



European network against racism

# ENAR Shadow Report 2009-2010

## **ENAR SHADOW REPORT 2009/2010**

**Racism and Discrimination in Finland**

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Racism is a reality in the lives of many ethnic and religious minorities in the EU. However, the extent and manifestations of this reality are often unknown and undocumented, especially in official data sources, meaning that it can be difficult to analyse the situation and to establish solutions to it.

The ENAR Shadow Reports are produced to fill the gaps in the official and academic data, to offer an alternative to that data and to offer an NGO perspective on the realities of racism with the EU and its Member States. NGO reports are, by their nature, based on many sources of data, official, unofficial, academic and experiential. This allows access to information which, while sometimes not backed up by the rigours of academic standards, provides the vital perspective of those that either are or work directly with those affected by the racism that is the subject of the research. It is this that gives NGO reports their added value, complementing academic and official reporting.

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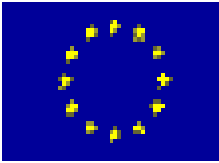
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## I. Executive summary

The most significant development in Finland in 2009 with reference to the rights and status of asylum seekers and refugees were the three amendments to the Aliens Act, which came into force on 1.8.2010. The three legislative amendments include age testing for persons applying for protection and asylum as minors. The second legislative amendment is intended to restrict the rights of asylum seekers to work in Finland. Before the amendment, asylum seekers were permitted to work after a residency period of three months. The new amendment stipulates that only foreigners with valid travel documents have a right to work after residing in Finland for three months. Asylum seekers without valid travel documents will only be allowed to work after a residency period of six months. The law will be applied retroactively, which means that it will affect asylum applications submitted before 1.8.2010. The third legislative amendment concerns family reunion and foster children. Under the new legislative amendment, a person who has been granted asylum in Finland is required to furnish evidence of sufficient income before authorities can issue a resident permit to a member or members of his immediate family, if the family has been formed after arriving in Finland. This legal provision also contains safeguards to ensure that the relationship of a foster child to his/her sponsor is genuine. Under this legislative amendment, the legal basis for granting a residence permit to a minor were also streamlined with the explicit proviso that a minor can only be granted a residence permit if he or she is a minor on the day that the decision to grant a residence permit is made. However, the residence permit cannot be denied if there are intervening circumstances, which are beyond the control of the applicant.

Politically, the most significant development has been the constant rise in political popularity of Timo Soini's True Finns party, a xenophobic, anti- EU and anti-immigrant party, which currently enjoys close to 15% of voter support, and has become the fourth biggest party and surpassed mainstream established parties such as the Finnish Greens, the Swedish People's Party and the Christian Democrats in popularity.

The groups most vulnerable to racism in Finland are the Roma, Sami, and visible immigrant minorities such as the Somalis, who are constantly denigrated in racist-oriented web discussion forums and social media platforms. Russian speakers are also quite often the targets of xenophobic verbal attacks.

Despite having lived in Finland for at least 500 years, the Roma are discriminated against in all aspects of normal life. Landlords do not want to rent accommodation to Roma tenants, and employers are reluctant to hire them. They are refused access to restaurants and are often suspiciously trailed in shops.

The Sami, who mostly reside in Lapland, are also victims of ethnic discrimination. Although their minority and language rights are enshrined in law, local authorities have not, for instance, provided adequate Sami language services in day care centres and nursing homes.

There are over 50 000 Russian speakers in Finland and they comprise the second largest minority group after the Swedes. Due to historical reasons, Finns have always regarded Russians with a mixture of fear and resentment. However, despite the large size of the Russian minority, there are, for example, no official media services for them on radio and television.

### **Recommendations**

- Anti-discrimination legislation should be harmonized and streamlined to enable speedy conviction of offenders.
- The language rights of Russian speakers should be recognized and the public broadcasting system should have Russian language services.

Visible minorities or non-white immigrants, particularly those from Muslim Countries such as Somalis, are also victims of discrimination. The most glaring areas of racial and ethnic discrimination are in employment and access to leisure facilities such as restaurant services. Women of colour, as well as those from Thailand and Russians, are quite often stereotyped as prostitutes masquerading as massage parlour workers.

Another group that is vulnerable to discrimination are non-white children and youths from multicultural families, who are often the victims of name calling, threats, hostile gestures, exclusion and bullying in schools.

### **Recommendations**

- Authorities should give more support to victims of discrimination from multicultural families.

The immigrant unemployment rate remains relatively high and stood at around 20 % in 2008, a slight drop from the year before, but over two times the national average. Immigrants from predominantly Muslim countries have the highest unemployment rates, while those from European countries and India have the lowest. At close to 50%, the unemployment rate within the Roma community is also quite high.

A significant proportion of the immigrant population is comprised of highly-educated professionals who, because of discrimination and prejudice, cannot gain employment in their chosen professions and usually end up doing low-paid, unattractive menial jobs.

### **Recommendations**

- Anti-discrimination legislation, particularly with reference to employment, should be strengthened and monitored much more effectively.
- Labour markets should be open to highly-skilled immigrants and there should be concerted efforts at uprooting discrimination and prejudice in hiring practices.

Almost 75 % of immigrant children live in rented public houses as opposed to just 23% of their Finnish or Swedish counterparts. Because their families are generally larger

than Finnish ones, Somali children live in the most cramped conditions averaging 12 m<sup>2</sup> per individual, as opposed to an average of 25 m<sup>2</sup> for their Finnish counterparts.

### **Recommendations**

- Immigrant families should be provided with housing proportionate to their size.

The proliferation of racist and hate messages on the internet is still a problem, which authorities have still, so far, failed to find a lasting solution. Also related is the fact that, in the eyes of many immigrants, police are either unwilling or not motivated to seriously investigate racist crimes.

### **Recommendations**

- The internet should be monitored much more effectively and police and the judicial system should take racist crimes much more seriously.

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## II. Introduction

Because of its geographical position, historically Finland has been a crossroads for ethnic and racial intermingling. Sami, Swedish Tatar, Jewish and Roma ethnic communities have lived in Finland for hundreds of years. Ethnic Swedes comprise the biggest national minority, which stands at over 300 000 individuals. In general, Swedes as well as Tatars and Jews are well settled and integrated into Finnish society. The Sami enjoy a large degree of regional autonomy in their homeland in Lapland. Although they have lived in Finland for over five centuries, the estimated 10 000 Roma are the least integrated and face discrimination in all spheres of Finnish social and political life.

Despite the presence of these ethnic and racial minorities, in general Finland has largely remained a homogeneous society. Physically, the Swedish, Tatar and Jewish minorities are hardly distinguishable from the general population and speak Finnish as a first language (for the majority of Swedish speakers, Finnish can, in fact, be regarded as a second first language).

The first group of foreigners to come to Finland in recent times were Chilean refugees fleeing from the brutalities of Augusto Pinochet rightwing regime during the early '70s. They were then followed by substantial numbers of Vietnamese refugees, the so called "boat people" during the late '70s. Finland's immigrant population began to rise during the late '80s and early '90s largely as a result of the disintegration of communist governments in Eastern Europe and the Soviet Union and the breakdown of Somalia.

At over 50 000, Russian speakers comprise the second largest minority group after the Swedes and the Estonians<sup>1</sup>. Compared to other Western countries, the number of foreigners and immigrants in Finland has remained relatively low, mainly due to restrictive immigration policies and the geographical position of the country. Currently the number of immigrants in the country is just over 190 000, around 3,5 % of the total population of slightly over 5 million – one of the lowest immigrant populations in Europe

However in recent years, the number of immigrants coming to Finland has been on the rise. According to the Statistics Finland, over 29 000 immigrated to Finland in 2008, while 13,650 people emigrated from the country. The net gain of over 15,000 people is the highest since the end of the Second World War.

This report covers the time period from the 1st January 2009 to March 2010. One noteworthy development during this period has been the notable rise in racist, xenophobic sentiments (particularly on the internet), which also coincides with the rise in popularity of Timo Soini's True Finns party, an anti- EU and anti-immigrant, xenophobic party, which is currently the fourth most popular party in Finland. In September 2009, Jussi Halla-aho, a strident critic of immigration and multiculturalism, who is closely aligned to the True Finns party, was convicted of religious profanation by

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<sup>1</sup> Helsingin Sanomat p.A13, Helsinki, Finland, torstaina 16 syyskuuta 2010

the Helsinki District Court and slapped with a 30-day fine equivalent to 330 euros. The penalty stemmed from an assertion he had made in his blog a few years back that Islam was a paedophilic religion. Halla-aho sits on the Helsinki City Council Board and has signalled his intention to stand for the 2011 parliamentary elections<sup>2</sup>.

Section 4 of this report examines communities, which are most vulnerable to racism and prejudice. Section 5 analyses manifestations of racism and religious discrimination in employment, housing, education and health. Other areas examined in this section include policing and racial profiling, racist violence and crime, as well as access to goods and services in the public and private sector. The last part of this section examines the role of the media, including the internet, in both portraying and integrating immigrants into Finnish society. Section 6 examines the political and legal context of migration and integration, criminal justice, racism as a crime, counter terrorism, racial profiling and social inclusion. Finally, Section 7 contains national recommendations and Section 8 is the conclusion.

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<sup>2</sup> [http://www.yle.fi/uutiset/news/2009/09/true\\_finns\\_councillor\\_fined\\_for\\_defaming\\_religion\\_986953.html](http://www.yle.fi/uutiset/news/2009/09/true_finns_councillor_fined_for_defaming_religion_986953.html)

## IV. Communities vulnerable to racism and discrimination

The Roma are the group most vulnerable to racism and prejudice. Among other things, Roma public housing applicants face long waiting periods. They are also requested to furnish more information and guarantees than other applicants when they apply for rented flats, which are normally not required from other applicants. Some time back the Ombudsman for Minorities discovered that members of the Roma community did not even bother to apply for housing on the private market because it was virtually impossible to get any due to the ethnic background of the applicants

In addition to discrimination to housing allocation and renting, the Ombudsman also noted that Roma were discriminated against in other aspects of life such as access to restaurants and shops. In Finland the Roma and other visible minorities are frequently denied entry to restaurants on frivolous grounds, which are not, of course, applicable to other customers. Some shops have denied entry to Roma customers, and even when that entry has been granted, the customers are frequently suspiciously trailed and subjected to humiliating questions. Also, as noted earlier on, the dropout rate for Roma children in schools is one of the biggest concerns for teachers and school counsellors. This dropout rate is also closely linked to the difficulties encountered in obtaining secure and stable housing. There are also still glaring deficiencies in the teaching and provision of day care and pre-schooling services for Roma children.

In February 2009 the Vaasa Court of Appeal, in Vaasa city, ruled that the nearby Kokkola City had violated the Non-Discrimination Act by discriminating against the Roma in their housing applications and awarded damages of 3 000 euros for each victim<sup>3</sup>.

Although the Roma are particularly discriminated against in public and private housing allocation, in 2009 the Office of the Ombudsman for Minorities noted that the number of cases concerning housing discrimination were, somehow, much lower than in previous years<sup>4</sup>. The Office, however, raised concerns about difficult situations in which providers of state-funded rental accommodation took into consideration the Roma custom of asking other Roma residing in the area permission to move there. Unfortunately this well-intentioned cultural sensitive consideration had the effect of precluding Roma public housing applicants from exercising their right to reside in areas of their choice<sup>5</sup>. In one case a local government agency informed a Roma family applying for accommodation that it could not give them a house because of the resistance of the Roma residing in the area. Only after intervention by the Office of the Ombudsman for Minorities was the Roma family housing application finally approved. According to the

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<sup>3</sup> Annual Report of the Ombudsman for Minorities 2009, p27.

<sup>4</sup> Annual Report of the Ombudsman for Minorities 2009, p25

<sup>5</sup> Annual Report of the Ombudsman for Minorities 2009, p26

Office, placing Roma housing applications in an unfavourable position in relation to other applications violates the basic provisions of Finland's Non-Discrimination Act<sup>6</sup>.

Roma, mainly from Romania and Bulgaria, who beg and try to make a living by collecting and selling empty bottles in Helsinki and other Finnish towns and cities, have also become victims of intolerance and resentment. In September 2009 Helsinki City authorities, backed by the police, dismantled Roma shacks in the Kalasatama area of the city. Critics, however, pointed out that there were numerous similar kinds of shacks around the city occupied by Finnish alcoholics and derelicts. Since 2007 when, for the first time, the Roma appeared on the streets of Helsinki, the mayor of the city, Jussi Pajunen, has been calling for special by-laws forbidding begging<sup>7</sup>. Current Finnish laws do not, however, prohibit begging.

The number of Sami in Finland is estimated to be close to 8,000, and they were only accorded the official indigenous people status in 1995. Although their language rights are guaranteed by the Finnish constitution, in practice their rights as an indigenous First Nation are not adequately recognized or implemented. On many occasions the Office of the Ombudsman for Minorities has drawn attention to the inadequate implementation of Sami cultural and language rights. In 2007, in an unprecedented move, the Office requested the police to carry out investigations into two municipalities suspected of negligence in implementing Sami rights and drawing up the mandated equality plan as stipulated in the Non-Discrimination Act (21/2004, Section 4). The Office has also pointed out deficiencies in the application and implementation of the Sami Language Act (1086/2003), whose provisions are only applicable to the Sami home territories although half the Sami population resides outside these regions.

Immigrants, particularly those from non-white backgrounds, and their families are highly vulnerable to racism and discrimination in Finland. The majority of immigrants (60%) came to Finland because of family ties, usually marriages. Close to 15% came in as refugees or asylum seekers, while 10% migrated as workers, and this figure is rising, although the current economic downturn has, somehow, slowed this trend<sup>8</sup>.

There are currently well over 140 000 foreign born nationals living in Finland, just about 2,7% of the total population (Many immigrants have taken Finnish nationality, and thus the number of people who speak other languages than the two official languages, Finnish and Swedish, is well over 190 000).

Among the immigrant population, Russian speakers (51 683 individuals) comprise the biggest ethnic and linguistic group. Other large immigrant/ethnic communities are Swedes (30 000), Estonians (25 096), and Somalis (11 681). Furthermore, there are over 5 000 individuals from each of the following countries or regions: former

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<sup>6</sup> Annual Report of the Ombudsman for Minorities 2009, p26

<sup>7</sup> <http://www.hs.fi/english/article/Roma+beggars+removed+from+illegal+makeshift+camp+/1135250341560>.

Accessed 22.11.2010

<sup>8</sup> <http://www.nordiclabourjournal.org/i-fokus/theme-winds-of-change-for-integration-policies/immigration-an>. Accessed 15.09.2010

Yugoslavia, Germany, China, Iraq and Thailand. Close to half of the total immigrant population is concentrated in the Helsinki Metropolitan Area<sup>9</sup>.

The communities, which are most vulnerable to racism and discrimination, comprise of people from Third National Countries, such as Russia, the Middle East, Somalia and other African countries. Due to the increased movement of people, goods and capital, there has been a notable increase in cross-cultural marriages. In 2007, the year from which the latest figures are available, 53 000 foreign born individuals were married or cohabited with a Finnish born partner. Most of the foreign spouses from these unions came from western countries, but a significant number of relationships also include Third Country Nationals. In 2007, over 28 800 Finnish men had foreign spouses, mostly from Third National Countries and regions such as Thailand, Russia and other former Soviet territories such as Estonia. Well over 3 600 cross-cultural marriages are registered each year, but the majority tend to end in divorce and separation more often than Finnish marriages<sup>10</sup>.

As a result of the growing number of marriages between foreign-born and Finnish-born individuals, there are tens of thousands children growing up in cross-cultural families. Some of these families face many problems, which include discrimination in the labour market, cultural pressures and a host of integration challenges<sup>11</sup>.

After the collapse of the Soviet Union, a significant number of Russians, mostly women, immigrated to Finland, largely on the basis of marriage, or as workers. In the early '90s, Ingrian Finns were officially given permission to repatriate to Finland from Russia and other former soviet republics. Partly due to historical events, there is, generally speaking, a lot of prejudice, hostility and animosity towards people of Russian background. This historical baggage, combined with racism, has a detrimental socio-psychological effect, especially on women and children from Russian speaking families. Russian women are often stereotyped as prostitutes, and due to these negative experiences, some of the women and children are ashamed and frightened to speak Russian in public places, and at times try to conceal their identity<sup>12</sup>.

Women of colour are also vulnerable to racism and often stereotyped as prostitutes. The situation of Thai women, who have come to Finland on the basis of marriage, is particularly bad. A substantial number of these unions usually end up in divorce due to economic and cultural pressures. Without guaranteed means of economic support (the women may still be legally married to the husbands and may therefore not qualify for local welfare assistance) some of them have ended up providing sex services in brothels disguised as massage parlours, where they are vulnerable to exploitation and discrimination.

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<sup>9</sup> Helsingin Sanomat, Helsinki, Finland. Torstaina 16.syyskuuta 2010,pA13

<sup>10</sup> Statistics Finland 2010, p46

<sup>11</sup> Suomalainen lapsi 2007. Väestö 2007. Tilastokeskus ja Stakes. (Helsinki: Edita Prima Oy 2007)

<sup>12</sup> Finland was a part of Russia for over a hundred years and in 1939 the Soviet Union invaded the country

What makes their situation more precarious is that they are not entitled to integration programmes prescribed by the 2005 Integration Act, which would, among other things, entitle them to free Finnish language and culture lessons. During 2008, efforts were made by NGOs, the Ministry of Interior and the Department of Migration to improve the situation of Thai women<sup>13</sup>. Civil society hopes that enough resources will be availed to NGOs and local government officials for this purpose.

Children and youths from multicultural families are also vulnerable to racism and discrimination. They are quite often the subjects of naming, bullying, threats, hostile gestures and exclusion. Multicultural children do have many coping strategies against racism and prejudice, but society should give them more support to cope with these emotionally stressful experiences<sup>14</sup>.

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<sup>13</sup> Toimenpidesuunnitelma thaimaalaisten naisten kotouttamiseksi. Ministry of Interior, Department of Migration 2009.

<sup>14</sup> Rastas, Anna, 'Rasismi lasten ja nuorten arjessa. Transnationaalit juuret ja monikulttuuristuva Suomi' Ph.D. dissertation.(Tampereen yliopisto: University of Tampere Press. 2007). p. 113, 131

## V. Manifestations of racism and religious discrimination

### V.i Employment

During 2009 the Office of the Ombudsman for Minorities received close to 100 requests to investigate suspected cases of discrimination in hiring practices, wages, compensation payments and promotions, and for the first time in the history of the agency, there were Roma clients<sup>15</sup>. Both immigrants from Third National Countries and EU citizens have lodged complaints about, for instance, unnecessary language demands where the employer demands a perfect knowledge of the Finnish language inappropriate to the requirements of the job. Contrary to the provisions of the Non-Discrimination Act, some employers have also stipulated that applicants should be Finnish nationals in their job advertisements.

Like in other European countries, the unemployment rate for immigrants is over 25%, which is the same rate as in 2005, and over two times the national average. Overall the unemployment rate for immigrants in 2009 grew by 6,5 percent<sup>16</sup>. The unemployment rates for 18-64-year olds immigrants from Muslim countries such as Iraq (56%), Afghanistan (60%), Somalia (56%) and Iran (44%) are exceptionally high<sup>17</sup>.

One common problem faced by immigrants in Finland, particularly those from non-European backgrounds, is that they rarely find jobs corresponding to their educational qualifications. It is not unusual to find the holder of a PhD degree employed in low wage sectors such as cleaning<sup>18</sup>. Although these low wage jobs can be regarded as entry points to higher wage levels, in practice this never happens. Employers justify this underemployment by pointing out that immigrants do not have sufficient Finnish language skills, although as has been noted, many of the job opportunities denied to foreigners and immigrants do not require higher level language requirements. By not utilising the job skills possessed by foreigners and immigrants, Finland is not benefiting from the expertise of its non-native population and immigrants' specialist skills are being wasted.

Other complaints received by the Office of the Ombudsman for Minorities concern promotions. There is a general suspicion that immigrant employees are not offered the same promotion opportunities as native Finns. The result is resentment, apathy, low productivity and less commitment towards the job and required tasks. Another problem encountered by immigrants in the Finnish job market is low wages. Because immigrants find it hard to get jobs in Finland, they usually fall prey to unscrupulous employers, who

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<sup>15</sup> Annual Report of the Ombudsman for Minorities 2009. p. 13

<sup>16</sup> Helsingin Sanomat, keskiviikona 15. syyskuuta 2010. p. B8

<sup>17</sup> Statistics Finland, 2010, p.29

<sup>18</sup> Huhtanen, Ann-Mari, 2009 "Maahanmuuttajia halutaan ohjata koulutusta vastaavaan työhön," Helsingin Sanomat, A10 Sanomat, 10 Kesäkuuta .p. A10

offer them jobs on a take-it-or-leave-it basis. Desperate, the majority have no choice but to accept unfair wage terms<sup>19</sup>

As in all aspects of life, Roma also face discrimination in the labour market, and; as a result, their rate of unemployment is higher than the national average. There are no separate unemployment statistics for the Roma population in Finland. However, according to the Office of the Ombudsman for Minorities, the work-related antidiscrimination measures outlined in the Finnish Penal Code, contain some legal loopholes because they only apply to formal employment and not to, for example, education related work practice, which is covered by the Non-Discrimination Act<sup>20</sup>.

Another shortcoming of the current labour legislation is that the Occupational Safety and Health Inspectorate, which investigates acts of employment discrimination, has no mandate to enforce the anti-discriminatory provisions of both the Penal Code and the Non-Discrimination Act. At most, it can only give guidelines to the offending employer or agency and advice the victim of discrimination to turn to a lawyer or legal aid office to push the case forward<sup>21</sup>.

In previous years, immigrants have complained to the Ombudsman about some employment –related decisions from the labour office. The complaints have mainly been about unemployment benefits being denied for a fixed administrative period. According to the Office of the Ombudsman for Minorities, discrimination was found to be the chief reason for the long delay in paying out unemployment benefits to immigrants.

In 2009 the Ombudsman received several complains about the work conditions of Thai seasonal workers who come to Finland and other Nordic Countries such as Sweden in summer to pick up forest berries. The complaints were mainly about the living and working conditions of the workers. Despite toiling for up to 15 hours a day and gathering a reasonable berry harvest, many of the pickers had very little to show for their toil after deductions for accommodation and their trip to Finland. The working conditions of the Thai seasonal workers are worsened by the fact that in Finland they are not regarded as workers but as entrepreneurs who have to shoulder all the risks of being in business<sup>22</sup>. The Ombudsman is concerned that the indebtedness incurred by the Thai seasonal workers could result in human trafficking.

The Ombudsman also drew attention to the fact that the working conditions of the Thai seasonal workers are not monitored by any official agency such as the Occupational Safety and Health Inspectorate, Police or the ministry of Foreign Affairs. In the light of these shortcomings, the Office of the Ombudsman for Minorities recommended that work visas should only be granted to workers recruited by a company that is able to cover their travel, accommodation and work equipment costs. The Office also recommended some sort of minimum wage as well as clear and transparent guidelines for recruiting and granting visas to Thai seasonal workers.

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<sup>19</sup> Annual Report of the Ombudsman for Minorities 2009. p12

<sup>20</sup> Annual Report of the Ombudsman for Minorities 2009.p15

<sup>21</sup> Annual Report of the Ombudsman for Minorities 2009.p15

<sup>22</sup> Annual Report of the Ombudsman for Minorities 2009.p13-14

## V.ii Housing

Under the terms of the Non-Discrimination Act (21/2004), discrimination in the provision of public housing is forbidden in Finland. This legislation is, however, regarded as inadequate because its provisions do not cover private housing. In theory this means that private landlords and accommodation agencies can discriminate without any fear of legal prosecution. This legal loophole undermines the fundamental rights of many members of the most vulnerable communities, who are mostly dependent on public housing<sup>23</sup>.

The Roma, in particular, have long been victims of housing discrimination with landlords refusing or using subterfuges to deny them accommodation. According to the Ombudsman for Minorities, the lack of secure, stable accommodation is one reason why Roma children do not attend school regularly and perform poorly in school<sup>24</sup>.

Statistical evidence also indicates the existence of ethnic or racial discrimination in housing allocation. Families and children, whose mother tongue is not Finnish, live in rented public houses and they are, in general, much more crowded than their Finnish counterparts. Almost 75% of foreign language-speaking children live in rented public houses. On the other hand, only 23% of their Finnish or Swedish counterparts live in these kinds of housing facilities. Almost every Somali speaking child and nine out of ten Arabic-speaking children live in rented public apartments. Somali-speaking families, sometimes with between 10-15 members, live in the most cramped conditions averaging some 12 m<sup>2</sup> per individual, and according to a Helsinki City Council official, one in four Somalis is either homeless or resides in squalid conditions<sup>25</sup>.

Somali families, in particular, are in general quite large; but Finnish public housing facilities are not designed to cater for large families. This causes many problems such as lack of playing space for children, anxiety and high noise levels, which brings the families into conflict with the neighbours. Cramped housing conditions also force older children to move away from the family, something that is untypical in traditional Somali culture, and can create social tensions between parents and young adults<sup>26</sup>.

In recent years concern has been raised about the concentration of immigrants in certain areas or neighbourhoods, particularly in the Helsinki Metropolitan Area. Although this ghettoisation, which is familiar in many large cities of the industrialized world, is not yet so advanced in Finland, it nevertheless, demands urgent attention from the relevant authorities<sup>27</sup>. Ghettoisation promotes separation as well as racial and ethnic

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<sup>23</sup> Joronen, Mikko & Salonen, Annamari, 'Rasismi ja etninen syrjintä – ajatuksia ja tekoja: määritelmiä keskeisille käsitteille' in Salonen, Annamari & Villa, Susan (eds.) Rasismi ja etninen syrjintä Suomessa 2005. (Helsinki: Ihmisoikeusliitto 2006), p. 48

<sup>24</sup> Annual Report of the Office of the Ombudsman for Minorities 2008. p. 9

<sup>25</sup> <http://www.oph.fi/english/article/Helsinki+finds+housing>. Accessed 24.11.2010

<sup>26</sup> Virtanen, Hanna and Viikama, Katja "Somalien asuminen pääkaupunkiseudulla" in Matikainen, Sakaranaho and Juntunen (eds.) Islam Suomessa. Muslimit arjessa, mediassa ja yhteiskunnassa (Porvoo;Painotyo Bookwell 2008), p. 142-143

<sup>27</sup> Annual Report of the Ombudsman for Minorities 2009. p18

discrimination and slows down the integration of immigrations into mainstream society. The result is, too often, resentment, anger and frustration, particularly from second generation immigrants, which finds expression in violence, which again leads to the further marginalization of immigrants.

Another issue that has recently come to light is the plight of refugees, who, due to the unavailability of housing, still have to reside at reception centres after their applications for asylum have been approved. By the end of 2009 there were an estimated 500 individuals still residing at the reception centres, which are administratively intended to be temporary accommodation facilities<sup>28</sup>.

### **V.iii Education**

The goal of immigrant education, according to the Finnish Board of Education, is to equip people moving into Finland with the skills to function as equal members of Finnish society. Immigrants, the Board emphasizes, are guaranteed the same educational opportunities as native Finns<sup>29</sup>.

For adult immigrants (those over the 7-17 years compulsory school age bracket), the objective is to ensure that they receive the educational skills needed for work life, and that they retain their existing qualifications and vocational skills, which becomes the foundation for building their educational and professional careers in Finland.

The Board believes that the term immigrant includes the following groups: refugees, migrants, returnees, other foreigners, and in some cases, asylum seekers. Instruction is given in the two official languages, Finnish and Swedish, and, in many cases, in English as well. Immigrants are, however, encouraged to maintain their native languages and cultural identities.

The Finnish education system is legally anchored on the Equality Act (L21/2004), whose remit is to promote and safeguard equality in society. Under the provisions of the Act, it is illegal to discriminate against anyone on the basis of age, ethnic or national origin, language, religion, beliefs, opinions, health, disability and sexual orientation. The Act is applicable to both education and work life.

As has been noted in V.ii, the deficient housing conditions of the Roma have a negative impact on the education of their children. In previous years, the Office of the Ombudsman for Minorities has noted that in the severe situation of homelessness, a Roma child's school attendance may be discontinued or remain sporadic for several years after. The Office has urged municipalities and other local authorities to ensure

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<sup>28</sup><http://www.hs.fi/english/article/refugee+reception+centres+turning+into+long-term+concentrations+of>  
. Accessed 30.9.2010

<sup>29</sup>[http://www.oph.fi/english/education/language\\_and\\_cultural\\_minorities/education\\_for\\_immigrants](http://www.oph.fi/english/education/language_and_cultural_minorities/education_for_immigrants).

Accessed  
30.9.2010

that Roma children's school attendance is not disrupted by unfavourable housing situations.

The poor state of education for Roma children has been noted and in recent years several projects to support vocational training and employment for Roma youths have been carried out to address this problem. However, despite these noble efforts, there are still inadequacies in the provision of day care, preschool and general teaching services for Roma children. While the Basic Education Act (628/1998) secures the rights of the Roma to maintain their own culture and language, in practice Roma language teaching is quite limited and modelled on the Ministry of Education's guidelines for teaching foreign languages.

#### **An example of NGO good practice – MOPED**

Funded by the Finnish National Board of Education (FNBE) and launched in 2002, MOPED is a website for multicultural education, which is aimed at teachers, students as well as parents concerned and involved in immigrant education.

Since its inception, the project has attracted the participation of many local authorities, and although the official language of the project is Finnish, MOPED has links to other languages as well.

Although official FNBE support for the MOPED virtual project ended in 2007, the site is still being maintained by other agencies.

<http://moped.fi/english.html>

The Non-Discrimination Act also covers the provision of primary, secondary vocational, higher and adult education. In Finland, the development and administration of education is the responsibility of The Finnish National Board of Education (FNBE), which operates under the aegis of the Ministry of Education.

During 2009, the University of Helsinki asked the Office of the Ombudsman for Minorities for an opinion regarding the government's proposed intention to charge tuition fees for foreign students (At present education is free for anybody, local or foreign, enrolled at any educational institution in Finland). Under Section 10 of the proposed Universities Act, the government wants students from non-EU member states and the European Economic Area (EEA) to pay for university tuition. The Ombudsman considers the proposed legislation to be problematic because it would discriminate against residents from non-EU/EEA countries, who are residing in Finland on the basis of family ties, and be detrimental to the integration process. The Office of the Ombudsman also noted that in its proposed form, the law would violate the provisions of

the Non-Discrimination Act, which prescribes that foreign students may not be treated less favourably than Finnish students<sup>30</sup>.

Children from multicultural backgrounds are often the target of bullying, and racist name calling. In a study carried out in 2006 more than 55% of children from immigrant background reported that they were being bullied at school. The figure for Finnish children was 35%. In the same study more than a quarter of children from multicultural families reported being afraid of bullying during break sessions. The corresponding number for Finnish children was one seventh<sup>31</sup>. Although a zero tolerance approach to racism exists in many schools, many victims of racist bullying do not receive enough counselling and assistance to deal with their traumas.

In 2007, the State Provincial Office of Southern Finland pointed out that there were not enough equality promotion plans at schools. An equality promotion plan should contain guidelines on, for example, how to identify and intervene in school bullying and how to resolve situations involving discrimination. ECRI (European Commission Against Racism and Intolerance) has recommended that Finnish authorities should provide more knowledge and information about people from different cultural and religious backgrounds. The organization has also suggested that Finnish authorities should put more efforts into cross-cultural training and human rights education for both teachers and pupils<sup>32</sup>.

According to the Integration Act (Kotouttamislaki 1205/2005), an immigrant who is entitled to financial support from the social welfare office or who is unemployed, can access adult education opportunities via labour market training or adult education training. The proportion of foreigners from the total number of people participating in labour market training has grown in recent years. However, the problem with the Integration Act is that not every immigrant is entitled to education in Finnish or Swedish, or any other form of education that complies with the labour market policy measures. The most vulnerable social groups in this category are foreign women married to well-off Finnish men. Some municipalities and NGOs have noticed this shortcoming and are providing special language courses to these women, particularly during the daytime when children are, either at nursery school or, at primary school. Other workers and entrepreneurs are also entitled to these language courses.

According to the State Provincial Office of Southern Finland, just half of the foreign applicants for vocational education in 2008 were admitted, and very few applicants got study places in the social- and health fields, areas, which, ironically; suffering from lack of manpower<sup>33</sup>. An ESF (European Social Fund) project was started in late 2008 to diagnose the problem. One reason for the failure by immigrants to qualify for study in

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<sup>30</sup> Annual Report of the Ombudsman for Minorities 2009. p.21

<sup>31</sup> Rastas, Anna, 'Rasismi lasten ja nuorten arjessa. Transnationaalit juuret monikulttuuristuva Suomi Ph.D.Dissertation. (Tampereen yliopisto: University of Tampere Press. 2007) p., 113-118

<sup>32</sup> ECRI 2007. European Commission against Racism and Intolerance. Third Report on Finland 2007. ECRI(2007)23.

<sup>33</sup> 'Vieraskielisten hakijoiden vaikea päästä ammatilliseen koulutukseen' The State Provincial Office of Southern Finland. 10.10.2008 <http://www.laanhallitus.fi/etela> tiedotteet, Accessed 5 July 2009

the health and social sectors may be due to the fact that the psychological tests are in Finnish and biased towards Western culture and values.

#### **V.iv Health**

According to Finnish legislation, anyone who is legally resident in the country is entitled to social and health services. The overall responsibility for planning, procuring and administering.

these services is held by the Ministry of Social Affairs and Health. The provisions of the Non-Discrimination Act are also applicable here as they are in housing, education, employment and other sectors. Although the legislation is clear, there are still shortcomings in the provision of health and social services for Roma and Sami minorities. Following representations by the Ombudsman Office in 2008, the Anti-Discrimination Tribunal imposed anti-discrimination orders and a penalty payment on the city of Rovaniemi in Lapland for not efficiently providing day care services for Sami children as required by law (A penalty payment is a coercive measure by which a court or an administrative authority orders someone to do something or desist from doing something on pain of paying a penalty). As pointed out earlier in this report, Rovaniemi City appealed to the local administrative court, and the case is still pending<sup>34</sup>.

In general, according to the Finnish League for Human Rights report in 2008, the provision of health and social services in Sami language, as stipulated by the law, is still unsatisfactory. Equally unsatisfactory is the condition of the Sami elderly, who, partly because of the shortage of Sami language care workers, cannot get services in their own language in nursing homes. The problem is particularly acute for those who do not have a good grasp of Finnish<sup>35</sup>.

The Roma also fare badly in the provision of services for the elderly and the disabled. According to the Finnish League for Human Rights report, the Roma elderly distrust the services provided in care homes because of previous discriminatory experiences and the fear of losing their cultural identity.

The increasing numbers of immigrants are posing challenges to the Finnish social and health service. An investigation of these challenges was carried out by the Provincial State Office of Southern Finland in 2007<sup>36</sup>. The results of the survey indicate that although there are many good practices developed by municipalities and NGOs, there are still some limitations in the quality and amount of health and social services provided for multicultural families. There is, for example, a great need for specialized social-psychological support in situations where a spouse is a native Finn and the other is foreign born.

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<sup>34</sup> Annual Report of the Ombudsman for Minorities 2009, p.23

<sup>35</sup> Aaltonen, Milla, Joronen, Mikko ja Villa Susan; Syrjintä Suomessa 2008 (Ihmisoikeusliitto, 2008) p. 114-115

<sup>36</sup> Roos, Jonna, 'Monikulttuurisuuden haasteet Etelä-Suomen läänin kunnissa'. Etelä-Suomen lääninhallitus. 128/2008. p. 1-2

In the survey conducted by the Provincial State Office of Southern Finland, some municipalities pointed out that the Ministry of Social Affairs and Health should be more knowledgeable about the health needs and circumstances of immigrants and multicultural families. They suggested that the ministry should prepare an immigrant-oriented social and health programme, which would provide some guidelines for municipalities, which would, in turn, prepare their own multicultural social and health programmes<sup>37</sup>.

Typically, young immigrant women have more children than their Finnish counterparts and naturally use more maternity and hospital services than Finnish women<sup>38</sup>. One result of the survey carried out by the State Provincial Office of Southern Finland is that midwives in cities with large immigrant populations want and need training for cross-cultural communication<sup>39</sup>. In 2007, a report on early childhood development was commissioned by the advisory board from the Ministry of Social Affairs. Based on this report, the advisory board's vision is to provide quality early childhood education to all children from an immigrant background by 2020. To achieve this goal, the advisory board suggests that more research should be carried out to determine the specialized manpower requirements for this task. Apart from manpower needs, a lot of other resources and energy are also needed in order to achieve this goal, and there has got to be effective coordination and communication between parents, administrators and teachers<sup>40</sup>.

Civil society organizations have been urging authorities to commit enough resources and effort towards the development of early childhood education for immigrant children. By investing in the welfare of these children, authorities are not only investing in the future prosperity and wellbeing of immigrant families, but of Finnish society as a whole<sup>41</sup>. Immigration is an experience that can cause a tremendous culture shock when individuals are confronted with a new culture, language, values and norms that are totally different from their own. Failure to cope with these divergent experiences can result in mental problems such as depression. In Finland, the cold, dark days are enough to trigger depressive impulses. Given all this, there should be more resources to deal with immigrant-specific mental health problems, particularly at the municipal level<sup>42</sup>. Currently, an NGO called Suomen Mielenterveysseura is organizing emergency help for immigrants under a programme called OVI (Door). The programme has been guaranteed financial support from 2007 to 2011 and is intended to train NGO personnel to deal with immigrant-specific psychological problems.

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<sup>37</sup> *ibid.* p. 58-60

<sup>38</sup> Gissler, Malin & Matveinen, 'Maahanmuuttajat ja julkiset palvelut Terveystieteiden tutkimuskeskuksen tutkimus ja sosiaalihuollon avopalvelut'. Työpoliittinen tutkimus 2006 Työministeriö. p. 33- 35

<sup>39</sup> Hakulinen-Viitanen, Tuovi & Pelkonen, Marjaana, 'Äitiys- ja lastenneuvoloiden tilanne Etelä-Suomen läänissä'. Etelä-Suomen lääninhallituksen julkaisusarja 111/2006. Helsinki

<sup>40</sup> Development of the work with immigrants in early childhood education and care, Ministry of Social Affairs and Health 2007

<sup>41</sup> <http://publications.theseus.fi/bitstream/handle/10024/Metrorae.pdf?sequence=1> Accessed 30.09.2010

<sup>42</sup> Rauta, Asko, 'Selvitys maahanmuuttajien mielenterveyspalveluiden tarpeesta ja saatavuudesta'. Selvityksiä 2005:3. STM. p. 39-40

### **An example of NGO good practice – OVI**

The aim of the OVI programme (ovi means door in Finnish) is to inform and educate immigrants on mental health care issues. The programme works closely with immigrant organizations such as Berden, an Iraqi organization that promotes immigrant employment, Monika Multicultural Women's Association, which operates as an umbrella organization for several organizations representing women from ethnic minorities, the Finnish Russian Language Federation (FARO) and the Somali League.

The OVI programme is supported by RAY, the Finnish Slot Machine Association.

<http://hankkeet.mielenterveysseura.fi/ovi/info/>

Domestic violence is a serious social problem in Finland for both native and immigrant women<sup>43</sup>. The phenomenon is much more acute for the latter group and compounded by social pressures exerted by the complicated process of adjusting to a new culture. What is considered normal and socially acceptable in one's culture suddenly becomes unacceptable, reprehensible and even criminal. Honour violence, a situation in which a woman is either threatened, assaulted or even killed in order to control her sexuality, is one social phenomenon that is on the increase. During the first six months of 2009 some 30 women with an immigrant background sought protection in a Helsinki based shelter house for immigrant women. This figure was much higher than for the whole of 2008<sup>44</sup>. Domestic violence is not limited to immigrant-immigrant partnerships alone but also to social unions in which, for example, an immigrant woman is married or co-habits with a Finnish or foreign-born partner. Far too often, immigrant women do not know their rights and that domestic violence is a crime. One immigrant ethnic group that is particularly susceptible to the latter form of domestic violence is Thai women. According to one report well over half of all Thai women resident in Finland are living underground and outside the social safety net. Although the majority of Thai women live in satisfactory social unions, a significant number suffer from domestic violence with some women being forced to work in brothels masquerading as massage parlours. Some of these women become virtual hostages, unable to obtain a divorce for fear that this would jeopardize their residence permits. The problem is compounded by the fact that these women cannot participate in official integration programmes. NGOs and other concerned parties have been calling on the police to get a better insight into the problems of Thai women and prevent them from drifting into the sex trade by assisting them to obtain residence permits, even if their marriage statuses have been officially annulled<sup>45</sup>. Finnish authorities are concerned about the plight of Thai women and acknowledge the crucial role that NGOs can play in solving the problem. An EU funded

<sup>43</sup>[http://www.yle.fi/uutiset/news/2010/05/ngos/ call\\_on\\_government\\_to\\_take\\_tougher\\_stand\\_on\\_domestic](http://www.yle.fi/uutiset/news/2010/05/ngos/ call_on_government_to_take_tougher_stand_on_domestic). Accessed 04.10.2010

<sup>44</sup>[http://yle.fi/uutiset/news/2009/10/quothonour\\_violencequot - a\\_threat\\_to\\_immigrant\\_women\\_1091084](http://yle.fi/uutiset/news/2009/10/quothonour_violencequot - a_threat_to_immigrant_women_1091084). Accessed 04.10.2010.

<sup>45</sup><http://thailandtonight.blogspot.com/2009/05/many-thai-women-living-underground-in.html>. Accessed 04.10.2010

hotline for Thai women is one of the initiatives that have been launched to deal with the problem<sup>46</sup>.

### **V.v Policing and ethnic profiling**

Relations between the police and immigrants in Finland are generally characterized by mistrust and suspicion. The latter, as expressed through representations to the Ombudsman Office, feel that the former, together with the justice system, lack the motivation and resolve to investigate and act on racist offences<sup>47</sup>.

In 2007 the Ombudsman for Minorities Office, in cooperation with the police department of the State Provincial Office of Southern Finland, organized a course to sensitize the latter to issues surrounding racist offences. During the course, the Office urged the police to develop their operational mechanisms so that they would retain the trust of the immigrant population. During the course, it was pointed out that the police should consider all racist offences such as name calling seriously and should speedily inform the complainant if there are delays or obstacles in investigating the offence.

However, apart from this lone sensitization course, there has not been, so far, any known follow-up or new trainings organized by the authorities to improve the perceptual gap between immigrants and the police.

Furthermore, in line with the recommendations of the European Commission against Racism and Intolerance (ECRI), it was pointed out that the victims' or other witnesses' perception of a crime as racially motivated should be the starting point for investigating race crimes. The Ombudsman also pointed out that police should refrain from publicizing the ethnical or racial profile of a suspected criminal unless this information can be of help to the police in investigating the crime<sup>48</sup>.

In general, the Finnish police service is still fairly homogenous, and hardly reflects the present social outlook of the society, and the mistrust and suspicion that exists between police and immigrants still continues.

### **V.vi Racist violence and crime**

According to the Ministry of the Interior, hate crimes, which include racist offences, have become quite common in Finland, and, for the first time in history; police have begun to keep separate statistics on them. The number of racist crimes reported to the police in 2007, the latest year from which figures are available, was over 700, and the most frequent crime was either attempted or executed assault. Other racist crimes included

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<sup>46</sup><http://www.hs.fi/english/article/Holmlund+and+Thors+want+NGOs+to+help+Thai+victims+of+domestic>.

Accessed 04.10.2010

<sup>47</sup>Annual Report of the Ombudsman for Minorities 2008. p. 21

<sup>48</sup>European Commission Against Racism and Intolerance (ECRI), Third Report on Finland 2007, p. 6

discrimination, defamation of character, unlawful threats and destruction of property<sup>49</sup>. According to the report, most of the crimes are concentrated in areas, which have large immigrant populations such as southern Finland.

The most common places where racist crimes occurred were public spaces such as streets, market places, parks and restaurants. Around 16% of racist crimes occurred in home surroundings such as yards and staircases, while 8% happened at the workplace<sup>50</sup>.

Kotka, a harbour town in south east Finland, followed by Kajaani in north east Finland, had the highest number of racist crimes. In general towns and cities with more immigrant populations or refugee reception centres recorded more racist crimes<sup>51</sup>. There was a spate of arson attacks on foreign owned pizzerias in the cities of Turku, Jyväskylä and Kuusamo in July 2010. There also appears to be a resurgence of racist crimes in North Karelia after a decade-long lull, with police recording 59 suspected crimes in 2009. The pace has remained on the same level, and by June 2010 police were investigating 32 suspected racist crimes. Immigrants in the town of Lieksa have borne the brunt of many of the racist crimes in North Karelia<sup>52</sup>.

#### **V.vii Access to goods and services in the public and private sector**

During the reporting period, the Office of the Ombudsman for Minorities received several representations about the denial of services mainly from the Roma and people of African origin. The former raised concern about being trailed and regarded with suspicion in stores and shops, while the latter group complained about being denied entrance to restaurants and other entertainment facilities<sup>53</sup>. With reference to the latter, the Office noted that some of the reported incidents were not a result of racial discrimination but, rather, of dysfunctional communication<sup>54</sup>. In the light of this observation, the Office recommends that shops and service providers should evaluate their customer services functions and train their staff in order to prevent situations in which potential clients feel that they have been discriminated on the basis of their racial or ethnic origins.

While it may be true that some of the perceived incidents of discrimination may be due to dysfunctional communication, men of African origin and the Roma are routinely denied entrance to bars and restaurants. Restaurants justify this discriminatory practice by either pointing out that the customer was intoxicated or that it has had previous problems with members of the customer's ethnic group or racial group.

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<sup>49</sup> Joronen, Mikko Poliisin tietoon tullut rikollisuus Suomessa 2007. Poliisiammattikorkeakoulun raportteja 72/2008. p. 27

<sup>50</sup> Ibid. p. 44 - 48

<sup>51</sup> <http://www.hs.fi/english/article/Little+foothold+for+neo-Nazis+in+finland/113/5259399248>. accessed 04.10.2010

<sup>52</sup> <http://www.hs.fi/english/article/Little+foothold+for+neo-nazis+in+finland/113/5259399248> accessed 04.10.2010

<sup>53</sup> Annual Report of the Ombudsman for Minorities 2009, p. 17

<sup>54</sup> Finnish is considered to be a difficult language and many immigrants are unable to speak ,write or read material written in the language.

Although it is illegal to discriminate against anyone in Finland on the basis of colour, racial or ethnic origin, many of the incidents in which a customer is denied entrance to a restaurant or bar rarely leads to a police investigation or a prosecution by the justice system. One major reason is that it is very difficult to find witnesses to support the victim and some victims do not want to press the issue any further for fear of unpleasant consequences or they simply want to forget the unpleasant incident and continue with their lives.

During the reporting period the Ombudsman also received several complaints from immigrants and other foreigners, who had been denied access to banking services. The reason given for the denial of these services was the need to prevent money laundering. Most of the complainants in this category were people of Russian origin. Denial of banking services has an adverse effect on employment and social benefits, particularly for refugees who may experience difficulties in obtaining identification documents<sup>55</sup>

The Roma and non-white immigrants have traditionally faced problems in accessing both private and publicly funded accommodation. At the same time concern has been expressed about the gradual ghettoisation of some parts of large towns and cities. According to the Office of the Ombudsman, this has at times led to situations where immigrations were denied housing services in some areas in order to prevent ghettoisation. Immigrants have thus been denied accommodation and not offered alternative housing arrangements. To prevent this, the Office recommends that authorities should tackle ghettoisation by factoring in the problem during the planning stage<sup>56</sup>.

Russian speakers are the biggest immigrant and linguistic group in Finland, and their language is the third biggest after the two official languages, Finnish and Swedish. Many Russian immigrants are, however, unaware about the local government services that they are entitled to. There is a need for more information about these local services in different languages, particularly in Russian. There are reasonable grounds for optimism on this issue as the Finnish government has recently approved an experimental proposal to incorporate Russian into the curricula of schools in eastern Finland<sup>57</sup>

## **V.viii Media, including the internet**

Although the Finnish media has somehow changed a lot from the late '80s and early '90s in its reporting on immigrants, there are still many areas that need to be improved. For the last number of years, media research has concentrated on how immigrants, refugees and asylum seekers have been portrayed in the media. An interesting research project is currently being conducted at the University of Tampere and is

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<sup>55</sup> Annual Report of the Ombudsman for Minorities 2009, p. 18

<sup>56</sup> Annual Report of The Ombudsman for Minorities 2009, p.18

<sup>57</sup> [http://yle.fi/uutiset/news/2010/09/pm\\_backs\\_russian\\_over\\_swedish\\_in\\_eastern\\_schools\\_1993740.html](http://yle.fi/uutiset/news/2010/09/pm_backs_russian_over_swedish_in_eastern_schools_1993740.html). accessed 05.10.2010

examining how immigrants are using the media. This is a welcome development because the media can help and support immigrants to integrate into Finnish society<sup>58</sup>.

Internet use within the immigrant community is quite high, as many use the global media to get news from their home countries; and to keep contact with friends and relatives left behind as well as those living abroad. Apart from that, immigrants also need information and news about Finnish society and the most obvious way to access this is from newspapers and magazines, television and radio. This crucial integration process is, however, limited by inadequate Finnish language skills<sup>59</sup>. There are very few scientific studies on this subject but, based on conventional wisdom, many immigrants have a very poor or non-existent grasp of the Finnish language, a theme that is constantly discussed in immigrant- oriented meetings and forums.

Apart from reading newspapers from their home countries on the internet, a significant proportion of the immigrant population also watches satellite television programmes from their country of origin. While some have pointed out this social practice hinders integration into the new society, others have pointed out that it is a healthy way to promote it<sup>60</sup>.

There is a clear need for special media services targeted towards immigrants, particularly Russian speakers. Although there are Russian language news services on private radio stations, there is, as yet; nothing on offer from the publicly- funded Finnish Broadcasting Company. Instead, NGO- funded media services, such as the newspaper Spektr, have had to downscale their services due to lack of resources. The Ombudsman for Minorities has pointed out that funding for NGOs and media engaged in immigrant activities should not be project based, but rather longer term oriented to facilitate planning and investing into the future.

There is a vibrant flow of racist material on the internet, and much of the political popularity for the anti-immigrant agitator, Jussi Halla-aho, stems from his popular Scripta blog. There has been a lot of public discussion about this issue, and some private citizens have expressed their concern to the Ombudsman about the proliferation of racist messages on the internet<sup>61</sup>. As usual, however, this discussion is always underpinned by the dichotomy between freedom of expression and respect for human rights. However, in some cases action against perpetrators of internet-based hate speech has been instituted. In 2007 the Office of the Ombudsman for Minorities requested the police to investigate a book containing racist and hateful messages against black people, the Roma and Jews. In the book the writer expressed his approval of the Holocaust as well as the brutal racist violence that was inflicted on the Jews and other ethnic and racial minorities by the Nazis. The writer was indicted and sentenced to a 30-day fine by the District Court of Helsinki in 2008. The conviction was upheld by the

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<sup>58</sup> <http://www.uta.fi/laitokset/tiedotus/jourtutkimus/projects.php>. Accessed 05.10. 2010

<sup>59</sup> <http://www.elore.fi/arkisto/298/ogu298.html>. Accessed 05.10.2010

<sup>60</sup>Maasilta, Mari, Simola, Anna ja af Heurlin, Heidi 'Maahanmuuttaja mediankäyttäjänä'. Tampereen yliopisto. Julkaisuja. Sarja A 107/2008

<sup>61</sup> Annual Report of the Ombudsman for Minorities 2009, p. 29

Helsinki District Court of Appeal in 2009, and an application for appeal to the Supreme Court was denied<sup>62</sup>.

The Ombudsman is of the opinion that the International Convention on the Elimination of Racial Discrimination (CERD 37/1970) requires Finland to intervene more resolutely against the dissemination of hateful, racist propaganda. Current, available means to limit the spread of racist messages should therefore be exploited, and new ones should be developed.

Authorities and experts have proposed various ways to tackle the problem. Some have called for a ban on anonymity on, for example, internet chat forums and others, such as the chairperson for The Council for Mass Media (CMM), a self-regulating committee composed of newspaper publishers and journalists have proposed the establishment of a net monitoring authority<sup>63</sup>.

Apart from the challenge posed by the delicate need to balance freedom of expression and the respect for human rights, the Ombudsman is of the opinion that the effectiveness of the police to investigate internet-based racist crimes is being hampered by the technical challenges posed by the increasingly sophisticated information technologies. For instance, in 2007 the police had to stop investigations about the origins of a Youtube video clip which was derogatory towards the Sami because they could not technically identify the perpetrator. At the request of private individuals, Youtube administrators finally removed the offending clip and replaced it with a Sami language TV news item about incitement to ethnic hatred<sup>64</sup>.

In July 2008, State Prosecutor, Mika Illman, proposed that owners of websites and blogs should be legally responsible for racist material appearing on their space in the same way that newspapers owners are currently required to do<sup>65</sup>. This is already the situation in neighbouring Sweden. In a similar vein, the Ombudsman called on the hosts of internet discussion forums to clamp down on overtly racist messages. However, as noted, this a difficult area to police as the desire to clamp down on racism clashes with the cherished desire to preserve press freedom. The result is that internet based racial hate and bigotry is still thriving in Finnish cyberspace and has even been directed against prominent political figures such as president Tarja Halonen and the Minister of Migration and European Affairs, Astrid Thors. In February this year a Facebook-based group openly incited similar-minded readers to kill minister Thors. The minister pressed charges against the group and the case is still pending in the courts. The Assistant State Prosecutor is also pressing charges against a Helsinki man who has threatened former Prime Minister Matti Vanhanen and the Minister of Finance, Jyrki Katainen, on the internet<sup>66</sup>.

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<sup>62</sup> Annual Report of the Ombudsman for Minorities 2009, p. 29

<sup>63</sup> Näinkö nettikeskusteluja pitäisi valvoa? <http://www.uusisuomi.fi/kotimaa/40662-nainko-nettikeskustelujapitaisi-valvoa> accessed 4 July 2009

<sup>64</sup> Annual Report of the Ombudsman for Minorities 2008, p. 20

<sup>65</sup> <http://www.uusisuomi.fi/kotimaa/22617-nettirasistien-rajoittamiselle-tukea> accessed 06.10. 2010

<sup>66</sup> [http://yle.fi/uutiset/news/2010/09/court\\_for\\_man\\_who\\_threatened\\_politicians\\_online\\_2007039.htm](http://yle.fi/uutiset/news/2010/09/court_for_man_who_threatened_politicians_online_2007039.htm). accessed 06.10.2010

There is ray of hope on this front, though. The Minister of Justice, Tuija Brax has expressed her intention to tackle cyber hate speech by among other things making operators of internet chat room forums much more responsible for the content that appears on their sites and a much more clear legal demarcation of hate and discriminatory expressions<sup>67</sup>.

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<sup>67</sup><http://www.mtv3.fi/uutiset/rikos.shtml/arkistot/rikos/2010/03/1070076>. accessed 06.10.2010.

## **VI. Political and legal context**

As pointed out earlier in this report, the most significant development in the period 2009-2010 has been the continual rise in popularity of the xenophobic and nationalist anti-immigrant True Finns Party. Not surprisingly, this rise in popularity has coincided with a significant increase in anti-immigrant attitudes, which the mainstream political parties such as the Social Democrats have attempted to exploit.

Although Finland has one of the lowest immigrant populations in Europe (approximately 2% of the slightly more than 5 million inhabitants) immigration has always been a sensitive issue in this Nordic country, and political commentators and experts are predicting that immigration will be the dominant issue during the parliamentary elections in spring next year.

One political effect of the rising anti-immigrant sentiments has been the passage of restrictive legislative measures to reduce the number of asylum seekers and tighten the screws on family reunions.

### **VI.i Anti discrimination**

There are a number of legal measures and statutes designed to prevent discrimination in Finland. The provisions of the Finnish Constitution Act (1999), outlaw any form of discrimination based on age, sexual orientation, religion, nationality, ethnicity and skin colour. The most comprehensive anti-discrimination legislation at the moment is the Anti-Discrimination Act (21/2004), which is derived from earlier legislative statutes, such as the Race Equality (2000/43/EY) and Employment Equality (2000/78/EY) Acts. Apart from outlawing familiar forms of discrimination, The Anti-Discrimination Act, which came into force on 1 February 2004, encompasses issues such as employment, working conditions, as well as education, health and social services. Under the provisions of the Non-Discrimination Act, all state and municipal authorities are obliged to draft an Equality Plan, which includes measures and tools to promote operational diversity and non-discrimination. As noted the Non-Discrimination Act has been criticized, particularly from state and municipal authorities, who point out that it is difficult to comply with or enforce the provisions of the Act because there are already other anti-discrimination legal instruments such as the Work Discrimination Act, the Penal Code and the Equality Act. Therefore, there is a need to renew the Anti-Discrimination Act and the Ministry of Justice established a committee for that purpose in 2006.

In 2007 the Finnish League for Human Rights also organized a seminar for other NGOs and trade unions, with the sole purpose of renewing the Anti- Discrimination Act. NGOs have, for example, pointed out that the Non- Discrimination Act does not apply to person-to-person discrimination and that as far as the issue of housing is concerned,

the provisions of the Act do not extend to the private sector and still continue to discriminate against Roma and immigrants<sup>68</sup>.

As pointed out earlier, in general, the labour and employment terms enforcement authorities do not apply the Non-Discrimination Act efficiently because they are not sufficiently familiar with its provisions. Nonetheless, there has been some improvement. In March 2008, the government amended the provisions of the Anti-Discrimination Act to cater for private commercial relationships such as accommodation renting. The impetus behind this was the European Union Commission statement, which stated that Finland's Equality Law does not go far enough in complying with the provisions of the Commission's non-discrimination directive<sup>69</sup>.

A project launched by the Ministry of Labour focuses on monitoring discrimination, and makes suggestions on how to monitor discriminative practices. The first suggestion is that there should be a national discrimination monitoring system, which should improve reporting and processing the available information. There should also be a website about discrimination monitoring, and there should be input from the support committee of the Ombudsman for Minorities office, NGOs and government authorities. The reporting would make discrimination more visible, and it would also help to provide an overview on how the anti-discrimination legislation is working. The Ministry's project report is part of the EU handbook for monitoring discrimination in Member States. The Finnish League for Human Rights is of the opinion that a discrimination monitoring system should be put in place as soon as possible<sup>70</sup>.

The Ombudsman for Minorities is an independent authority, which first started operating under the Ministry of Labour in 2002. In 2007, it was transferred to the Ministry of the Interior. The remit of the Office is to promote the legal status of ethnic minorities and foreigners residing in Finland. The Ombudsman can, however, only recommend, issue statements, provide advice and instructions, but has no juridical authority to investigate and prosecute. The Ombudsman can also take initiatives and give legal assistance and in some cases give more extensive personal assistance.

During 2009, the Ombudsman for Minorities launched a project to develop legal advisory services against discrimination in cooperation with the Ministry of the Interior Legal Affairs Unit. One drawback to the Ombudsman Office is that it is located in Helsinki, and there is therefore a need to establish its presence in other parts of the country. During the reporting period the office of the Ombudsman for Minorities proposed that the scope of the Non-Discrimination Act should be extended so that all forms of discrimination should be defined, and monitored by the new Ombudsman for Equality, together with the Equality Committee. Labour related issues would be monitored and supervised by the Occupational Safety and Health Inspectorates<sup>71</sup>.

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<sup>68</sup> Annual Report of the Ombudsman for Minorities 2008. p. 11

<sup>69</sup> Ihmisoikeusliitto (Finnish League of Human Rights) Syrjintä Suomessa 2008, (Discrimination in Finland), p. 15

<sup>70</sup> Ihmisoikeusliitto (Finnish League of Human Rights) Syrjintä Suomessa 2008, (Discrimination in Finland). p. 7

<sup>71</sup> Annual Report of the Ombudsman for Minorities 2009, p 5

During the reporting period the Office of the Ombudsman for Minorities received a total of 100 cases from the Roma community. Although slightly slower than during the previous year, housing cases (35) represented over a third of all the cases submitted by the Roma for investigation<sup>72</sup>. Overall, general discrimination cases against all immigrant groups comprised some 63% of all the representations submitted to the Ombudsman Office. In the light of these developments, the Office, together with the Ministry of the Interior Legal Affairs Unit, launched a year-long EU financed project to develop regional advisory services against discrimination. The broader goals of this initiative is to pilot three different models for providing advisory services to victims of discrimination and use the experience as a basis for developing better nation-wide advisory services<sup>73</sup>.

Apart from these cases, the Ombudsman also investigated complaints about internet-based racist and hate messages, Roma housing problems, ineffective implementation of Sami constitutional rights, discrimination in the provision of public and private services as well as work place discrimination. The Office also received representations about issues related to the implementation of the Aliens Act. Haphazard or non-implementation of Sami minority and language rights were also highlighted. In addition to the Ombudsman's Office, there are also some organizations that have been instituted to monitor discriminatory practices and ensure that the rights of ethnic minorities are recognized and respected. The Advisory Board for Ethnic Relations (ETNO) is an expert body appointed by the government. Up until the end of 2007, it operated as an independent unit within the Ministry of Labour but has since been transferred to the Ministry of the Interior. The aim of ETNO is to promote coordination and cooperation between authorities, non-governmental organizations, immigrants and ethnic minorities.

The Advisory Board on Roma Affairs (RONK) has operated for more than 50 years in cooperation with the Ministry of Social Affairs and Health. RONK's main function is to promote the fair participation of the Roma population in Finnish society, to improve their living conditions and socio-economic position, as well as to advance Roma culture.

The Advisory Board on Sami Affairs (Saamelaisasiainneuvottelukunta) operates under the Ministry of Justice. Its function is, for example, to monitor the legal, economic and social situation of the Sami and report back to the corresponding ministries.

The most important development in anti-discrimination legislation is the 2007 initiative by the Ministry of Justice to harmonize the Equality Law with other non-discrimination laws and statutes. As mentioned before in this report, the provisions of the current Equality Law are disjointed and unspecific, and do not conform to the international norms and demands. Given this uncoordinated legal background, no case, has, so far, been brought forward on the basis of the EU Race Equality Directive. Equally, there has not been much discussion about UNICERD, and although the Durban Declaration has been discussed, it has, as yet, not had any noticeable impact on Finnish legislation. Officials are of the opinion that many of its recommendations, particularly with regard to the position of the Roma, are already incorporated in existing legislation.

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<sup>72</sup> Annual Report of the Ombudsman for Minorities 2009, p 26

<sup>73</sup> Annual Report of the Ombudsman for Minorities 2009, p 37

## VI.ii Migration and integration

Immigration has always been a very sensitive issue in the Finnish political and social discourse. Although the number of immigrants and foreigners living in the country (some 200 000 out of a population of slightly over 5 million), is one of the lowest among industrialised countries, the intense and emotional discussion against immigrants and refugees indicates a deeply ingrained psychological fear and antipathy of the other – the foreigner, which borders on xenophobia.

The popularity of the anti-immigrant and EU True Finns, which has gained more support than the Green Party and become the fourth most popular political party, is an apt indicator of the depth of anti-foreign and immigrant **attitudes prevailing in Finland at the moment**. Mainstream political parties such as the Social Democrats, the Centre Party, National Coalition Party, and the Leftist Union have all seen their support dwindle as voters drift to the right, and as predicted have started to pander to anti-immigrant sentiments in order to attract disgruntled voters. In spring 2010, Jutta Urpilainen, the chairperson of the powerful Social Democratic Party, was roundly criticized by many progressive individuals and organizations after telling immigrants to tow the “*maassa maan tavalla*” line, a term beloved by the anti-immigrant hard right, which roughly translates as, “adapt or leave.”

The centre right government, which is dominated by the Centre Party and the conservative National Coalition Party, has stated that it supports an economic oriented immigration policy, which will satisfy Finland’s current and future labour needs. However, as has been noted before, the unemployment rate for immigrants in Finland is quite high, and many highly-skilled foreigners are woefully underemployed as menial workers. Civil society organizations would like to see measures and resources directed towards the improvement of the labour market position of immigrants residing in Finland. Activists in non-governmental organizations point out that the government’s immigration programme should not just view the newcomers as mere workers but, rather, as people who have needs, desires and hopes. Thus, state and municipal administrations should also expand their educational, health and social services to cater for the new immigrants.

The government has noted the importance of integration in its migration policy programme and suggests that there should be a special orientation information package for new migrants<sup>74</sup>. But, so far, despite the importance of integration, nothing has come out of this proposal. The eleven EU Common Basic Principles on integration have been discussed and incorporated into the Integration Act 2005. Civil society has, however, noted that there are still many practical problems in their implementation. This particularly applies to mainstreaming in social, health and employment issues.

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<sup>74</sup> The Government Migration Policy Programme 2006 p. 4. The Government Policy Programme 2007.

As noted in an earlier report, the Integration Act (493/1999) obliges municipalities to design their own integration programmes, which should indicate measures and programmes, which they intend to implement in order to facilitate the integration of migrants into the Finnish society. Apart from that, the Act also obliges municipalities, in cooperation with Employment Offices, to design personal integration plans for each migrant.

The Integration Act was renewed in 2005, and the amended legislation defines the specific role of each actor/organization in the integration process. Under the act, apart from promoting integration, municipalities are also obliged to design and enforce anti-discrimination plans. State provincial offices should, for instance, plan, develop and ensure the delivery of municipal health and social services in order to facilitate the integration process<sup>75</sup>.

One shortcoming of the Integration Act is that its personal integration plan leaves out some of the more vulnerable immigrant groups, such as children and non-working mothers, out of the programme. Persons who are employed and entrepreneurs (in other words anyone who is not officially unemployed or is dependent on social services) also do not qualify for socio-economic services offered under the Integration Act. Some municipalities have tried to solve this problem by, for example, providing Finnish language lessons to non-working mothers. One chief obstacle is, of course, the lack of resources and knowledge by authorities about the kind of educational, health and social services required by immigrants and multicultural families<sup>76</sup>.

The presence of Roma beggars, mainly from Romania and Bulgaria, on the streets of Helsinki has been hotly debated for the last three years, and some of the comments and observations aired in the media have been racist. The solution to the problem, floated by authorities and politicians, is to penalize begging. In October 2010 a working group from the Ministry of the Interior proposed that begging and the establishment of squatter camps should be penalized. The group's recommendations will form the basis for a bill which will be tabled in parliament, most likely in 2011. Human rights activists argue that if a law is passed against begging it will be discriminatory towards the Roma<sup>77</sup>.

## **VI.iii Criminal justice**

### **VI.iii.i Racism as a crime**

As noted before, Finland has several laws which prohibit racism and racist discrimination. The Non-Discrimination Act (2004) prohibits discrimination on the basis of ethnicity, religion and skin colour, amongst other things. Again, as stated earlier in

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<sup>75</sup> Laki maahanmuuttajien kotouttamisesta ja turvapaikanhakijoiden vastaanotosta annetun lain muuttamisesta 1215/2005

<sup>76</sup> Roos, Jonna, 'Monikulttuurisuuden haasteet Etelä-Suomen läänin kunnissa'. Etelä-Suomen lääninhallitus. 128/2008.

<sup>77</sup> <http://www.hs.fi/english/article/PM+kiviniemi+comes+out+against+plans+to+ban+begging+by+law/113>

this report (see 6.2), the legislative measures against discrimination are quite wide ranging, and, unfortunately, rather complex for the concerned Authorities. That is one reason why the Non-Discrimination Act has been under review since 2007.

The Penal Code (Chapter 6, section 5, subsection 4) provides for harsher sentences for racially motivated crimes. Ethnic agitation is specifically prohibited under Chapter 11, section 8 of the Penal Code 578/1995), which states that a person who spreads information or statements to the public to defame, insult or threaten a race, ethnic or national group shall be fined or sentenced to, at most, two years in prison.

IAs noted earlier, in 2009 authorities charged and convicted the Helsinki City councillor, Jussi Halla-aho, for ethnic agitation and blasphemy (In his blog he had written that paedophilia was institutionalized in Islamic religion, and that Somalis are genetically lazy welfare spongers). In September 2009 Halla-aho was convicted of religious blasphemy and ethnic agitation and fined 330 euros<sup>78</sup>

Finnish authorities and activists have been concerned by the increasing prevalence of internet-based racist chat forums, network communities and blogs. In May 2008, state prosecutor, Mika Illman, stated that Finnish legislation should be modified to compel website hosts to become more responsible for the racist content appearing on their sites. Sweden has such legislation. The Office of the Ombudsman for Minorities concurred that legislative initiatives could be used to combat net-based racism. (On some of the sites, the Ombudsman is referred to as the Nigger Ombudsman). However, apart from the Halla-aho incident, there was no significant police initiative or campaign to clamp down on net-based racism in 2009 or 2010.

Although the Penal Code prohibits discrimination on the basis of ethnicity, religious beliefs or nationality (Chapter 11 section 9), the Ombudsman for Minorities has noted that the legislative measures to combat racist or discriminatory behaviour are quite ineffective. The punishment for the most serious cases is simply not strong enough to deter offenders. For example, the average punishment for a discriminatory offence is the same as the one for shoplifting. According to the Ombudsman, this does not correspond to the values of Finnish society as expressed in, for instance, the Immigration Policy Programme.

In its Third Report on Finland in 2007, the European Commission against Racism and Intolerance (ECRI) noted that, based on the observations of NGOs, very few people are prosecuted or convicted for racist crimes. ECRI recommended that Finnish authorities should put more effort into improving the implementation of the criminal law provisions in force against racism and racial discrimination<sup>79</sup>. According to the 2008 European Fundamental Rights Agency (FRA) report, Finland has one of the most comprehensive crime registration services. However, despite this positive development, there are still shortcomings in the collection of data related to racist crimes. The government has realised the problem, and identified operational areas that need to be developed. These

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<sup>78</sup> <http://www.hs.fi/english/article/Cou.../1135249190300>. accessed 24.11.2010

<sup>79</sup> ECRI (European Commission against Racism and Intolerance) Third Report on Finland. 24<sup>th</sup> May 2007. p. 9-10

include; the definition of a racist crime and the subsequent follow up through the criminal justice system as well as the need to convince victims to file a police report. It has also been noted that instead of relying solely on police, prosecution and judicial services for crime related statistics, there is a need to establish a comprehensible workable definition of what constitutes a racist crime..

Racist crimes as well as well as hate crimes have been rising in Finland. In 2009 more than 1 000 crimes, a 17% increase from 2008, were recorded by the police. The perpetrators of the crime, which include name-calling, threats, assaults and disturbances of domestic peace, are Finnish males between the ages of 15 and 24. The overwhelming number of racist crime victims (60%), were Finnish citizens such as members of the Roma community and Finnish-born children of immigrants. Somalis bore the brunt of many of the racist crimes committed against immigrant minorities. Other victims of racist crimes were Iraqis, Iranians and Turkeys<sup>80</sup>.

According to the Finnish police, criminal administrative procedures, all crimes in which the victim's skin colour, race and ethnic origin is the principal variable should be coded as racist crimes. Although for some reason, racist crimes may not be coded, this does not mean that they will not go through the criminal justice system. The downside is that the judicial branch will be unable to utilise the aggravating circumstances function befitting such crimes.

The geographical location of racist crimes followed the same pattern as in previous years. Over a third of all racist crimes recorded in 2009 were committed within the Helsinki Metropolitan Area, where the majority of immigrants and foreigners reside. In the eastern city of Joensuu, which has been plagued by extreme right violence since the early '90s, 43 racist crimes were recorded. The figure for 2008 was 9<sup>81</sup>.

Besides keeping annual statistics of racist crimes, Finnish police also keep a record of the crime types, the times of day they are committed, the locations, as well as the victims and suspects. According to the Finnish League for Human Rights, one of the serious shortcomings in monitoring racist crimes is that proceedings from the Prosecutor-General are not systematically reported.

### **VI.iii.ii Counter terrorism**

The Finnish Penal Code (Chapter 34a) contains provisions for dealing with terrorist offences. The law, which has been in force since 1 February 2003, has so far never been applied. For some years now, intelligence and security services have reiterated that there is no immediate danger for Finland from political or religious radicals.

However, Finland's foreign policy shift from being a neutral peacekeeper to a peace enforcer in hotspots such as Afghanistan has created new security challenges, and in

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<sup>80</sup> <http://www.hs.fi/english/article/-/1135261408417>. Accessed 25.11.2010

<sup>81</sup> <http://www.hs.fi/english/article/-/1135261408417>. Accessed 25.11.2010

October 2009 the government announced plans to station intelligence operatives in East and North Africa as part of its fight against global terrorism<sup>82</sup>.

Organizations like The Finnish League for Human Rights are, however, concerned about the stepped up electronic surveillance conducted by the police and intelligence services against individuals suspected of having links to radical political or religious organizations, and the fact that the counter terrorism concept is being used as a catch-all for a variety of intelligence actions, which have the potential to undermine personal liberties.

### **VI.iii.iii Ethnic profiling**

Racial profiling was quite common in Finland during the late '80s and early '90s, but was discontinued after pressure from progressive activists and NGOs. In spring 2008, police launched several operations in Helsinki restaurants and in the streets in search for the so-called illegal immigrants. The Ombudsman for Minorities intervened and reminded the police that, by randomly demanding papers from people of colour the police were, in fact, engaged in racial profiling<sup>83</sup>. The operations were stopped, and since then there have not been any high profile cases of ethnic profiling.

### **VI.iv Social inclusion**

Close to 60% of immigrant and foreign children belong to the lowest income groups. The proportion of native Finnish children who belong to this socioeconomic group is a mere 18%. More immigrant children are reared by a single parent than their native born counterparts. Between 33-43% of immigrant children from Somalia, Vietnam and Middle Eastern countries are currently being raised by a single parent (usually the mother), as opposed to just 16% for native born children<sup>84</sup>.

Most of the anti-racism projects in Finland have been funded by the European Social Fund, and several NGOs and other actors have developed many good practices. However, as soon as the funding ended, these projects have stopped. To maintain sustainability and social inclusion, funding should be continuous. The government has formulated some proposals for youth development, and has outlined measures and targets to be reached in order to promote social inclusion for immigrant youths and children. One significant initiative has been to develop the language and social skills of these children under the Child and Youth Programme 2007.

Despite these commendable efforts, what is glaringly missing is the acknowledgement that there are close to 60 000 children who belong to families in which the other spouse was not born in Finland<sup>85</sup>. Civil society activists hope that government funding should also take this group of children into consideration.

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<sup>82</sup> <http://www.uusisuomi.fi/kotimaa/74415-historiallinen-kaanne-suomi-terrorijahdin-ulkomaille> accessed 12.10.2010

<sup>83</sup> [http://mediaseuranta.blogspot.com/2008\\_03\\_01\\_archive.html](http://mediaseuranta.blogspot.com/2008_03_01_archive.html) accessed 6.7.2009

<sup>84</sup> Suomalainen lapsi 2007. Väestö 2007. Tilastokeskus ja Stakes. (Helsinki: Edita Prima Oy 2007.) p. 416

<sup>85</sup> Finnish Central Statistical Office 2007

In 2007, over 40 different non-governmental organizations established a network called Benefit for Multicultural Children Network. (Monikulttuuristen lasten etu -verkosto). The views of this network were taken into consideration when the government was in the process of planning the current youth and child development policy<sup>86</sup>.

In the global village, which we live in, people have to understand each other much better than before. What is called global education plays a very important role in this process. Global education not only helps Finnish children to come to grips with the fast-paced world they live in, but it also helps them to understand the migrant children in their midst. Currently there are over 35 000 pupils and students in Finnish schools and vocational institutions who have an immigrant background.

The Ministry of Education adopted a special programme for global education in 2007<sup>87</sup>. Under this programme, the mainstream school system will be developed to cater for children from immigrant backgrounds as well as migrant teachers. The possibility for individualised teaching will be used at all levels - from early childhood education onwards. Global education will also be included as an important theme in teachers' in-service training and more widely in staff development in the entire school system.

Apart from global education programmes in schools, there is also the need to use the expertise and experience of organizations such as friendship associations, NGOs as well as private and public players. Youth organisations and groups will also be given opportunities to influence, implement and develop global education programmes. Cultural and sports organisations will be encouraged to integrate global education in their activities with a view to influencing decisions from major global education facilitators such as the Council of Europe, the OECD, UNESCO and the UN overall. In addition, measures will also be instituted to facilitate dialogue and understanding between world religions and faiths.

The government also adopted the Health Promotion Policy Programme in December 2007<sup>88</sup>. Thanks to the programme, authorities have begun to acknowledge the obstacles that immigrants confront in accessing health and social services. They have also recognised that health and culture are closely linked, and urge state and local authorities to consider cultural factors in the delivery of health services to immigrants and foreigners.

The Health Promotion Policy Programme is part of Finland's National Strategic Report on Social Protection and Social Inclusion, which also includes the Children and Youths Welfare Programme, as well as the government's Immigration Programme<sup>89</sup>. Civil society has, generally, welcomed these programmes, but is concerned about their practical implementation. Another concern is that the most vulnerable social groups

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<sup>86</sup> [http://www.vaestoliitto.fi/monikulttuurisuus/palvelut/in\\_english](http://www.vaestoliitto.fi/monikulttuurisuus/palvelut/in_english) accessed 26.11.2010

<sup>87</sup> Global Education 2010, Ministry of Education. p. 16 - 17.

<sup>88</sup> Health Promotion Policy Programme 2007, p. 14

<sup>89</sup> [http://ec.europa.eu/employment\\_social/spsi/docs/social\\_inclusion/2008/nap/finland](http://ec.europa.eu/employment_social/spsi/docs/social_inclusion/2008/nap/finland) accessed 23.10.2010

such as immigrant women and multicultural children are not marginalised, but empowered and encouraged to participate as equal and full members of society. Vulnerable migrant groups in this category are housewives and the unemployed. In order to prevent social exclusion and the resultant health problems such as mental disorders, the authorities are advocating early intervention. This early intervention, they maintain, will mean more information, guidance and adequate support to promote the integration process. The programme also acknowledges the important role of NGOs in promoting immigrant health, and urges the state and municipalities to give more support to these efforts. In general, civil society has welcomed the new Health Promotion Policy Programme and urged state and local authorities to release more funds and resources to promote migrants' health.

## **VII. National recommendations**

### **VII.i General**

- Although legislation has been amended, authorities should vigorously monitor discriminatory policies towards the Roma in housing allocation.
- Authorities should actively monitor the implementation of Sami language and minority rights.
- Anti-discrimination measures, particularly with reference to employment discrimination, should be harmonised and made more effective.
- Police should take racist crimes more seriously and the judicial system should rigorously apply the aggravating principle in sentencing.
- More immigrants should be employed in media organizations to reflect the composition of society.

### **VII.ii Anti discrimination**

- The government should adopt more vigorous measures to combat racism and discrimination and promote real equality.
- The government should provide more support for victims of discrimination.

### **VII.iii. Migration and integration**

- Integration legislation should be thoroughly implemented.
- Employment discrimination should be vigorously investigated and the perpetrators should be severely punished.
- Personal integration plans should be made for all new arrivals.

### **VII.iv Criminal justice**

#### **VII.iv.i Racism as a crime**

- There should be more coordinated, vigorous efforts to stamp out internet based racism.
- The police and the judicial system should be educated to speedily detect, investigate and prosecute racist crimes.

#### **VII.iv.ii Counterw terrorism**

- Intelligence and security services should not violate personal liberties in their counter terrorism campaigns.

#### **VII.iv.iii Ethnic profiling**

- Police should desist from stop and search operations targeted at persons of colour.

## **VII.v Social inclusion**

- Authorities should ensure that vulnerable groups such as immigrants and ethnic minorities have adequate and equal access to information and resources.
- Information about local government services should be widely available to all immigrants.
- Funding for NGOs engaged in immigrant programmes should be given on a long term basis.

## VIII. Conclusion

The demographics of Finnish society are changing fast. More than 3 300 cross cultural marriages are reported each year and more and more multicultural children are being born from these unions. After years of keeping the door firmly bolted to outsiders, Finland has finally acknowledged, like all industrialised countries, that it needs immigrant labour to propel its economy into the future. This, for example, will mean that, in the future, Finnish citizenship will not be defined by colour. In short, Finland is inexorably on the way to becoming a fully fledged multicultural society.

Like everything new, the concept of a multicultural society is being vigorously opposed by a significant proportion of the native Finnish population ranging from plasterers to professors. The popularity of the xenophobic, anti-EU New Finns party is mainly based on its anti-immigrant stance. So loud is the party's voice that it has succeeded in upturning the racism discourse altogether. (It's supporters have successfully compelled media practitioners to replace the concept of racism with the euphemism immigration criticism). The internet has become the favourite medium for the party's supporters to propagate their xenophobic views. Although the authorities know that the internet is being used to propagate racist, anti-immigrant views, not much, apart from some suggestions from the State Prosecutor and the Ombudsman for Minorities, has been done to combat this phenomenon. This is quite understandable as the distinction between free speech and social justice is a murky one.

The transformation from a near homogenous society to a multicultural one is a great challenge for Finland. It requires changes in attitudes and perspectives, as well as in structures of governance and administration. State and local administrations, civil society and individuals, should all work together to integrate the newcomers into the society. This integration should be a two-way process in which both parties interact fairly and learn from each other. These changes do not take place overnight, and sadly, intolerance, racist violence and bigotry will continue. The only way to effectively combat these negative social behaviours is through education and other forms of intervention. This of course, requires material and human resources, as well as willpower and commitment. Civil society should be actively involved in all activities designed to accept and integrate immigrants into the Finnish society.

## IX. Bibliography

Aaltonen, Milla, Joronen, Mikko ja Villa Susan; Syrjintä Suomessa 2008 (Ihmisoikeusliitto, 2008)

Annual Report of the Ombudsman for Minorities 2008.

Annual Report of the Ombudsman for Minorities 2009,

Central Statistical Office 2007

Children's and young people's welfare Programme 2007

Development of the work with immigrants in early childhood education and care, Ministry of Social Affairs and Health 2007

ECRI 2007. European Commission against Racism and Intolerance. Third Report on Finland 2007. ECRI(2007).

Gissler, Malin & Matveinen, 'Maahanmuuttajat ja julkiset palvelut Terveystieteiden tutkimuskeskuksen tutkimus ja sosiaalihoitospalvelut. Pienten lasten hoito ja sosiaalihoitoavopalvelut'. Työpoliittinen tutkimus 2006. Työministeriö

Global Education 2010, Ministry of Education.

Halla-aho charged with agitation and blasphemy,

<http://freedom.blogspot.com/2009/03/halla-aho-charged-with-agitation-and>

Hakulinen-Viitanen, Tuovi & Pelkonen, Marjaana, 'Äitiys- ja lastenneuvolojen tilanne Etelä-Suomen läänissä'. Etelä-Suomen lääninhallituksen julkaisusarja 111/2006. Helsinki.

Health Promotion Policy Programme 2007

Huhtanen, Ann-Mari, 2009 "Maahanmuuttajia halutaan ohjata koulutusta vastaavaan työhön," Helsingin Sanomat, 10 Kesäkuuta .p. A10 Ihmisoikeusliitto (Finnish League of Human Rights) Syrjintä Suomessa 2008,(Discrimination in Finland).

Immigration Education in Finland, Finnish Board of Education 2007, <http://www.edu.fi/english/frontpage.asp?path=500> accessed 2 July 2009

Joronen, Mikko & Salonen, Annamari, 'Rasismi ja etninen syrjintä – ajatuksia ja tekoja: määritelmiä keskeisille käsitteille' in Salonen, Annamari & Villa, Susan (eds.) Rasismi ja etninen syrjintä Suomessa 2005. (Helsinki: Ihmisoikeusliitto 2006)

Korkeaoikeuden tiedote 17.10.2008- Asianmukaisesti suoritettu muslimipojan ympärileikkaus ei ollut rangaistava Laki maahanmuuttajien kotouttamisesta ja turvapaikanhakijoiden vastaanotosta annetun lain muuttamisesta 1215/2005

Lepola, Outi, Joronen, Mikko & Aaltonen, Milla, 'Syrjintä etnisyyden, uskonnon, kielen tai kansalaisuuden perusteella.' In Lepola, Outi & Villa, Susan (eds.) Syryntä Suomessa 2006. (Helsinki: Ihmisoikeusliitto 2007)

Maasilta, Mari, Simola, Anna ja af Heurlin, Heidi 'Maahanmuuttaja mediankäyttäjänä'. Tampereen yliopisto. Julkaisuja. Sarja A 107/2008

National Strategic Report on Social Protection and Social Inclusion 2008-2010.  
[http://ec.europa.eu/employment\\_social/spsi/docs/social\\_inclusion/2008/nap/finland](http://ec.europa.eu/employment_social/spsi/docs/social_inclusion/2008/nap/finland)

Rastas, Anna, 'Rasismi lasten ja nuorten arjessa. Transnationaalit juuret ja monikulttuuristuva Suomi' Ph.D. dissertation. (Tampereen yliopisto: University of Tampere Press. 2007

Rauta, Asko, 'Selvitys maahanmuuttajien mielenterveyspalveluiden tarpeesta ja saatavuudesta'. Selvityksiä 2005:3. STM.

Saarinen, Aino, "Venäläiset maahanmuuttajat 'naisystävällisessä' Pohjolassa: kansalaisuus ja stigmatisoitunut identiteetti" In Martikainen, Tuomo and Tiilikainen, Marja (eds.) Maahanmuuttajanaiset: Kotoutuminen, perhe ja työ. Väestötutkimuslaitoksen julkaisusarja D 46/2007

Roos, Jonna, 'Monikulttuurisuuden haasteet Etelä-Suomen läänin kunnissa'. Etelä-Suomen lääninhallitus. 128/2008

Soilamo, Arto, 'Maahanmuuttajaoppilaan osallisuus koulukiusaamisessa' (Turku: University of Turku 2006)

Suomalainen lapsi 2007. Väestö 2007. Tilastokeskus ja Stakes. (Helsinki: Edita Prima Oy 2007)

Tanttu, Jekaterina, 'Venäjänkielisenä Suomessa'. Selvitys vähemmistövaltuutetulle. Helsinki 2008.

The Government Migration Policy Programme 2006

The Government Policy Programme 2007

Toimenpidesuunnitelma thaimaalaisten naisten kotouttamiseksi. Ministry of Interior, Department of Migration 2009.

Uusi Suomi, Nettirasistien rajoittamiselle tukea, 5.5.2008 *Vähemmistövaltuutettu tiedottaa*: Syrjintälautakunta linjasi saamelaisten oikeuksia ja yhdenvertaisuusla tulkintaa (08.12.2008)

<http://www.intermin.fi/intermin/vvt/home.nsf/Headlines/39DD1CB3615E5F23C2257519002A4E60> accessed 2009.

Vieraskielisten hakijoiden vaikea päästä ammatilliseen koulutukseen` The State Provincial Office of Southren Finland. 10.10.2008 HYPERLINK [www.laaninhallitus.fi/etela](http://www.laaninhallitus.fi/etela) tiedotteet

Villa, Susan, Terrorismin torjuntaan ei ole oikopolkuja, Ihmisoikeusraportti 3/2007

Virtanen, Hanna and Vilkama, Katja `Somalien asuminen pääkaupunkiseudulla` in Martikainen, Sakaranaho and Juntunen (eds.) Islam Suomessa. Muslimit arjessa, mediassa ja yhteiskunnassa. (Porvoo: Painotyö Bookwell 2008)

## **X. Annex 1: List of abbreviations and terminology**

CMM - The Council for Mass Media

RONK - The Advisory Board on Roma Affairs

RAY - The national slot machine association



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