Finland 2025

Information from: Finnish National Human Rights Institution (FINHRI): Human Rights Centre, its Human Rights Delegation and the Parliamentary Ombudsman

The report has been drafted by the Human Rights Centre and the views and observations presented in the report are those of the Human Rights Centre.

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Independence, effectiveness, resilience and establishment of NHRIs

International accreditation status and SCA recommendations

The Finnish National Human Rights Institution (FINHRI) is comprised of the Human Rights Centre, its Human Rights Delegation, and the Parliamentary Ombudsman. All the three parts that together form the FINHRI have their own specific legal duties, whereby the role of the Human Rights Centre is to take part and represent the FINHRI in international and European human rights co-operation among its statutory tasks. It needs to be emphasized that despite the three-part structure of FINHRI, there is only one NHRI in Finland.

The FINHRI was last reaccredited with A-status in October 2019. First, the SCA recommended that adequate funding be made available to the FINHRI to perform its function as a National Preventive Mechanism under the OPCAT (only the Parliamentary Ombudsman) and National Monitoring Mechanism under the CRPD (the FINHRI joint task), and for the Human Rights Centre to work on business and human rights. The SCA encouraged the FINHRI to continue advocating for the necessary funding to ensure that it can effectively carry out its mandate.

Further, the SCA was of the view that due to the different procedures through

which the annual reports of the FINHRI are submitted to the Parliament, the Parliament is not provided with a complete account of the work of the FINHRI. The SCA encouraged the FINHRI to continue to advocate for the Human Rights Centre to have the competence to table reports to the Parliament for discussion to align this procedure with that followed by the Parliamentary Ombudsman.

Finally, while recognising that the Government Bill establishing the three components of the NHRI is a source of law in Finland, the SCA encouraged FINHRI to advocate for legislative amendments that would clearly stipulate these structures as one NHRI by the Parliamentary Ombudsman Act.

The SCA considered the reaccreditation of the FINHRI in its first session in March 2025. The outcome of the accreditation will be public at the end of April 2025.

Follow-up to international and European actors' recommendations on NHRIs and relevant developments

In August 2024, the Human Rights Centre requested updates from the Ministry of Justice with a view to the SCA recommendations that would require legislative amendments to the Parliamentary Ombudsman Act. These changes include stipulating the structure of the NHRI and adding a mandate to submit Human Rights Centre's report to the Parliament. The Ministry of Justice confirmed that it continues to be cognisant of the amendments proposed by the FINHRI but clarified that as such they remain too minor to initiate a separate legislative project. The FINHRI carries on discussions on the matter.

Regulatory framework

There have been no changes in the regulatory framework of the Finnish NHRI since January 2024.

However, as recommended by the SCA, it should be explicitly stipulated in the Parliamentary Ombudsman Act that FINHRI is composed of the Parliamentary Ombudsman, the Human Rights Centre and its Human Rights Delegation. In addition, the Human Rights Centre should have a mandate to submit its report to the Parliament.

NHRI enabling and safe space

State authorities' awareness of the NHRI's mandate, independence and role

State authorities' awareness of the NHRI's independence and role still needs strengthening. According to the Human Rights Centre's experience, the authorities have difficulties in understanding the NHRI's position among other human rights actors, as the NHRI neither belongs to the category of state agencies nor NGOs and has a broad mandate with respect to human rights. This can occasionally be seen during consultations on draft laws that have human rights implications or impact on human rights structures, and in discussions on the roles of the state and the NHRI in monitoring the realisation of human rights. Sometimes, the Human Rights Centre receives invitations to consultations or events in the category of NGOs.

Access to information

Moreover, as regards the NHRI's access to information, the Human Rights Centre notes that this is prescribed by law. Pursuant to section 111 of the Constitution, the Ombudsman has the right to receive from public authorities or others performing public duties the information needed for their supervision of legality. This right of access to information is in no way limited as regards the subject matter and it includes also the right to receive classified information. The Ombudsman cannot, however, supervise individuals outside the Ombudsman's mandate (e.g. in the private sector or private persons if they are not performing a public task), nor request information from them. As the Ombudsman has the right to request a police investigation to be carried out (also in other cases than suspected offences), there is a possibility for the Ombudsman to circumvent this limitation by proxy, i.e., to have the police hear individuals.

According to section 19 d (subsection 3) of the Parliamentary Ombudsman Act "In order to perform its tasks, the Human Rights Centre shall have the right to receive the necessary information and reports free of charge from the authorities". In connection to the national implementation of the EU AI Act, the Human Rights Centre has advocated that its access to documentation on matters related to AI would be easier if the FINHRI (as a whole institution), and not only the Ombudsman, would be included in the list of national authorities protecting fundamental rights under the AI Act article 77. The Parliamentary Ombudsman has stated that the inclusion of the FINHRI to the list could be possible but that this should not be understood as creating separate supervisory duties for the Human Rights Centre. The Human Rights Centre underlines that the division of tasks between the different parts of the FINHRI will, in any case, remain as before, as prescribed specifically by the law.

In addition, when it comes to the NHRI's involvement in different stages of legislation and policy making, the Human Rights Centre is of the view that short and sometimes overlapping consultation periods (in which several important draft laws and policies are consulted at the same time with the NHRI) increase the workload of the institution and may hamper meaningful

engagement. This concerns also other actors such as the civil society representatives, as explained in the following sections.

Resources for the Human Rights Centre to carry out its mandate with increasing responsibilities

Despite additional resources received in the past years, the Human Rights Centre's resources remain relatively small, considering its broad mandate and increasing responsibilities related to, e.g., monitoring the implementation of regional and international human rights conventions and the use of EU funds. For the years 2025-2027, small cuts are expected for the FINHRI's budgets but those are in line with the Government's general aim to produce savings in the State's economy. The FINHRI is not specifically targeted by these cuts and its functioning is not significantly impacted by them, even though some expenses will need to be cut down. Savings are made mostly from the costs of office IT services and in the Human Rights Centre on the use of external experts.

Ensuring responses to NHRI's recommendations

The follow-up of the Ombudsman's recommendation is not governed by law. There is no legal obligation for the subjects of the Ombudsman's oversight to obey the Ombudsman's recommendations or observations, either. However, in practice, the Ombudsman's recommendations are respected and well followed. When the Ombudsman finds, e.g., a shortcoming or a violation of human rights, the Ombudsman's decision normally contains a deadline for the authorities in question to report back to the Ombudsman about possible actions to remedy the situation. In the past few years, follow-up monitoring has been increased and a request to report the measures that the Ombudsman's opinions and proposals have given reason to has increasingly been added to decisions leading to measures. Based on the notification of the measures taken, it is possible to assess whether the measures have been adequate. In addition, the request alone may speed up and increase the effectiveness of the measures.

When the Parliamentary Ombudsman has intervened in observed shortcomings, the authorities have, in most cases, taken concrete measures to redress matters. If needed (following a negative response), the Ombudsman may follow-up the situation by undertaking its own initiative investigation about the failure to act upon the Ombudsman's recommendation, and to use media attention thus gained in order to reach a satisfactory outcome. In the most severe cases also prosecution might come into question as a measure.

The follow-up to the Human Rights Centre's recommendations is not governed by law, either. Based on its legislative tasks, the Human Rights Centre may use different means to encourage implementation, such as meetings or roundtable discussions with addressees of the recommendations, public statements, and trainings or other awareness raising activities.

Measures to protect and support the NHRI

According to the Constitution, there are no judicial immunities in Finland, except for the President of the Republic under certain conditions and the members of the parliament under certain conditions. However, there are sufficient legislative and policy measures in place to protect and support the NHRI, heads of institution and staff against threats and harassment and any other forms of intimidation.

Pursuant to section 101, subsection 1 of the Constitution, it would be the High Court of Impeachment that would deal with charges brought against the Parliamentary Ombudsman for unlawful conduct in office. In practice, the Ombudsman or the Deputy-Ombudsmen have never been charged before the High Court of Impeachment.

Sections 114, 115 and 117 of the Constitution provide for an inquiry into the lawfulness of the official acts of the Ombudsman, the bringing of charges against them for unlawful conduct in office, and the procedure for the hearing of such charges. The process may be initiated only by the parliamentary committees or by a consensus of at least 10 members of the parliament. There exists no other possibility for challenging the lawfulness of the conduct of Ombudsman and it is the FINHRI's understanding that these provisions fully protect the Ombudsman and the Deputy-Ombudsmen alike from legal liability for acts undertaken in good faith in their official capacity.

Pursuant to section 118, subsection 1 of the Constitution, a civil servant is responsible for the lawfulness of their official actions. This applies to the civil servants of the Parliament, i.e. to the staff members of the NHRI, including the Director of the Human Rights Centre.

The FINHRI is content with this position concerning legal liability as it is in accordance with the general legislation regarding legal liability/immunity in Finland. This is also in line with the legal culture prevailing in Finland and the continental Europe.

In cases of threats and harassment towards the FINHRI representatives, the following offences included in the criminal law could come into question: resistance to a public official, violent resistance to a public official, obstructing a public official, harassing communications (disturbing another person by repeatedly sending messages or calling), dissemination of information violating personal privacy, defamation, illegal threat and stalking.

As indicated in the 2024 rule of law report concerning Finland, there has been discussion on whether the criminal law should be amended to improve tackling of targeting. Targeting refers to systemic harassment of a person in the form of mass actions on e.g. online platforms because of his or her work or social duties. The question of criminalising targeting divides the opinion of legal

experts, and the current Government has decided not to proceed with further exploring this possibility.

The FINHRI has internal guidelines for dealing with situations of targeting. A working group has also been established in 2022 to plan and implement the Parliamentary Ombudsman's Office's continuity management and to ensure preparedness for different types of threats the institution might face.

NHRI's recommendations to national authorities

The Human Rights Centre recommends to national authorities that:

1. the three components (Human Rights Centre, its Human Rights Delegation and the Parliamentary Ombudsman) should be explicitly stipulated as the Finnish NHRI in the Parliamentary Ombudsman Act,
2. the Human Rights Centre should have the mandate to table its reports to the Parliament for discussion,
3. the FINHRI (and not only the Parliamentary Ombudsman) should be included in the list of national authorities protecting fundamental rights under the EU AI Act article 77 while taking note of the division of tasks inside the NHRI by virtue of national legislation.

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Human rights defenders and civil society space

Laws and measures negatively impacting civil society and Human Rights Defenders

The Human Rights Centre's human rights monitoring has found evidence of laws, policies and/or state measures that negatively impact on freedom of association, freedom of assembly, create barriers in access to information and law and policymaking processes as well as limit access to funding.

Freedom of assembly and association

In 2024, legislative amendments restricting the right to strike were passed. According to the new law, compensatory fines for violating industrial peace will be increased, solidarity action limited, and the length of political strikes

restricted to 24 hours. Previously, compensatory fines could only be ordered for trade unions, but now employees can also be fined 200 euros for participating in illegal strikes. The limit of the fines that can be ordered for trade unions was significantly increased.

Access to information and law and policymaking processes

Many civil society actors perceive that it has become more difficult to access law and policy making processes. As reported previously, a concrete example of this is the reducing of deadlines for stakeholders to provide consultative input to government proposals and lacking or inadequate impact assessments. More generally, civil society representatives, including members of the Human Rights Delegation, have in different discussions raised concern for decision-makers being less open to dialogue and stakeholder consultations becoming a box-ticking exercise.

Access to funding

In Finland, the Government has traditionally had a significant role in funding civil society organisations (CSO). A central goal of the Finnish Government's CSO Strategy for 2023-2027 is to change this. The stated objective is to develop a culture of private donations, strengthen self-sufficiency of CSOs and ensure that their funding base is diversified. To achieve this, the Government plans to facilitate fundraising by reducing bureaucracy and loosening tax regulations concerning donations for certain sectors. In parallel, the Government has introduced several austerity measures in 2024, including radical cuts in the funding of CSOs. This has significantly impacted their ability to function, and many will be forced to reduce staff and cut down on activities.

The budget cuts by the Government for CSOs working in the social and health care sector have received much attention, as many of these organisations provide important services as an extension to the public sector (e.g. support for people struggling with mental health or addictions, victims of domestic violence etc.). If the organisations can no longer provide these services, it remains unclear if and how they will otherwise be covered.

There has, however, been less discussion about the effects of the cuts in CSO funding for democracy. When resources are reduced and alternative funding sources need to be sought, the ability of CSOs to engage in law and policymaking processes and fulfil their watchdog role is threatened. Also, as competition for funds increase, the independence of CSOs can be negatively affected, as they might focus more on activities favoured by their sponsors-to-be.

While the Government's plans to facilitate fundraising are welcome, the sudden and radical budget cuts give insufficient time for organisations to adjust and develop their fundraising practices. A culture of private donations, which is

currently lacking in Finland, cannot be developed overnight. The cuts have thereby resulted in many organisations struggling, and no comprehensive assessments have been made of the broader impact on democracy.

Practices negatively impacting civil society and human rights defenders

The Human Rights Centre's human rights monitoring has found evidence of practices that could negatively impact on civil society space and/or reduce human rights defenders' activities, mainly in the form of negative attitudes/campaigns towards/perceptions of civil society and/or human rights defenders by public authorities and the general public, as well as online and/or offline threats or harassment.

Negative attitudes towards and perceptions of civil society and/or human rights defenders

Overall, freedom of assembly is well respected in Finland. However, according to a recent report by Amnesty International, there are certain indications of hardening attitudes towards demonstrations. Stigmatising language about protesters is on the rise, and more restrictive practices and even excessive use of force by the police have been reported, especially concerning environmental protests and in cases of civil disobedience.

In 2024, Elokapina (Extinction Rebellion Finland) orchestrated a protest act in which red paint was sprayed on the parliament building. The aim was to draw attention to emissions caused by peat extraction. The protest act was provocative and illegal, but peaceful, with the authorities intervening after a few minutes.

The incident sparked outrage among the public as well as among politicians, with a citizens' initiative proposing to criminalise the organisation reaching more than 100 000 signatures in just a few days. The minister of interior and minister of justice (representatives of the right-wing populist Finns Party) both also publicly commented that they support investigating whether the organisation should be shut down. These types of comments are unusual and can be seen as problematic, as the case should be handled independently by the competent authorities, without political interference or pressure. Whereas shutting down the organisation is not legally realistic, the ministers' comments and public response reveal the negative attitudes towards the protesters.

Online and offline threats and harassment

Hate speech and harassment online is a growing problem in Finland, increasingly impacting the work of human rights defenders. Different human rights monitoring bodies have called on the Government to take action to

tackle this issue (see e.g. recent recommendations by UN Human Rights Committee, incl. the report on follow-up to the concluding observations). Despite this, the Government has failed to include sufficient measures to combat hate speech in legal or policy initiatives, such as its statement on promoting equality, gender equality and non-discrimination (adopted in 2023) and the action plan supporting its implementation (adopted in 2024). The Human Rights Centre raised this issue in its statement submitted during the drafting process of the action plan.

Public debate concerning the problems of racism and hate speech continued throughout 2024, with media reports on ministers planning to favour quota refugees from Christian-majority nations over Muslim-majority countries, the racist online abuse directed towards the first Black woman elected to represent Saint Lucia for the traditional light festival, and the political storm around the Government's newly launched anti-racism campaign.

The Human Rights Centre is concerned that the polarisation and rampant hate speech may have a chilling effect on participation in the public debate, especially for persons belonging to minorities. Hate crimes have also increased in the past years in Finland.

Frameworks and policies for the protection of human rights defenders

Frameworks or policies for the protection of human rights defenders exist at the national level, including specific protection mechanisms for foreign human rights defenders, as well as specific strategies to protect human rights defenders and/or inclusion of human rights defenders in human rights action plans.

Protection mechanisms for foreign human rights defenders (HRDs)

In 2024, a pilot programme for the temporary protection and support for human rights defenders was established in Finland. The programme aims to provide temporary relocation for foreign HRDs in need of rest and respite. The length of the stay in Finland would be a maximum of three months (90 days as per the Schengen C Visa). The visa can be renewed only in exceptional cases.

The programme provides an opportunity for HRDs to continue their work for the promotion of human rights, to network, to access training opportunities, and to rest. All costs of the participating HRD (incl. travel costs, accommodation, and monthly stipend) will be covered.

The pilot programme aims to start with the participation of two HRDs. Preparations for the programme started in 2024 and the participants will arrive in Finland during 2025. The Human Rights Centre has repeatedly advocated for

a national protection mechanism for HRDs and will continue to follow how the initiative proceeds.

Inclusion of foreign HRDs in human rights action plans

Support for activities of HRDs is one of the priorities in Finland's Government Report on Human Rights Policy adopted in 2022. In addition, the Ministry of Foreign Affairs updated their guidelines on supporting HRDs the same year. The guidelines are intended especially for Foreign Service employees in the Ministry for Foreign Affairs and in Finland's missions abroad. Moreover, the guidelines on supporting HRDs have a special focus on women human rights defenders.

Activities of NHRIs to support civil society space and Human Rights Defenders

The FINHRI has also taken several initiatives in 2024 to promote civil society space and human rights defenders.

Joint meetings and/or roundtables

A central task of the Human Rights Centre is to bring different human rights actors in Finland together to discuss and cooperate on human rights matters. This includes convening and chairing the meetings of the Human Rights Delegation consisting of around 40 independent experts representing different fields of human rights. The Human Rights Centre also has a representative in the Advisory Board for International Human Rights (IONK), an independent expert body operating in conjunction with the Ministry for Foreign Affairs. IONK monitors the implementation of Finland's international human rights policy and the support of HRDs is regularly discussed in its meetings.

Monitoring, recommendations and capacity-building

The Human Rights Centre continuously monitors the human rights situation in Finland, including the state of civil society space and the situation of HRDs, by gathering information and reporting to international human rights monitoring bodies. The Human Rights Centre also provides consultative input to Government proposals on these issues (in 2024, see e.g. statement on the Government's programme to promote democracy where concern was raised about the increasing hate speech and funding cuts on CSOs).

Furthermore, the Human Rights Centre has a statutory task to promote human rights education and training in Finland. Together with the Ministry for Foreign Affairs, it is developing training modules directed to CSO representatives on how to participate in the monitoring cycles of different human rights treaty bodies.

Engagement with international and regional mechanisms in support of human rights defenders and civil society

The Human Rights Centre has advocated for the establishment of a national protection mechanism for HRDs for years, and this has also been recommended by e.g. the UN Special Rapporteur on the situation of human rights defenders.

The Human Rights Centre has actively provided consultation during the planning process of the pilot programme about to be implemented. This work has included international cooperation, and the Human Rights Centre has mapped existing protection models in Europe to receive input for the advocacy work.

NHRI's recommendations to national and regional authorities

The Human Rights Centre recommends to national authorities to:

1. move forward with the pilot initiative to establish a protection mechanism for human rights defenders and assess and develop the mechanism so that it serves its function in the best possible way,
2. take action to tackle hate speech and harassment online, inter alia through implementing recommendations received from different human rights monitoring mechanisms,
3. conduct impact assessments of the cumulative effects of cuts in CSO funding and take measures to protect civic space, inter alia by ensuring that meaningful consultations with CSOs are conducted as part of decision-making processes.

The Human Rights Centre recommends to European actors to:

1. develop and strengthen protection of HRDs, especially through the European protection mechanism.

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Functioning of justice systems

Independence of judiciary in Finland

The independence of the Finnish judiciary remains an essential question, partly due to the debate that sprung from the process where the Parliament enacted the controversial act on combatting instrumentalised migration (discussed further down, in Section V). Already before the debate, and as pointed out in the FINHRI's 2024 rule of law report, a separate working group on constitutional guarantees for the independence of the judiciary was set up in connection to the Ministry of Justice's broader project for the development of the judicial system. The members of the working group include representatives of the Ministry of Justice, courts, national prosecution authority, Finnish Bar Association as well as permanent expert members from the academia. The working group may hear other experts, actors and stakeholders.

The working group examines the constitutional provisions concerning the number of judges in the highest courts, the right to remain in office, the procedure for appointing judges and offences in office. While the Finnish Constitution does prevail over these issues, a lot is relegated to regular legislation. The same concerns the noticeably wide-encompassing powers of the Prosecutor General. The working group's examination extends also to the prosecution service.

The mandate of the working group has been extended to the end of 2026. Also, contrary to the initial plans the working group will prepare its propositions in the form of a memorandum instead of a draft legislative proposal. The presidents of the highest courts had hoped for a swifter process but due to these changes, the final assessment on the need to proceed with strengthening independence of the judiciary will be done by the next government, not the current one.

Length and costs of proceedings

A continuous problem in Finland is the length of legal proceedings, both civil and criminal. This includes pre-trial investigations, prosecutions and court proceedings. The problem goes hand in hand with the considerable risks often associated with the costs of legal proceedings. Delays and costs associated with access to justice have repeatedly appeared on the list of ten central fundamental and human rights problems in Finland by the Parliamentary Ombudsman.

The Ministry of Justice's Working Group on Rule of Law Guarantees and Development of the Judicial System (Judicial System Working Group) provided, in October 2024, draft proposals for measures to tackle the persistent court delays. Preliminary suggestions include enhancing the scope for summary procedures as well as the use of plea-bargaining. Such measures would require due consideration in terms of human rights impacts, which was also pointed out in stakeholder feedback received on the draft proposals. While procedural

reforms could well prove useful, the Human Rights Centre points out that sufficient resourcing remains the primary way to alleviate the persistent problem of lengthy proceedings.

As considered in an extensive survey by the Institute of Criminology and Legal Policy (Krimo) on the state of the Finnish justice system in 2025, the rising risk for costs of the legal proceedings continue to have an adverse impact especially in civil cases. Losing one's court case usually makes one liable to pay for the costs of both parties, which acts as a clear deterrent against seeking legal redress even in cases where it would be warranted. In Krimo's survey, besides the duration of main hearings, the increasing legal counsel's fees are pointed out as principal reasons for the rise of costs. As one solution to the problem, the Ministry of Justice has started to prepare a proposal for simplified civil proceedings where the risk of costs would be low. It is to be noted that the procedure would be applied only to disputes regarding rent or eviction of a tenant.

Continuous challenges in processing cases relating to violence against women and domestic violence

Examination and prosecution of cases relating to violence against women and domestic violence face continuous challenges. There are significant delays in investigation, prosecution and court proceedings. Additionally, a great number of incidents remain hidden, despite the newly improved legislation on sexual offences. As of 2025, cases of domestic violence are no longer mediated.

In 2024, the Non-discrimination Ombudsman, in her role as rapporteur on violence against women, published a report examining the decisions made by prosecutors on close relationship violence and intimate partner violence to restrict a pre-trial investigation and waive charges (material from 2022). Usually, these decisions were taken because the prosecutor did not consider prosecuting for the crime as reasonable or appropriate. Out of the 200 decisions under examination 118 concerned limiting the pre-trial investigation and 82 non-prosecution.

The report shows that in the decision-making practices of the police and the prosecutors, the attempts to bring the perpetrators to justice are not enough in cases of violence in close and intimate relationships. According to the recommendations set out in the report, limiting pre-trial investigations and waiving charges should be considered with caution in the future. The intensification of the criminal process should be continued, and prosecution should be increased in close relationship violence and intimate partner violence. The importance given to the victim's willingness to continue the process or to reaching an agreement between the parties involved in the offence should also be reduced in the decision-making practices of the police and the prosecutors.

Follow-up and implementation by state authorities of European Courts' judgments

During 2024, one of the six ECtHR decision pending in the execution was closed. The Court had given its judgment on the case, X v. Finland, in 2012 and it concerned insufficient legal remedies in situations of forced medication. Five decisions from 2014 and 2015 remain pending into 2025, namely those relating to ne bis in idem problematic. In September 2024, the Government submitted its latest detailed action report on the matter. The Government considers the cases closed, but one of the applicants unsuccessfully continues to demand compensation.

Furthermore, the implementation is pending in eight decisions of the European Social Rights Committee to collective complaints from 2012 to 2022. The Human Rights Centre will continue to monitor and participate in the implementation processes.

The NHRI's initiatives to support the implementation of the European Courts' judgments

The Human Rights Centre holds private discussions with the government agent/national coordinator and makes Rule 9 submissions to the Department of Execution of the Council of Europe and Committee of Ministers, when deemed useful. It has also used the possibility to provide its statement to authorities, such as the Ministry of Social Affairs and Health, on the legislative amendments needed to implement ECtHR judgments. General information on the judgments and their implementation status is provided for general public and various partners.

As an example, in January 2023 the Human Rights Centre submitted Rule 9 communication on the case of X v. Finland. In early 2023, the NHRI held discussions with the Department for Execution of Judgments of the ECtHR during their country visit, specifically on the case of X v. Finland. In May 2023, the Human Rights Centre prepared an extensive brief on the case of X v. Finland for a discussion organised by the International Department of the Parliament. Other participants included members of parliament and representatives of the Ministry for Foreign Affairs and Ministry of Social Affairs and Health.

NHRI's recommendations to national and regional authorities

The Human Rights Centre recommends to national authorities to:

1. continue the work for the development of the justice system to tackle challenges related to the length and costs of proceedings and to ensure

strong constitutional guarantees for the independence of judiciary,
2. concerning the implementation of ECtHR judgments, further strengthen the national mechanisms of overall examination and increase the knowledge of ECtHR judgments within all administration levels, and in particular within the Government.

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Media freedom, pluralism and safety of journalists

Based on its human rights monitoring, the Human Rights Centre has found challenges affecting media freedom, including a decline in media pluralism, harassment and threats against journalists and media outlets, independence and effectiveness of media regulatory bodies, misinformation and/ or disinformation, as well as access to public interest information/documents.

Media pluralism

A decline in media pluralism has been a concern in Finland since the beginning of the millennium (see e.g. Media Pluralism Monitor reports on Finland), with the market becoming more concentrated and a few big media groups dominating. This development continued in 2024. The media sector is struggling financially, and job opportunities in the sector are decreasing. This raises concerns that pressure from advertisers on journalism increase.

A research project concluded in 2024 studied the consequences of media concentration in Finland. The study found that recycling of journalistic content within papers that belong to the same media group is common, leading to less content diversity. On the other hand, ownership concentration can increase resources to produce quality content and ensure the survival of papers struggling to survive.

Finnish legislation sets no restrictions to media ownership concentration specifically, but with the European Media Freedom Act being adopted in 2024, the Government is now preparing the required amendments to national legislation. These include introducing rules to assess how the media market concentration impacts media pluralism and editorial independence.

Harassment against journalists and media outlets

In 2024 court proceedings continued in the case where two journalists were found guilty of disclosing state secrets in an article published by the newspaper Helsingin Sanomat in 2017. The case has received much attention as well as concern for its potential chilling effect on journalists. One of the journalists was in 2023 sentenced to pay fines, but the ruling was appealed, and the prosecutor is still calling for conditional imprisonment. The court of appeal is expected to give its verdict in the spring of 2025.

Overall, Finland scores well in press freedom rankings and the situation is relatively good. The increase in hate speech and harassment is, however, a growing concern also among journalists. While big media companies often have mechanisms in place to support employees facing harassment, freelancers are in a more vulnerable position. According to a survey study conducted in 2024 (Hiltunen et al., 2025, manuscript in progress), levels of pressure, harassment, and intimidation among Finnish journalists have remained relatively stable or, in some cases, slightly decreased compared to those reported in the 2021 study. However, the impact of these phenomena on journalists' work—and, by extension, on journalism—has somewhat increased. For example, 34% of surveyed journalists reported being reluctant to address certain topics, while 20% admitted to avoiding specific topics altogether due to the threat of pressure, harassment, and intimidation.

Furthermore, political actors have become increasingly critical towards media, labelling journalists reporting inconveniently as “having a political agenda”. This type of discourse can reduce trust in media and increase polarisation, even if no evidence of politically biased reporting is presented.

Effectiveness of media regulatory bodies (budget cuts)

The Government’s austerity measures will also target the Council for Mass Media in Finland (CMM), a self-regulating committee established by publishers and journalists for the purpose of interpreting good professional practice and defending the freedom of speech and publication. The CMM processes complaints regarding breaches of good journalistic practice. Although it does not exercise legal jurisdiction or public authority, its decisions are closely followed and observed and cases regarding media publications rarely go to court.

In September 2024, the Government announced a 25 percent cut in the funding of the CMM (public funds have constituted one third of their budget). This was a step back from the initial announcement to cut the funding all together, but nevertheless significant, especially considering that the number of complaints submitted to the CMM have steadily increased in the past years.

Whereas the state of the public economy justifies budget cuts, the short

timeframe in which they are implemented give little time to adapt. Furthermore, the need for a regulating body reviewing whether good journalistic practice is respected is increasingly important as misinformation is increasing in the society.

Funding of public service media

Politicians have expressed criticism towards the public service media (PSM) company YLE, and some parties, such as the Finns Party have advocated for reducing YLE's funding. In Finland, there is a long-standing tradition of parliamentary decision-making related to the PSM. Accordingly, in 2023, a parliamentary working group with all the parties represented in the parliament was appointed to draft a proposal for reducing YLE's funding as part of the Government's austerity measures.

Although the funding of YLE regularly becomes a matter of dispute, this time, negotiations were particularly difficult. As an agreement was difficult to reach, representatives of the Finns Party repeatedly proposed to ignore the tradition of parliamentary decision-making, demanding instead that the majority Government be able to decide on the funding alone. This raised the question of whether there are sufficient mechanisms in place to ensure that PSM funding is not subject to discretionary decisions.

In September 2024, the parliamentary working group finally reached an agreement that resulted in a 66-million-euro budget cut for 2027. YLE has announced that this will require significant restructuring and reduced content production.

Measures taken by state authorities to follow-up on the recommendations issued by European actors

The European Commission has recommended in its 2024 Rule of Law Report that Finland reform the Act on the Openness of Government Activities to ensure effective and wider access to documents. Currently, different authorities interpret the act in different ways and access to information is sometimes illegally refused, which has impacted the work of journalists. This problem has been raised in the annual report by the Parliamentary Ombudsman.

The Government started the process of reforming the law in 2021, and in 2024 the process continued with an open round of consultations. More recently, however, the Ministry of Justice announced that the legislative proposal cannot be finalised during the current government term. According to the Ministry, due to the changed national security environment, the process will now move to an additional assessment of the confidentiality criteria in the law. This will significantly delay the reform.

NHRI’s recommendations to national and regional authorities

The Human Rights Centre recommends to national authorities to:

1. recognize the crucial role local media outlets play in ensuring democracy and the rule of law, and accordingly to take action to prevent the emergence of news deserts (with limited access to credible and comprehensive news and information),
2. adopt mechanisms or practices to strengthen the protection of journalists, especially freelancers, facing online or offline harassment because of their work.

Finland 2025

Information from: Finnish National Human Rights Institution (FINHRI): Human Rights Centre, its Human Rights Delegation and the Parliamentary Ombudsman

Other challenges to the rule of law and human rights

Act on Temporary Measures to Combat Instrumentalised Migration (Border Act)

The securitisation discourse and the consequent juxtaposition of national security and human rights have continued to impact the rule of law environment in Finland. Relying on intelligence reports purportedly maintaining that Russian actors continue to facilitate the arrival of migrants to Finland’s eastern border, the Government decided to introduce stronger legislative measures to counter the phenomenon. In May 2024, it submitted a proposal for an Act on Temporary Measures to Combat Instrumentalised Migration to the Parliament. The act was proposed to be adopted by the Parliament as an exception to the Constitution. This was due to the fact that the act would, as prescribed in the proposal, be in “tension with” rights guaranteed by the Constitution, EU law and international human rights conventions alike, including the principle of non-refoulement and right to legal protection.

According to the proposed act, the Government could, in cooperation with the President, decide to restrict the reception of asylum applications in a limited area on Finland’s national border under certain situations of instrumentalised migration. (The limited area could, however, cover Finland’s eastern land border of 1300 kilometres in its entirety.) Migrants who, in the assessment of

the border authorities, were used as a means of influence by a foreign state, would either be prevented from entering or removed from the country. The border authorities could accept applications in the rare occasion that the applicant was considered to be in a vulnerable position or could face a risk of death penalty, torture or other inhumane treatment in the state from which they had arrived at the Finnish border.

The government proposal was sent to the Parliament's Constitutional Law Committee, whose principal function is to review the constitutionality of legislative proposals by recommending, when needed, that constitutional incompatibilities within law proposals be amended into conformity with the Constitution. In its statement, the Committee acknowledged that the contradiction between the proposed act and Finland's human rights obligations could not be eliminated by adopting the act as an exception to the Constitution. Yet, the Committee stated that the exception could nevertheless be made as the act would not have an impact on "the ensemble" of constitutional rights and as restrictions to individual rights would remain limited. According to the Committee, measures to ensure a state's sovereignty and national security are justified even if in contradiction with the state's human rights obligations, where those obligations do not account for new types of threats, such as instrumentalised migration. It is to be noted here that in its proposal for the act, the Government emphasised that the non-derogable principle of non-refoulement could not be ensured in all circumstances.

While supporting the Government's objectives for the act, the Committee insisted that there be a separate procedure for the legal protection of persons attempting to enter the country, as the proposal did not allow for the refouled to appeal the border authority's decision. However, the Committee didn't require that the procedure would lead to postponing one's removal from the country. Following the Committee's observations, the final act was amended so that the border authority may be requested to reassess the decision for removal from the country within 30 days.

The Parliament subsequently adopted the Border Act that came into force on 22 July 2024. The act will be in effect for one year. From the early drafting phase onwards, the act sparked strong criticism from a great majority of legal experts (see statements by the experts). Contrary to the Constitutional Law Committee, the experts held that an exception to Finland's human rights obligations could not be deemed "limited" but a violation of the very core of the constitutional system into which these obligations have been integrated. The experts also expressed their concern about the border authorities' real-life possibilities to conduct adequate assessments of the migrants' vulnerability at the border. Many of them also pointed to the fact that in the legislative process, EU legislation and the primacy thereof was largely overlooked.

The Human Rights Centre raised similar concerns as the legal experts during

the drafting of the act. It provided a statement to the Ministry of the Interior and was heard by the Administration Committee of the Parliament. The Director of the Human Rights Centre was also interviewed on television and radio, where she highlighted Finland's human rights obligations based on international and EU law.

Constitutional review of acts in the Finnish system

The legislative process leading to the Border Act has raised systemic rule-of-law concerns about constitutional review in Finland (see, e.g., here and here). Members of the Constitutional Law Committee, all elected parliamentarians, have historically and by custom been exempted from party discipline and politically motivated decision-making in conducting constitutional review. Consequently, the Committee has deferred to expert knowledge in its praxis, relying heavily upon statements provided by constitutional law experts. The decision in 2024 to disregard the overwhelming majority of expert statements criticising the act and to rely in their stead on the few statements more favourable to the proposal begs the question whether the apolitical nature of the Committee has now been rendered suspect.

Considering that the Committee's role in constitutional review is decidedly more prominent than that of Finnish courts of law, the case sets out a troubling precedent for the interpretation of human rights law in Finland. The Committee's praxis, while not de jure binding, is extensively relied upon in jurisprudence and legal doctrine.

A system for ex post constitutional review in courts of law does also exist in Finland, though the review is limited to individual court cases. Furthermore, the Constitution (section 106) limits the courts' capacity to disregard unconstitutional acts only when an act is in an "evident conflict" with the Constitution. Removing the "evident" prerequisite has been advocated as a way of strengthening the courts' independence and capacity to interpret the Constitution. Whilst looking into the issue was originally envisioned in the work plan of a Ministry of Justice working group, the Ministry of Justice opted, in 2024, not to advance it. At present, courts seldom invoke section 106 - it is not inconceivable, however, that the Border Act could prompt them to do so in the near future.

NHRI's recommendations to national and regional authorities

The Human Rights Centre recommends to the Finnish Government to:

- strive to make the judicial ex post framework for constitutional review more robust in Finland, through a transparent and participatory process, whilst endeavouring to retain the apolitical integrity of the

Constitutional Law Committee and its ex-ante review.

The Human Rights Centre recommends to the EU actors to:

- strive for better legal clarity in the question of combatting instrumentalised migration, bearing in mind the principle of non-refoulement, human rights law and other relevant EU law.

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