

**ADVISORY COMMITTEE ON THE
FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES**

COUNCIL OF EUROPE



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**Comments of the Government of Finland
on the Fourth Opinion of the Advisory Committee on the implementation of the
Framework Convention for the Protection of National Minorities by Finland**

(received on 6 October 2016)

Framework Convention for the Protection of National Minorities

Comments of the Government of Finland on the Fourth Opinion of the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities by Finland (ACFC/OP/IV (2016)002)

5 October 2016

I. KEY FINDINGS

General overview of the present situation

Paragraph 4, page 4

The Government notes that it is repeated several times in the draft opinion that Roma continue to experience discrimination in Finland in all spheres of life and especially in employment.

Finland does not compile statistics on individuals on the basis of their ethnic background. Therefore, no precise information is available about, e.g. the employment rate among Roma. However, studies and research have been carried out on the subject.

In 2008 the Ministry of Economic Affairs and Employment published a study on the labour market situation of Roma in Finland ("*Romanien pitkä matka työn markkinoille, The long way of Roma to the labour market*"). The purpose of the study was to survey the employment opportunities of Roma residing in Finland and to study the role of the labour administration in supporting their employment. The study indicated that especially the lack of education and work experience of Roma hamper their employment. Many unemployed Roma have only completed comprehensive school and lack vocational education. Furthermore, few Roma have continued to study after comprehensive school, and many have dropped their studies.

The Government notes that according to a report of the Finnish National Board of Education ("*Basic Education of Roma Pupils – Review 2010–2011 and Proposals, 2012*"), the number of Roma starting vocational courses more than doubled during the 2010s.

Finland has made efforts to support the employment of Roma by means of a number of projects, too. For instance, a development project on transitional labour markets, co-financed by the European Social Fund, published a guide for trainers, providers of training and employment authorities for recruiting Roma ("*Palkkaisinko romanin? Opas kouluttajille, koulutuksen järjestäjille ja työvoimaviranomaisille*" (reprint 2011)). The guide is intended to eliminate prejudice and to raise awareness of the participation of Roma in the labour market and education and training. The Equality is Priority (YES) project, carried out in 2007–2015, was a national action programme to combat discrimination and to promote the acceptance of diversity extensively in Finnish society. One purpose of the project was to encourage Roma and housing actors to open interaction with each other, and to contribute to spreading good housing practices.

The barriers to and the backgrounds of the employment of Roma are manifold. The most significant factors influencing the employment of Roma relate to their socio-economic position. The most determining factors are their low educational level, scarce vocational education and modest work experience. Other influencing factors include the scarcity of suitable jobs, the specific features of Roma culture, the attitudes and prejudice of Roma themselves, and the negative attitudes and prejudice of other people towards Roma. For example, only slightly more than half of all employers are ready to recruit a Roma employee.

The Government notes that the draft opinion does not pay attention to the background factors influencing the employment situation of Roma from sufficiently many angles. Even though prejudice exists on both sides, discrimination based on ethnic background is not necessarily the most significant or the only factor determining the placement of Roma in the labour market, which is weaker than the average placement in Finland. It is visible in all population groups that a low educational level clearly correlates with a weak employment situation and an increased risk of long-term unemployment. Measures to raise the educational level, in particular, and to improve housing conditions are well founded from the standpoint of employment, regardless of an individual's ethnic background.

Assessment of measures taken to implement the recommendations for immediate action from the third cycle

Paragraph 6, page 5

Early day care and basic education (creation of language nests for children, slight increase in the number of students) progressed in the Sámi Homeland with the support of public funds.

The Government notes that also three language nests for children, supported by the Ministry of Education and Culture, in cooperation with the Sámi Parliament, have started outside the Sámi Homeland area since 2012. Before that, language nest activities were not provided outside the Homeland area at all.

However, access to welfare and health services in Sámi languages remains unsatisfactory and efforts are needed to improve language proficiency of personnel. Efforts must also be carried out to increase the availability of qualified teachers and teaching material. Sámi residing outside the Homeland still face specific challenges in particular as regards access to education in Sámi languages.

The Government notes that as new information, we wish to add that the University of Oulu is launching a programme to educate kindergarten teachers in Sámi languages. The programme receives special funding from the Ministry of Education and Culture (a Ministerial decision was made in spring 2016).

ARTICLE-BY-ARTICLE FINDINGS

Article 6

Paragraph 57, page 21

The Advisory Committee encourages the authorities to intensify their efforts to raise public awareness of the legal remedies available against hate crime to further improve training of law enforcement to detect, investigate and sanction hate speech and hate-motivated offences, and to enhance trust of persons belonging to minorities in the police and judicial systems for reporting and bringing cases to justice, including via increasing the presence of persons belonging to minorities in the police.

The Advisory Committee recommends that the training of the police on hate crime prevention should be increased. The Government notes that the National Police Board has, jointly with the Police University College, prepared a separate training programme on hate crime prevention, to be started before the end of 2016. Moreover, the National Police Board has signed a memorandum of understanding with the OSCE Office for Democratic Institutions and Human Rights, where a total of 50 policemen will be coached to become trainers for basic, further and in-service training on hate crime prevention.

Article 12

Paragraph 81, page 28

The Advisory Committee learned that a new national curriculum has been adopted and will be launched in 2016. Schools and municipalities are currently working on local curricula and publishers will develop textbooks accordingly. The new curriculum is held to reflect more adequately the presence and role of national minorities in Finland through human rights education. The Advisory Committee, however, understands from interlocutors at municipal level that they contain limited content on Roma history and culture. It considers it important that curricula provide accurate information on the composition of society and portray positively its ethnic diversity. Considering the high degree of decentralisation in educational matters, it observes the manner in which the new curricula will be implemented at local level so as to ensure the promotion of inter-cultural understanding, knowledge of minorities, and respect for diversity by pupils, is of the utmost importance.

The Government notes that there is no prior examination of textbooks in Finland. The teachers are heavily involved in the writing of textbooks. The production relies upon mutual trust and good cooperation between the teachers and publishing houses.

Article 14

Paragraph 87, page 30

Although one language nest started operating in Helsinki and others are planned in other cities, Sámi organisations based outside the Homeland pointed out that the current educational offer is not sufficient to maintain the knowledge of the language, which represents also a prerequisite and an undeniable link to Sámi livelihoods.

The Government notes that there are three language nests for Sámi children operating outside the Sámi Homeland area, with government support (situation in 2015). The nests are located in the cities of Helsinki, Rovaniemi and Oulu.

Article 15

Paragraph 103, page 34

The Advisory Committee understands that access to social and health services in the Russian language has improved in particular as regards doctors and family and youth services. In particular, the 2015 reform of social welfare has drawn a distinction between social and child welfare which should help municipalities in dealing with child-raising issues in a multicultural context. However, it was also informed by Russian-speaking representatives that services targeted to people with disabilities are lacking and provided only by non-profit organisations.

The Government notes that under the legislation currently in force, no obligation exists to arrange social and health services in the Russian language, although, e.g., the Act on the Status and Rights of Social Welfare Clients (812/2000) stipulates that in providing social welfare, account must be taken of the wishes, opinion, interest and individual needs of the clients as well as their native language and cultural background. The Government pays attention to the possibility that the text of the draft opinion may mislead the reader to assume that there is a statutory right to receive services in the Russian language in Finland.

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