in law and practice for law enforcement and maintenance of order within the country. The government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving security forces during the year.

Arrest Procedures and Treatment While in Detention

The law requires police to have a warrant issued by a prosecutor to make an arrest. A warrant must be obtained within three days if an individual is arrested while committing a crime; arrested persons must receive a court hearing within three days of arrest. Authorities usually respected these rights in practice. Detainees must be promptly informed of the charges against them, and lawyers must be provided for the indigent. In 2009, the last time the matter was investigated, the Council of Europe's Committee for the Prevention of Torture found that detainees' access to legal counsel was often significantly delayed. There were no reports that suspects were detained incommunicado or held under house arrest.

There is no system of bail, but most defendants awaiting trial were eligible for conditional release based on personal recognizance. There were no reports of preventive detention, which the law allows only in exceptional circumstances, such as during a declared state of war, or for narrowly defined offenses including treason, mutiny, and large-scale arms trafficking.

e. Denial of Fair Public Trial

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

Trial Procedures

The constitution and law provide for the right to a fair public trial, and an independent judiciary generally enforced this right.

Defendants are presumed innocent until proven guilty. The law does not provide for trial by jury. Defendants have a right to consult an attorney in a timely manner before trial. Attorneys are to be provided at public expense if defendants face serious criminal charges that can result in imprisonment or significant fines. Defendants can confront and question witnesses against them and present witnesses and evidence on their own behalf. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants have a right of appeal.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Regional Human Rights Court Decisions

The European Court for Human Rights (ECHR) issued five judgments against the state during the year, some of them involving multiple infractions. When a breach of the European Convention on Human Rights is found, the government's policy is to take action in the specific case in which the breach occurred and enact legislative and administrative changes to avoid a repeat of the infraction. The government paid monetary judgments awarded by the ECHR.

Civil Judicial Procedures and Remedies

Individuals or organizations may seek civil remedies for human rights violations. They may appeal adverse decisions to the ECHR.

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

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

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

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

Censorship or Content Restrictions: The publication of hate material and public speech intended to incite discrimination or violence against any national, racial, religious, or ethnic group are crimes. On December 13, an appeals court in Kouvola reversed a district court's acquittal of James Hirvisaari, a member of parliament from the populist Finns Party, and fined him 1,425 euros (\$1,853) for "incitement to hatred" for posting his negative opinions on Muslim immigrants to his blog while serving on a municipal council. Hirvisaari may still appeal the decision to the Supreme Court.

Internet Freedom

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the expression of views via the Internet, including by e-mail.

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

On November 11, police in Lieksa detained two young men suspected of fomenting ethnic hatred and six others for spreading ethnic hatred on Facebook. The investigation continued at year's end.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

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

c. Freedom of Religion

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

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

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

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

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Safe Country of Origin/Transit: Following an ECHR judgment against Greece, on January 24 the Finnish Immigration Service stopped for the time being returning asylum seekers to Greece on the basis of the EU's Dublin II Regulation, which recognizes all EU countries as safe countries of origin and transit. The Regulation also authorizes the governments of EU member states to return asylum seekers to the countries where they first entered the EU. The service had earlier refused to return unaccompanied minors or applicants in a vulnerable position, such as families with children, to Greece because of the poor conditions for asylum seekers in that country.

Nonrefoulement: In practice the government provided protection against the expulsion or return of refugees to a country where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

Refugee Abuse: The Ministry of Interior has appointed a special working group to consider detainee status in the country. The working group will focus especially on asylum seekers who arrive alone. Due to the lack of facilities, a number of asylum seekers were detained in unsuitable facilities, including police stations and prisons.

Employment: The government granted all asylum applicants temporary residency while they awaited the decision on their applications. To discourage asylum seekers from destroying their identification documents, authorities allowed only those applicants who crossed the border with proper identification documentation to seek employment, education, healthcare, property ownership, and other services after three months. Otherwise, the government grants the right to work to asylum seekers without proper travel documents after they have submitted an asylum application and resided in the country for six months.

Access to Basic Services: Refugees and asylum seekers generally have access to basic services. Legislation regarding asylum seekers that entered into force on September 1 adjusted which services the national government and local municipalities offer and finance.

Durable Solutions: The parliament annually sets a quota for the number of refugees that may be admitted into the country. The government decides on the allocation of the quota. Since 2001 the annual quota has been 750 refugees.

Temporary Protection: According to the most recent statistics available, between January and August 2010 the government provided temporary protection to 60 individuals who might not qualify as refugees.

Stateless Persons

According to UNHCR, 3,125 stateless persons were living in the country at the end of 2010. A child may obtain citizenship from either the mother or father regardless of the place of birth and may also acquire citizenship if the child is born in Finland and would otherwise be stateless. Involuntarily stateless people and certain other special groups (such as refugees) have a shorter residency requirement than typical applicants before gaining citizenship, four years as opposed to six.

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

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

Elections and Political Participation

Recent Elections: Parliamentary elections held on April 17 were considered free and fair.

Participation of Women and Minorities: As a result of the April elections, 86 women entered the 200-seat parliament and nine women took portfolios in the 19-member Council of State (cabinet). The president of the republic and the president of the Supreme Court were women. Four of the eight parties in parliament went into the election campaign under female leaders. Women were in the majority in two parliamentary groups: the Social Democratic Party (27 women and 15 men) and the Swedish People's Party (five women and four men).

There were 10 members of minority groups in parliament and two in the cabinet. Jani Toivola, a Kenyan-Finn from the Greens Party, became the first member of a racial minority to win a parliamentary seat as well as one of the few openly gay

members of parliament. The autonomous region of the Aland Islands elects one representative to the national parliament and has its own parliament. The indigenous Sami minority enjoys semiautonomous status and has its own parliament as well as full representation as citizens in the national parliament; however, no Sami were members of the national parliament.

Section 4. Official Corruption and Government Transparency

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

The law requires parties, candidates, and candidates' supporters to report every donation of more than 800 euros (\$1,040) in municipal elections or more than 1,500 euros (\$1,950) in other elections. This reporting requirement also applies to other forms of electoral support, such as funding seminars or donating goods and services for political purposes. The National Audit Office, the country's supreme audit institution, is responsible for collecting the reports and maintaining a public register on the Internet.

During the year the National Bureau of Investigation continued investigating suspected instances of bribery and abuse of trust involving members of parliament from the Center and National Coalition parties. On September 29, member of parliament and former chairman of the board of the nongovernmental organization (NGO) Youth Foundation (a Center Party-led housing charity) Antti Kaikkonen, former chairman of the state-run Slot Machine Association Jukka Vihriala, and six members of the board of the Youth Foundation were charged with abuse of trust. On June 14, Ilkka Kanerva, a member of parliament from the National Coalition Party and former foreign minister, went on trial in the Helsinki District Court for bribery and malfeasance. He was charged with accepting more than 50,000 euros (\$65,000) in bribes from four businessmen while serving on the Regional Council of Southwest Finland, a body whose powers include land use. The businessmen also were charged in the case.

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

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

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Government Human Rights Bodies: The parliamentary ombudsman enjoyed the government's cooperation, operated without government or party interference, and had adequate resources. The ombudsman investigates complaints that a public authority or an official has not observed the law or fulfilled a duty, or that fundamental human rights protections have not been appropriately implemented. In 2010, the most recent year for which data was available, 4,492 new matters were referred to the ombudsman, and the ombudsman issued a decision in 4,903 cases. The main targets of the complaints received were the social welfare authorities, law enforcement authorities, healthcare, and penitentiary officials.

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

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

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

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and female genital mutilation, and the government enforced the law effectively. The maximum prison sentence for rape is six years but can be as much as 10 years in cases of aggravated rape. Between January and June, 438 cases of rape were reported to police. In 2010, 820 cases of rape were reported to police. The actual number of rapes reported to authorities during the year was higher and included

cases reported to the Finnish Border Guards and Customs which were not counted in the cases reported to police. In 2010, the most recent period for which government figures were available, 135 persons were convicted of rape.

On June 1, legislation entered into force that defines coercion into a sexual act or intercourse, including with a defenseless person (i.e., intoxicated or disabled), as a crime as severe as rape. Sentences for such offenses are consistent with those for rape.

Through various public awareness campaigns police and other government officials actively encouraged victims to report rapes.

Violence against women, including spousal abuse, continued to be a problem. In 2003-2009, 264 women were killed the country. Of those, 16 were under the age of 15, five were between 15 and 17, and 243 were adults. The annual homicide rate for women averaged 1.4 deaths per 100,000 inhabitants compared with a rate of 3.4 deaths for men. The majority of female victims were killed at home (57 percent); in 67 percent of the cases the killer was a spouse or boyfriend.

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

The NGO Federation of Mother and Child Homes and Shelters stated domestic violence was a problem in all age and social groups regardless of level of education. Violent behavior within a family often remained unreported to police. A survey by the National Research Institute of Legal Policy released on March 7 found that 86 percent of victims who sought help from support services, such as safe houses, were women. The average age of female victims was 38 compared with 44 for men who sought help. A large portion of the requests for support services originated from major cities in southern Finland and in most cases were due to violence.

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

The government encouraged women to report domestic violence and abuse and provided counseling, shelters, and other support services to victims of domestic violence and rape. It also funded NGOs that provided additional services, including a telephone hotline and crisis center. According to regional and municipal officials who operated shelters, most women who sought shelter from violence were between the ages of 25 and 35 and married or in a cohabiting relationship; nearly one-fourth of those seeking shelter were reported to be immigrants, although shelter records often omitted victims' origins to protect them. Foreign-born residents who were not proficient in Finnish, Swedish, Sami, or English experienced some difficulty accessing domestic violence services. In September the government adopted a five-year national action plan for reducing violence against women. Amnesty International noted, however, that the government had not provided any additional state funding to implement the plan and expressed concern that the plan would not be resourced adequately.

Sexual Harassment: Sexual harassment is prohibited by law, and the government generally enforced the law in practice. The prosecutor general is responsible for investigating sexual harassment cases. Employers who fail to protect employees from harassment are subject to fines or a maximum of six months' imprisonment. According to the Office of the Ombudsman for Minorities, one of the official bodies that track gender-related problems in the country, inappropriate treatment of women in the workplace remained a problem.

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

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

The law stipulates that men and women must receive equal pay for equal work. However, allegations of wage discrimination against women continued. In 2010 the equality ombudsman's office received 385 complaints (49 percent of all cases) alleging discrimination and unequal treatment based on gender.

Women earned an average of 19 percent less than men for substantially similar work. According to Statistics Finland data from November 2010, the most recent information available, the average monthly wage for men was 3,343 euros (\$4,346), compared to 2,739 euros (\$3,561) for women. This disparity was attributed to the tendency of men to work in more senior or skilled positions than women, with the exception of the fields of medicine and education. Men tended to dominate the upper ranks in industry, finance, and some government ministries, while women remained overrepresented in lower-paying occupations. The pay gap between women and men narrowed slightly from 2009 to 2010, as women's earnings in the public sector rose faster than those of men. The law provides that individuals may receive compensation for lost wages in cases where gender-based discrimination is proven.

Children

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

Child Abuse: Information on violence against children was not collected comprehensively. In 2008 a child victim survey by police indicated that children and young persons experienced violence more frequently than adults. Approximately 20 percent of boys and 15 percent of girls indicated they had experienced some form of assault or battery during the previous year. Adults were responsible for the violence against children in one in 10 cases. In general girls tended to experience violence at home, while boys were subjected to violence outside the home, usually by another boy. The government ombudsman for children's problems under the Ministry for Social Affairs and Health continued to work to raise public awareness of child abuse and promote the government's child, youth, and family policy program.

Sexual Exploitation of Children: Between January and November, 1,175 cases of suspected child sexual abuse were reported to police. Police received 1,102 cases in 2010. On July 15, National Police Commissioner Mikko Paatero said he hoped the higher figures were at least partially attributable to better reporting rather than a spike in the number of crimes themselves. In contrast with the apparent year-on-year increase in sexual abuse, a study by the Department of Psychology of Abo

Akademi University indicated that the rate of childhood sexual abuse might be declining. A survey of 18- to 23-year-olds found that 2.5 percent had experienced sexual abuse during childhood, while in older age groups the rate was between 3.7 percent and 5.1 percent.

As of June 1, the government stiffened the penal code for child sexual offenses and broadened the scope of punishable acts. For example, intercourse with a minor is considered an aggravated offense with penalties ranging from one to 10 years' imprisonment. The purchase of sexual services from minors now embraces so-called "grooming" (enticement of a child) including in a virtual environment or by mobile phones. The amendment also streamlined the provisions prohibiting the dissemination and possession of child pornography. All sexual crimes against children are subject to public prosecution, including if committed by the country's residents outside the country.

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

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

Anti-Semitism

According to Statistics Finland, the country's Jewish community numbered approximately 1,500. The largest Jewish community (in Helsinki) consisted of 1,150 members. There were no reports of anti-Semitic acts.

On May 25, the Finnish National Socialist Workers' Party, the country's Nazi party, failed to complete the registration process for associations. The National Board of Patents and Registration halted the process after asking for revisions of the party's application and additional information.

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

Trafficking in Persons

For information on trafficking in persons, see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

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

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

Some 200,000 persons with disabilities live in the country. On August 24, the Finnish Broadcasting Company reported persons with physical disabilities were underrepresented in the labor market, even though many of them would like to work. A survey by the innovation fund Sitra and the VATES Foundation published on August 24 found that companies were interested in hiring persons with disabilities but, among other things, wanted more information about various financial aid available to them and prospective employees. According to the survey, one third of the group was able to work, and many members of the group sought regular part-time jobs.

National/Racial/Ethnic Minorities

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

According to the media on August 4, the number of racist crimes recorded by police fell by approximately 17 percent in the beginning of the year compared with

the same time in 2010. There were occasional reports of fighting between ethnic Finns and foreign-born youth of African and Middle Eastern descent as well as fighting between rival ethnic immigrant groups. The law does not have a specific category for “race-related crimes” or “hate crimes.” However, racism as a motive or party to another motive to any other criminal act is a cause for aggravating the sentence.

On April 1, the Helsinki district court gave one person a 50-day suspended prison sentence for endangerment and fined three persons in connection with a mass brawl among youth of Kurdish, Somali, and Finnish extraction at Helsinki’s Linnanmaki amusement park in 2010. The court ordered the defendants to pay 1,600 euros (\$2,080) in compensation.

In April and May, Teuvo Hakkarainen, a member of parliament from the Finns Party, made a series of racially derogatory comments about blacks, Swedes, Somalis, Muslims, gay men, and lesbians. According to the press, police reported to the state prosecutor that there was no crime and if there was it was too small a matter to investigate. Hakkarainen later apologized.

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

A new, significant influx of adult Romani beggars from Romania started in 2007 after Romania joined the EU, with an increase in Roma in Helsinki and other large cities. The number of beggars varied significantly over the year, ranging from approximately 200-300 during the summer months and only a few dozen during the winter.

A small number of illegal camps used by non-Finnish Roma were a controversial issue. The Helsinki rescue department stated that the sites suffered from safety deficiencies and were unfit for habitation. The city repeatedly offered temporary accommodation to the Roma, but many Roma either refused the initial offers or returned to the illegal camps after spending a short time in the shelters.

The Helsinki city council decided to break up non-Finnish Romani camps in Helsinki and enforced its decision with police. The minority ombudsman criticized the city council's decision as evidence of a hardening of attitudes towards foreigners and stated that, although the city has the right to decide where camps should be situated, breaking up existing camps did not solve the problem.

At the end of 2010 there were 54,500 Russian-speaking persons living in the country, principally in Helsinki and areas along the Russian border. They were by far the largest minority not speaking Finnish or Swedish, the country's two official languages. In April 2009, the latest date for which data was available, unemployment among immigrants from the former Soviet Union (excluding Estonia) was 31 percent, compared to 17.6 percent for all immigrants and 8.8 percent in the country overall. A 2010 report by the minority ombudsman identified the lack of Finnish-language ability, the lack of education or recognition of training, personal cultural differences, lack of employers' confidence in Russian speakers, discrimination, and the lack of local social networks as causes for this discrepancy. Russian-origin persons had the highest number of requests for assistance of any immigrant group and nearly double that of Somalis (the immigrant group with the second highest number of requests).

The government strongly encouraged tolerance and respect for minority groups and sought to address racial discrimination. All government ministries included antiracism provisions in their educational information, personnel policy, and training programs. The government also monitored the treatment of national, racial, and ethnic minorities by police, border guards, and teachers. The government's minority ombudsman monitored and assisted victims of discrimination. The ombudsman for minorities supervised compliance with the prohibition of ethnic discrimination.

In 2010, the latest data available, the ombudsman for minorities processed 848 client cases of discrimination. The Roma remained the largest ethnic group contacting the ombudsman for minorities. As in earlier years, the majority of Romani clients contacted the office about housing problems. The second-largest group to contact the ombudsman for minorities were Russian speakers.

Indigenous People

The constitution provides for the protection of the Sami language and culture, and the government financially supported these protections. The Sami, who constitute less than 0.1 percent of the population, have full political and civil rights as

citizens as well as a measure of autonomy in their civil and administrative affairs. A 21-member Sami parliament (Samediggi), popularly elected by the Sami, is responsible for the group's language, culture, and matters concerning their status as an indigenous people. The Sami parliament is an independent body but operates under the purview of the Interior Ministry. It can adopt legally binding resolutions, propose initiatives, and provide policy guidance. Despite constitutional protections, members of the Sami community continued to protest the lack of explicit legislation to safeguard Sami land, resources, and economic livelihood. The government owns 90 percent of the land in the Sami home region, much of it in the form of national parks. Sami have alleged for decades that the government used their land for logging and other purposes without consulting them.

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

No person may be discriminated against on the basis of gender identity, sexual orientation, or other personal characteristics. The government generally respected these rights, and law enforcement authorities investigated and punished violations of these rights.

On May 10, the Helsinki district court gave suspended four-month sentences for assault, breach of political freedom, and possession of weapons to three young men who attacked the 2010 Helsinki Pride parade. The court included aggravating circumstances in its judgment, as the attack was targeted on sexual minorities and some of the victims were bystanders, including minors.

Other Societal Violence or Discrimination

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

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution provides for the freedom to form trade unions and join independent unions, to conduct legal strikes, and to bargain collectively. The law prohibits antiunion discrimination, and there were no reports that such

discrimination occurred during the year. Any restriction or obstruction of these rights is prohibited.

The law exempts from the right to strike public sector employees who provide essential services. An official dispute board can make nonbinding recommendations to the cabinet on ending or limiting the duration of strikes when national security is threatened. Employees prohibited from striking can use arbitration to provide for due process in the resolution of their concerns.

A strike is legal when an employment contract is not in effect and the action is pursuant to new contract negotiations. If a contract agreed by all parties is in effect, a strike is considered illegal. Fines may be imposed for illegal strikes.

The statute regulating work agreements extends these rights to both the employee and the employer.

Employers of nonunionized workers are required to compensate employees at a wage equal to that stipulated by existing collective bargaining agreements.

The regulation of the labor market is based on labor legislation and, primarily, on collective agreements. Any trade union and employers' association may make collective agreements. Nearly all collective agreements were branch-specific. The Ministry of Labor and the Economy decides on the universal validity of the agreement. The parties to collective agreements are trade unions and the central organizations of employers' associations. The role of the government has been, when needed, to support the conclusion of collective agreements by making the appropriate economic policy decisions, such as in cases involving taxes.

Extensive tripartite cooperation between the government, employers' groups, and trade unions characterized the country's labor market system. The Occupational Safety and Health Administration (OSHA) of the Ministry of Social Affairs and Health monitors unorganized employers' adherence to generally applicable collective agreements. The latest of these tripartite agreements was concluded in November. It covered approximately two million workers: 94 percent of wage earners in the private sector and 100 percent of the public sector.

Most unions have connections to the Social Democratic Party or the Left Alliance but are independent of them.

The national conciliator assists the negotiating partners in settling labor disputes if a collective agreement cannot be reached without outside help. The national conciliator can also assist central labor market organizations in drawing up comprehensive income policy agreements.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor; however, there were reports that such incidents occurred. Men and women were subjected to forced labor in the construction industry, restaurants, and domestic service.

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

c. Prohibition of Child Labor and Minimum Age for Employment

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

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

The Ministry of Employment and the Economy enforces child labor regulations. There were no reports of children engaged in work outside the parameters established by law.

d. Acceptable Conditions of Work

There is no national minimum wage law; however, the law requires all employers, including nonunionized employers, to pay minimum wages stipulated in collective

bargaining agreements. The Ministry of Employment and the Economy is responsible for labor policy strategy and implementation, improving the viability of working life and its quality, and promoting employment.

The standard workweek established by law is eight hours per day with no more than 40 hours of work per week. According to Statistics Finland, the full-time workweek averaged 37.8 hours for all workers in 2010, the most recent year for which data was available. Certain occupations, such as seamen, household workers, road-transport workers, and workers in bakeries, are subject to separate workweek regulations. Employees working shifts or during the weekend are entitled to one 24-hour rest period per week. Workers are entitled to time-and-a-half pay for the first hour of overtime work and double-time pay for time beyond the first hour. The law limits a worker to 250 hours of overtime per year and 138 overtime hours in any four-month period.

The government sets occupational health and safety standards, and the Ministry of Social Affairs and Health enforced them effectively. The ministry's OSHA monitors compliance with occupational safety and health legislation, including overseeing the employment terms for young workers. OSHA has the right to enter workplaces and to carry out health and safety inspections. It conducted 20,100 workplace field inspections in 2010, the latest available data. The administration informs employers of inspections in advance, unless a surprise inspection is necessary for enforcement purposes. A subsequent inspection report gives employers written advice on how to remedy minor defects. In the case of serious violations, the inspector issues an improvement notice and monitors the employer's compliance. When necessary OSHA may issue a binding decision and impose a fine. If a hazardous situation involves a risk to life, an inspector may halt work on the site or issue a prohibition notice concerning the source of risk.

Labor and occupational safety laws cover all employees in the country, regardless of their nationality. If an employer's response to an employee complaint is not satisfactory, unionized employees may forward the matter to the relevant trade union. Nonunion employees may contact OSHA for advice and guidance.

Between October 2009 and September 2010, the most recent period for which data was available, there were 96,146 workplace accidents which resulted in the loss of three or more days of work, a decrease of 2.3 percent from the previous year. The municipal sector (17,332 accidents) and construction (13,689 accidents) had the highest numbers of accidents. Workplace accidents led to 26 deaths.