

FINLAND

SUBMISSION TO THE UN COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

81ST PRE-SESSIONAL WORKING GROUP, 5-9 JULY 2021, LIST OF ISSUES



Amnesty International is a movement of 10 million people which mobilizes the humanity in everyone and campaigns for change so we can all enjoy our human rights. Our vision is of a world where those in power keep their promises, respect international law and are held to account. We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and individual donations. We believe that acting in solidarity and compassion with people everywhere can change our societies for the better.

© Amnesty International 2021
Except where otherwise noted, content in this document is licensed under a Creative Commons (attribution, non-commercial, no derivatives, international 4.0) licence. https://creativecommons.org/licenses/by-nc-nd/4.0/legalcode
For more information please visit the permissions page on our website: www.amnesty.org
Where material is attributed to a copyright owner other than Amnesty International this material is not subject to the Creative Commons licence.
First published in 2021
by Amnesty International Ltd
Peter Benenson House, 1 Easton Street
London WC1X 0DW, UK

Index: EUR 20/4205/2021 Original language: English



CONTENTS

I. INTRODUCTION	4
2. VIOLENCE AGAINST WOMEN, INCLUDING DOMESTIC VIOLENCE (ARTICLE 2 AND 5)	4
2.1 PREVALENCE OF VIOLENCE AGAINST WOMEN IN FINLAND AND THE IMPACT OF COVID-19 PANDEMIC	4
2.2 LEGAL DEFINITION OF RAPE AND ACCESS TO JUSTICE FOR RAPE SURVIVORS	5
2.3 MEDIATION IN CASES OF DOMESTIC VIOLENCE AND INTIMATE PARTNER VIOLENCE	6
2.4 INADEQUATE FUNDING OF SUPPORT SERVICES AND ACTION PLANS FOR VICTIMS OF VIOLENCE	7
3. FORCED MARRIAGE (ARTICLE 6)	7
1. THE RIGHT TO HEALTH AND OTHER RIGHTS OF TRANSGENDER PEOPLE AND INTERSEX CHILDREN (ARTICLE 12)	8

1. INTRODUCTION

Amnesty International provides the below information to the Committee on the Elimination of Discrimination against Women (the Committee) ahead of the adoption of the list of issues for the eighth periodic report of Finland at its 81st pre-session. This submission sets out Amnesty International's key concerns about Finland's compliance with the <u>Convention on the Elimination of All Forms of Discrimination against Women</u> (the Convention) especially regarding violence against women (Article 5), forced marriage (Article 6), health and rights of transgender people and intersex children (Article 12).

2. VIOLENCE AGAINST WOMEN, INCLUDING DOMESTIC VIOLENCE (ARTICLE 2 AND 5)

2.1 PREVALENCE OF VIOLENCE AGAINST WOMEN IN FINLAND AND THE IMPACT OF COVID-19 PANDEMIC

Prevalence of violence against women in Finland is one of the highest in Europe. According to the national crime victim survey (2019), around 100,000 women had experienced physical or sexual violence by their partner or ex-partner in the preceding 12 months. 2

The Covid-19 pandemic has resulted in an increase in violence against women. Currently available statistical data from 2020 indicates that intimate partner violence reported to the police increased by 6%, although violence perpetrated by ex-partners dropped by 34%, compared to 2019.³

The Federation of Mother and Child Homes and Shelters reported that during 2020 people using their online services grew by 11%. The number of individuals seeking conversations with an adviser increased from approximately 1,000 in 2019 to 5,000 in 2020.⁴ Other organizations reported similar trends.⁵

Government funded telephone support service for victims of violence against women and domestic violence Nollalinja⁶ also reported an increase, in their case of 31% of people seeking assistance in 2020.

In 2020, the number of people who used shelter services was approximately 200 less than in 2019.⁷

FINLAND

¹ European Union agency for fundamental rights (2014): Violence against women – an EU wide survey. http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report

² National crime victim survey (2019), Suomalaiset väkivallan ja omaisuusrikosten kohteena [Finnish people's experiences of violence and property crimes]. Available in Finnish: http://urn.fi/URN:ISBN:978-951-51-0677-3

³ Finnish Institute of Health and Welfare: The impact of Covid-19 -pandemic on welfare, public services and economic. Expert assessment report 3/2021 (only in Finnish): https://www.julkari.fi/handle/10024/142536

⁴ Press release from Mother and Child Homes and Shelters: Coronavirus revolutionized the ways of reaching for support (only in Finnish): https://ensijaturvakotienliitto.fi/enska/korona-mullisti-avun-hakemisen/

⁵ In May 2020, 21 non-governmental organisations (NGOs) published a statement that violence against women and the need for support services had increased during the Covid-19 pandemic. Only available in Finnish: https://www.amnesty.fi/jarjestojen-vetoomus-ministereille-vakivallan-vastaista-tyota-tekevien-jarjestojen-rahoituksen-turvaamiseksi/. The relevant official statistics will next be updated on 1 June 2021.

⁶ Nollalinja is a free of charge telephone service, open 24/7, for victims of domestic violence and violence against women. Funded by the Ministry of Justice. In 2021, a chat service was also made available. More info: https://www.nollalinja.fi/in-english/

⁷ Finnish Institute of Health and Welfare provides information on shelter services in 2020 (only in Finnish): https://thl.fi/fi/-/lasten-maara-laski-turvakodeissa-viime-vuonna.

Even before the pandemic, women with disabilities, lesbians, transgender women, undocumented migrant women, and women with a poor knowledge of Finnish had difficulties receiving support when experiencing violence. The Covid-19 pandemic has deepened their risk of being excluded from appropriate services. Support services and authorities poor understanding of vulnerabilities, lack of supporting structures and legislative gaps regarding services and structures for women who have experienced violence create obstacles that prevent them from enjoying their rights.

2.2 LEGAL DEFINITION OF RAPE AND ACCESS TO JUSTICE FOR RAPE SURVIVORS

Annually around 50,000 women in Finland experience sexual violence. However, only around 1,500 sexual crimes against adult women are reported to the police. Less than 10% of all rapes are reported to the police and of those reported, around 30% result in a trial.¹⁰

There are currently eight Sexual Assault Support Centres in operation, while the recommended number is 13.¹¹ The centres assist victims aged 16 and over, and whose experience of sexual violence has occurred within the last one month.

Rape continues to be defined through the presence of physical violence rather than the lack of the victim's consent. ¹² Situations where a person abuses a position of authority are automatically defined as sexual abuse, not rape, and carry a lesser sentence. ¹³ A working group appointed by the Ministry of Justice published its recommendations for legal reform in July 2020¹⁴ and proposed that rape should be defined as: "sexual intercourse with a person who does not participate voluntarily." ¹⁵ However, under the new proposals, abusing a position of authority would continue to be defined as sexual abuse, not rape. In addition, sexual abuse of a child aged 12-15 would be defined as 'intercourse with a child' and carry a lower sentence when the child has initiated the sexual activity or when it cannot be proven that the perpetrator has persuaded the child into sexual intercourse. ¹⁶

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/FIN/CO/7&Lang=En

threshold service network that also provides long-term support: https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/010/32/PDF/G1701032.pdf?OpenElement. See also Amnesty's submission to the Committee Against Torture, p. 5-6: https://www.amnesty.org/en/documents/eur20/8716/2018/en/

- 12 Criminal Code, Chapter 20, sections 1 and 2. English translation available at https://www.finlex.fi/fi/laki/kaannokset/1889/en18890039.pdf
- ¹³ Criminal Code, Chapter 20, section 5. English translation available at https://www.finlex.fi/fi/laki/kaannokset/1889/en18890039.pdf
- ¹⁴ Amnesty International was a member of the working group and provided a dissenting opinion on certain aspects of the proposal. The proposal is available, in Finnish only, at https://oikeusministerio.fi/-/tyoryhma-raiskauksen-tunnusmerkiksi-vapaaehtoisuuden-puute. Amnesty's dissenting opinion is available, in Finnish only, at the end of the proposal.
- ¹⁵ See the recommendations in *Seksuaalirikoslainsäädännön kokonaisuudistus*. *Oikeusministeriön julkaisuja* 2020:9. Only in Finnish, description also available in Swedish. http://urn.fi/URN:ISBN:978-952-259-874-5. The proposed legal definition for rape in Finnish (Chapter 20, 1§): Joka on sukupuoliyhteydessä sellaisen henkilön kanssa, joka ei osallistu siihen vapaaehtoisesti, on tuomittava raiskauksesta vankeuteen vähintään yhdeksi ja enintään kuudeksi vuodeksi.
- ¹⁶ In 2021, the Human Rights Committee expressed its concern that Chapter 20 of the Criminal Code on sexual offences has still not been amended to ensure that lack of consent becomes the core element of the definition of rape, and that forced marriage has not been explicitly criminalized. Concluding observations from the Human Rights Committee:

 $\underline{\text{https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/FIN/CO/7\&Lang=En}$

FINLAND

⁸ Amnesty International's study on municipalities (2017): https://frantic.s3.amazonaws.com/amnesty-fi/2017/01/Amnestyn-kuntaselvitys-naisiin-kohdistuvasta-v%C3%A4kivallasta.pdf and the follow up study (2021) https://www.amnesty.fi/amnestyn-kuntatutkimus-2021/ Both reports only available in Finnish.

⁹ In 2021, in the Concluding Observations of the Seventh Periodic Report of Finland The Human Rights Committee (HRC) expresses its concern by the persistence of violence against women, particularly the rise in cases of domestic violence in the context of the Covid-19 pandemic. The HRC also noted the insufficient number of shelters and rape crisis centres, especially in remote rural areas. Concluding observations from of the Human Rights Committee:

¹⁰ Amnesty International (2019): "Fighting the Lottery: Overcoming barriers to justice for women rape survivors in Finland", pp. 14-15, available at: https://s3-eu-west-1.amazonaws.com/frantic/amnesty-fi/2019/03/19144800/Fighting-the-lottery final.pdf

¹¹ The Council of Europe recommends 1 centre per 200,000 women; Council of Europe, Combating violence against women: minimum standards for support services, p. 28, https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina Bildjuschkin, <a href="https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaw-conf(2007)study%20rev.en.pdf. See also Suvi Nipuli & Katriina

2.3 MEDIATION IN CASES OF DOMESTIC VIOLENCE AND INTIMATE PARTNER VIOLENCE

In Finland, mediation is covered by the Act on Conciliation in Criminal and Certain Civil Cases. The Act requires voluntary consent by both parties and restricts mediation in cases of intimate partner violence: only prosecutors or the police may initiate it.¹⁷ In 90% of the mediated cases the referral was made by police.¹⁸

Latest statistics from 2019 reveal that 18% of all cases mediated were domestic violence (2284 cases).¹⁹

According to a 2019 evaluation study on mediation practices by the Finnish Institute of Health and Welfare (THL), 88% of mediated domestic violence cases were intimate partner violence. In the same year, the police recorded 5,700 cases of intimate partner violence. This means, that 35% of intimate partner violence reported to the police were referred to mediation.

In the 2019 study by THL, mediated cases typically involved crimes like physical assaults, including severe violence such as suffocation. The study found that, according to the rules, reoccurrence of violence did not disqualify a couple from mediation if the reoccurrence of violence had not been brought to the attention of the authorities previously. The criteria for assessing the suitability of a reported crime for mediation varies greatly. The study concluded that the officials responsible for mediation referrals did not apply consistent criteria or system wide assessment tools to ascertain the risk of violence. In approximately half of the cases the mediation agreement was an apology from the perpetrator and a promise to stop violent behaviour. These agreements were followed up by mediators in only 20% of cases. In most cases, the criminal complaint of domestic violence ended with a mediation agreement. The of prosecutors waited for the outcome of mediation: if an agreement would be reached in mediation they would consider waiving of charges. Only one out of four prosecutors surveyed proceeded with the charges and did not wait for the outcome of mediation.

Since 2011 the police have been obliged by law to investigate all assaults.²⁶ THL reported in 2019, upon request, that in one third of cases referred to mediation by the police there was no preliminary criminal investigation, and in one third of the cases the investigation was unfinished.²⁷ This raises the concern that police may be referring cases to mediation as an alternative to conducting an investigation into the crime. This is in violation of the requirements of the current Criminal Code, as well as a potential failure to protect and uphold the victims right to justice and protection.

The Deputy Chancellor of Justice reviewed police instructions in cases of domestic violence and intimate partner violence in 2019. ²⁸ In his review, the Deputy Chancellor of Justice emphasized that mediation must not mean that criminal process is being bypassed and stressed that the Finnish authorities must ensure that all law-enforcement staff are aware that mediation is prohibited in cases of repeated violence. ²⁹

FINLAND

¹⁷ Act on Conciliation in Criminal and Certain Civil Cases: https://www.finlex.fi/fi/laki/ajantasa/2005/20051015

¹⁸ Press release from the National Institute of Health and Welfare 7 May 2021: Police initiated 90% of the mediated case in 2019. https://thl.fi/fi/-/korjaus-sovittelutilastoon-2019-sovitteluun-ohjattujen-rikos-ja-riita-asjoiden-maara-laski

¹⁹ Press release from the National Institute of Health and Welfare 7 May 2021 (only in Finnish): 2019 mediation statistics: https://thl.fi/fi/-/koriaus-sovittelutilastoon-2019-sovitteluun-ohjattujen-rikos-ja-riita-asioiden-maara-laski

²⁰ Statistical information, violent crimes in families and intimate relationships, year 2019, provided by Statistic Finland: https://tilastokeskus.fi/til/rpk/2019/15/rpk 2019 15 2020-06-02 tie 001 en.html

²¹ See p. 30. National Institute of Health and Welfare (2019): Mediation of domestic violence crimes. Abstract in English http://www.julkari.fi/bitstream/handle/10024/137475/URN_ISBN_978-952-343-269-7.pdf?sequence=1&isAllowed=y

²² This type of variation was first documented over ten years ago in a study of Finnish mediation practices. See: Sambou &Uotila 2010; Lähisuhdeväkivallan sovittelun haasteet. Oikeus 2010/39, 167-176. Published in Oikeus (Justice, https://oyy-ry.fi/english/) available only in Finnish in Edilex: https://www.edilex.fi/oikeus/vuosihakemisto/kaikki/2010

²³ The key findings of the research are in the abstract, available in English, p. 5-6.

http://www.julkari.fi/bitstream/handle/10024/137475/URN ISBN 978-952-343-269-7.pdf?sequence=1&isAllowed=y 24 See ibid pp. 5, 27-29, 31-32.

²⁵ See p. 1, and the English abstract p. 5-6: http://www.julkari.fi/bitstream/handle/10024/137475/URN ISBN 978-952-343-269-7, pdf?sequence=1&isAllowed=y.

²⁶ Criminal Code was reformed in 2011. Since the reform all assaults are under official prosecution. More information about the reform (in Finnish only) in the Ministry of Justice webpages: https://oikeusministerio.fi/-/lindrig-misshandel-ska-hora-under-allmant-atal-fran-och-med-ingangen-av-ar-2011

²⁷ Email from National Institute of Health and Welfare researcher Suvi Nipuli 30.4.2019 to the office of Deputy Chancellor of Justice. Amnesty International Finnish Section researcher Pia Oksanen was copied in the email.

²⁸ See Deputy Chancellor of Justice review of instructions to the police by the National Police Board of Finland (2019, only in Finnish): https://www.okv.fi/media/filer_public/91/d9/91d93319-8df9-4a37-a949-7cf22426b382/okv_11_50_2019.pdf

²⁹ See p. 14-16 of the review from the Deputy Chancellor of Justice (2019, only in Finnish). The Deputy Chancellor refers to the recommendations of GREVIO. See baseline evaluation report on Finland by GREVIO: https://www.coe.int/en/web/istanbul-convention/-/grevio-publishes-its-first-baseline-evaluation-report-on-finland

2.4 INADEQUATE FUNDING OF SUPPORT SERVICES AND ACTION PLANS FOR VICTIMS OF VIOLENCE

In Finland, support services for survivors of violence are predominantly provided by non-governmental organizations. Funding of services has been gravely inadequate. Services provided by NGO's are mainly funded through the gaming revenue of Veikkaus³⁰, a state-owned company operating slot machines and gambling.³¹ Funding is distributed through the Funding Centre for Social Welfare and Health Organizations (STEA)³² where non-profit organizations can apply for grants. Based on applications, STEA prepares a funding proposal to the Ministry of Social Affairs and Health, which makes the final decisions.

Because of the restrictions due to the Covid-19 pandemic Veikkaus estimated that the gambling revenue annually remitted to the state would be reduced by about EUR 300 million.³³ In addition, the funding of the services financed with gambling revenue will likely be reduced as well.³⁴

During the budget negotiations in April 2021, the government decided to start preparing a new model of financing for organisations.³⁵ There is a potential risk that the government does not provide sufficient funding for providers of support services to victims of violence.

The systematic lack of funding for support services for victims can also be seen in the financing of Government Action Plans on violence³⁶ and State funded services for victims seeking safety, like shelters. A 2016 study evaluating earlier Action Plans concluded that measures aimed at reducing violence against women were not fully implemented due to lack of funds.³⁷ Also, even after increase in funding, by May 2021 Finland still only had 231 family places in shelters. The number recommended by Council of Europe being 550.³⁸

3. FORCED MARRIAGE (ARTICLE 6)

Forced marriage is currently not a distinct criminal offence in Finland.³⁹ The Government assessment report and the draft bill on the annulment of forced marriage and the recognition of a marriage concluded abroad by a minor is inadequate. The legal effect of an annulment would be that the marital status of the parties would revert to 'unmarried'. The proposed time limit for seeking an annulment is one year after moving to separate addresses or divorce and at the latest five years after the factual end of the marriage. The proposal concerning the recognition of a marriage concluded abroad by a minor fails to adequately protect child victims, as the high threshold for recognizing marriages would only apply to marriages concluded while at least one party was resident in Finland.⁴⁰

- ³⁰ See https://www.veikkaus.fi/fi/yritys?lang=en
- ³¹ Gambling is regulated by the Finnish Lotteries Act. See https://intermin.fi/en/police/gambling.
- 32 See https://www.stea.fi/web/en/frontpage
- ³³ See the 2020 report from Veikkaus: https://cms.veikkaus.fi/site/binaries/content/assets/dokumentit/vuosikertomus/2020/vuosi_-ja-vastuullisuusraportti_2020.pdf.
- ³⁴ A working group stated that the stability of the funding is increased if the funding is determined for a longer period. See https://valtioneuvosto.fi/en/-//1410845/working-group-placing-gambling-proceeds-within-the-budget-and-beneficiaries-under-the-spending-limits-procedure
- ³⁵ See https://valtioneuvosto.fi/en/-/1271139/decisions-in-the-mid-term-review-promote-wellbeing-and-support-covid-19-recovery-efforts
 ³⁶ Both the Action plan for the Istanbul Convention for 2018–2021 (https://julkaisut.valtioneuvosto.fi/handle/10024/160401) and the Action Plan for Combating Violence against Women for 2020–2023 (https://julkaisut.valtioneuvosto.fi/handle/10024/160401) are drastically under resourced. The first has no earmarked budget at all and the latter has a budget of 400 000 euros.
- ³⁷ Törmä, Sinikka ja Pentikäinen, Merja (2016): *Tavoitteena naisiin kohdistuvasta väkivallasta ja perheväkivallasta vapaa Suomi*. Only available in Finnish. http://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/75030/Rap_ja_muist_2016_15_1.pdf?sequence=1
- ³⁸ The Council of Europe recommends 1 family place per 10,000 inhabitants. See Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence, para 135:

https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800d383a

- ³⁹ The Istanbul Convention calls on states to ensure that forced marriage is a criminal offence (art. 37). Also the Council of Europe Parliamentary Assembly adopted Resolution no. 1468 on forced marriage and child marriage calling the Member States to "consider the possibility of dealing with acts of forced marriage as an independent criminal offence, including aiding and abetting the contracting of such a marriage" http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17380&lang=en
- ⁴⁰ Assessment report: https://oikeusministerio.fi/-/pakkoavioliittojen-ehkaisya-ja-torjuntaa-tehostetaan. Both the Government proposal and the assessment report are only in Finnish. All material is available on the Finnish Parliament's website:

https://www.eduskunta.fi/FI/naineduskuntatoimii/kirjasto/aineistot/kotimainen oikeus/LATI/Sivut/pakkoavioliiton-mitatointi.aspx

FINLAND

4. THE RIGHT TO HEALTH AND OTHER RIGHTS OF TRANSGENDER PEOPLE AND INTERSEX CHILDREN (ARTICLE 12)

The procedure to obtain legal gender recognition is excessively long, taking up to 3 years⁴¹ According to the Trans Act^{42 43} and be sterilized or for some other reason infertile. These prerequisites as well as the length of the process, violate transgender people's rights to health, personal integrity and to private and family life. If the gender markers on identity documents do not reflect a trans person's identity, they risk discrimination and harassment every time they must show these documents⁴⁴.

The Government has committed to reforming the Trans Act. In February 2020, a working group published its evaluation of reform options. The Government Programme also specifies that legal gender recognition will continue to only be available to adults. A new working group is to be established in May 2021 to create a legislative proposal by the end of the year.

Intersex children in Finland are routinely subjected to medical and surgical treatments to align their physical appearances with one of the binary sexes. ⁴⁵ When performed without informed consent or adequate information, these surgeries violate people's right to personal and bodily integrity and may have long-term consequences on their right to health and their sexual and reproductive rights, particularly since they can severely impair people's fertility. ⁴⁶ A 2019 report cited intersex people whose medical treatment had been undertaken without their consent. Some of the 12 respondents were subjected to "unwanted surgeries to modify sex characteristics in their childhood" and described the experience as sexual violence. Even when experiences with healthcare services had been positive, respondents felt that they had not received enough information. ⁴⁷ The Government Programme states that the self-determination of intersex children will be strengthened, and cosmetic, medically non-necessary surgeries will be discontinued. However, the practical measures that are to be put in place to fulfil these objectives remains unclear.

FINLAND

⁴¹ Amnesty International: *The state decides who I am* (Index: EUR 01/001/2014), 4 February 2014, www.amnesty.org/en/documents/EUR01/001/2014/en/

⁴² Act on the legal gender recognition of transsexuals 2002, unofficial and partly outdated English translation available at http://www.finlex.fi/fi/laki/kaannokset/2002/en20020563.pdf; up-to-date Finnish version available at https://www.finlex.fi/fi/laki/ajantasa/2002/20020563.

⁴³ This diagnosis is made under the WHO's outdated International Classification of Diseases 10th edition. Under the law, the person must "present a medical statement certifying that he or she permanently identifies with the opposite gender and lives in that gender role".

⁴⁴ Amnesty International: *The state decides who I am* (Index: EUR 01/001/2014), 4 February 2014, www.amnesty.org/en/documents/EUR01/001/2014/en/. Section on Finland p. 40.

⁴⁵ Wahlman-Calderaram, Tuula ja Halila, Ritva (2016): *Intersukupuolisuus, Taustaraportti ETENE:n kannanottoon.* Study available only in Finnish: http://etene.fi/documents/1429646/2056382/IS-raportti20160331.pdf/58bf2412-48a9-4521-b5ae-81a3ee3bc07b.

⁴⁶ https://www.amnesty.org/en/latest/campaigns/2017/05/intersex-rights/

⁴⁷ Olkarinen, Tikli (2019): *No information or options: Study on the rights and experiences of intersex person.* Independent expert report published by the Ministry of Justice and the Ministry of Foreign Affairs. The study included the experiences of 12 intersex individuals and 6 parents of intersex individuals. Abstract in English, full report in Finnish available at http://iulkaisut.valtioneuvosto.fi/bitstream/handle/10024/161410/OMSO 3 2019 Ei tietoa eika vaihtoehtoja .pdf.

ANNEX:

Amnesty International (2019): "Europe: Time for Change: Justice for Rape Survivors in the Nordic Countries", available at: https://www.amnesty.org/en/documents/eur01/0089/2019/en/

Amnesty International (2019): "Fighting the Lottery: Overcoming barriers to justice for women rape survivors in Finland", available at: https://s3-eu-west-1.amazonaws.com/frantic/amnesty-fi/2019/03/19144800/Fighting-thelottery final.pdf

Amnesty International Finnish Section and Satu Lidman (2017, only in Finnish), research report on the actions of municipalities in combatting violence against women: "Kuka ottaa vastuun? Naisiin kohdistuva väkivalta ja ihmisoikeusvelvoitteiden toteutuminen", available at: https://frantic.s3.amazonaws.com/amnestyfi/2017/01/Amnestyn-kuntaselvitys-naisiin-kohdistuvasta-v%C3%A4kivallasta.pdf. Follow up report (2021): "Onko reitti selvä?", available (only in Finnish) at: https://s3-eu-west-1.amazonaws.com/frantic/amnestyfi/2021/03/17124706/Amnestyn-seurantatutkimus-2021.pdf

Submissions to UN Committees 2018 - 2020:

Amnesty International submission on Finland to the Human Rights Committee, 130th session, 12 October — 6 November in 2020. Ref. EUR 20/2940/2020. Available at: https://www.amnesty.org/en/documents/eur20/2940/2020/en/

Amnesty International submission on Finland to the UN Committee on Economic, Social and Cultural Rights: 68th Session, 8-9 October 2020. Ref. EUR 20/2939/2020. Available at: https://www.amnesty.org/en/documents/eur20/2939/2020/en/

Amnesty International submission on Finland (Focus on Criminalization and Prosecution of Rape in Finland) to the Special Rapporteur on Violence against Women, its Causes and Consequences. Ref. EUR 20/2427/2020. Available at: https://www.amnesty.org/en/documents/eur20/2427/2020/en/

Amnesty International submission on Finland to the UN Committee against Torture, 68th Session, 11 November - 6 December 2019. Ref. EUR 20/8716/2018. Available at: https://www.amnesty.org/en/documents/eur20/8716/2018/en/

AMNESTY INTERNATIONAL IS A GLOBAL MOVEMENT FOR HUMAN RIGHTS. WHEN INJUSTICE HAPPENS TO ONE PERSON, IT MATTERS TO US ALL.

CONTACT US



info@amnesty.org



+44 (0)20 7413 5500

JOIN THE CONVERSATION



www.facebook.com/AmnestyGlobal



@Amnesty

FINLAND

SUBMISSION TO THE UN COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

 81^{ST} PRE-SESSIONAL WORKING GROUP, 5-9 JULY 2021, LIST OF ISSUES

Amnesty International provides information to the Committee on the Elimination of Discrimination against Women (the Committee) ahead of the adoption of the list of issues for the eighth periodic report of Finland at its 81st pre-session. This submission sets out Amnesty International's key concerns about Finland's compliance with the Convention on the Elimination of All Forms of Discrimination against Women (the Convention) especially regarding violence against women (Article 5), forced marriage (Article 6), health and rights of transgender people and intersex children (Article 12).

INDEX: EUR 20/4205/2021 MAY 2021 LANGUAGE: ENGLISH

