

The Rule of Law Report 2024: Input of Finland

15.1.2024

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Summary

Justice system: In line with the recommendation on continuing follow-up on the report on the assessment and future development trends of the court system, a working group on the Rule of Law Guarantees and Development of the Judicial System has commenced to further strengthen the independence of the administration of justice, to promote the provision of high-quality legal protection and user-oriented approach in the administration of justice. As regards the recommended reform of the appointment of the lay judges, the Government will seek alternatives to the current selection procedure of the lay judges in accordance with an objective set out in the Prime Minister Orpo's Government Programme. Ministry of Justice is planning to evaluate the alternatives for selection procedures in 2024. Furthermore, as outlined in the current Government Programme, the Government is committed to pursuing various measures to streamline judicial proceedings.

Anti-corruption framework: The final implementation report of the National Anti-Corruption Strategy and Action Plan (2021–2023) is under preparation with a view of completing the report in January 2024. As regards the recommendation regarding of criminalising trading influence, the criminalization of trading in influence is now included in the proposed anti-corruption directive, thus criminalisation of trading in influence is pending due to the EU level negotiations and future implementation of the directive. In line with the recommended revision of the criminal offence of foreign bribery, Ministry of Justice has commenced an independent study on the relevant Criminal Code provisions, which is estimated to be completed in spring 2024. Regarding the recommendation concerning the code of conduct for ministers, the aim is to review the adoption of a code of conduct for ministers at a later stage. Current Government was Current familiarized with the Minister's Handbook, which describes the ministerial responsibilities. The Code of Conduct for Civil Service Ethics, which was published in 2021, concerns all civil servants, including senior top civil servants. In addition, an integrity-training course for senior civil servants has been prepared.

Media pluralism: In line with the recommendation concerning advancing the reform of the Act on the Openness of the Government Activities, the report of the working group on the reform has been published. The working group proposes a new, clearer and more effective Act on the Openness on the Government Activities. The goal is also to promote openness and to meet the requirements of modern society. The report has been sent to public consultation (deadline mid-February). Next steps of the reform will be evaluated once the feedback from the consultation has been thoroughly analysed. In line with an objective of the new Government Programme, a parliamentary working group has been established with a view of strengthening Finnish Broadcasting Company's (YLE) independence and editorial neutrality.

Other institutional issues related to checks and balances: Government's common principles for the monitoring and ex-post evaluation of legislation were adopted in May 2023. The comprehensive reform of the Emergency Powers Act continues. Work to reform Communicable Diseases Act has commenced. Legislative proposal on establishing a new agency for special authorities in the judicial administration that currently operate in conjunction of the Ministry of Justice has been passed by the Parliament. The Government plans to prepare a governmental strategy on civil society organisations to reduce excess regulation related to organisational and voluntary activities and has established a cross-governmental working group for this purpose.

I. Justice System

1. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the justice system (if applicable)

Recommendation 1: Continue to follow-up on the report on the assessment and future development trends of the court system, including the reform of the appointment of lay judges, taking into account European standards on judicial independence.

As reported in the 2023 Rule of Law report, a working group on the protection of the rule of law and the development of the judicial system entitled '[Rule of Law Guarantees and Development of the Judicial System](#)' was appointed by the Ministry of Justice in February 2023. Its main task is to further strengthen the independence of the administration of justice, to promote the provision of high-quality legal protection and user-oriented approach in the administration of justice. The working group has a broad representation of experts, officials, and members of the judiciary. It has commenced its work and organized into subgroups. In October 2023, [a detailed working plan](#) was adopted for the years 2023–2027. See also answer to question 48.

As regards to the recommendation concerning the reform of the appointment of lay judges, the Prime Minister Petteri Orpo's [Government Programme](#) adopted in June 2023 (p.209) states that the Government will seek alternatives to the current selection procedure for lay judges in district courts so that political parties would no longer have a role in the selection procedure. After the publication of an assessment report on the procedure for selecting lay judges by the Ministry of Justice in February 2023, the Ministry has committed in proceeding with the evaluation of alternatives for selection procedures in 2024 accordingly with the new Government Programme.

A. Independence

2. Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

Nominations in the Supreme Court from 1 January 2023 to 31 December 2023: One justice of the Supreme Court was first appointed for a fixed term of 1.4.2023–31.12.2027 and later to a permanent position.

Prosecutors: No significant developments.

3. Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

No significant developments.

4. Promotion of judges and prosecutors (incl. judicial review)

No significant developments.

5. Allocation of cases in courts

No significant development.

6. Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

No significant developments.

7. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

[The Judges' Ethical Advisory Board](#) has started its operations in the beginning of 2023. The Board is appointed by The Finnish Association of Judges. According to its newly established rules, it decides independently which matters it will accept for consideration. The Board can issue a recommendation or statement or take an initiative. In addition, the rules allow for a recommendation or opinion to be given at the request of the court. Since the Board has just been established and its operations have just started, it is not yet possible to present statistical data on the Board's activities.

Prosecutors: No significant developments.

8. Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

No significant developments.

9. Independence/autonomy of the prosecution service

No significant developments.

10. Independence of the Bar (chamber/association of lawyers) and of lawyers

No significant developments.

11. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

[The Strategy of the Judiciary](#) has been confirmed for the years 2023-2033. The strategy includes the basic role, vision, and key objectives of the judiciary. The Board of Directors of the National Courts Administration confirms the strategy, which covers the activities and objectives of the courts.

In November 2023, the Ministry of Finance published [Agency evaluations](#) of six different agencies that have undergone significant reforms in the last few years. The National Courts Administration (NCA) was also evaluated. The evaluation focused on the realization of the goals set for the establishment of the NCA and the effects of the reform. Based on the evaluation, the operations of the agency have become more stable, and the new structure has strengthened the independence of the judiciary and the courts. The reform has also created conditions to improve the efficiency and quality of the legal activities.

The resources for the administration of justice have been strengthened by decisions of the previous and new Finnish Governments in March 2023 and October 2023. See answer to question 13.

Prosecutors: No significant developments.

B. Quality of justice

12. Accessibility of courts (e.g. court/legal fees, legal aid, language)

According to the new [Government Programme \(p.211\)](#), access to legal services will be improved. The Government aims to enhance the conditions for providing more consistent and high-quality legal aid, public guardianship, and financial and debt counselling services by establishing a national legal services authority. The Ministry of Justice plans to reorganise the current six (6) legal aid and public guardianship districts into a national Legal Services Authority in 2025 (see the Ministry of Justice's [appointment decision](#)). The National Legal Services Authority will consist of central administration and legal aid and public guardianship offices. No changes to the current locations of the offices will be made. The establishment of the authority is considered to allow for more efficient and coherent development and better resourcing of activities than at present.

Changes to the conditions for granting legal aid that would improve access to legal aid are under consideration.

The Ministry of Justice has received an assessment report on the effects of the reformed Act on Court Fees, which came into force in 2016 ([1455/2015](#)). The publication of the report is pending. The report examines the general courts, administrative courts, the Market Court and the Insurance Court. The focus is on whether the reform has had any negative impact on access to justice, and how the objectives set for the reform in the government proposal have been achieved. It also discusses special questions that have been raised during the period that the Act on Court Fees has been in force. In addition, recommendations for the development of the legislation are presented. The report considers that the current court fees do not, based on the case law of the ECHR, create a barrier to access to justice. Nevertheless, from the perspective of the person filing a matter, the fees are in some cases inappropriately high, and therefore the report recommends i.a. lowering court fees in certain respects.

A reform to increase the courts' powers to reach a just and balanced decision on allocation of legal costs in civil cases entered into force in May 2023. As mentioned in the previous Rule of Law report, [an assessment memorandum](#) on small claims procedure was published in January 2023, and a summary of a public consultation round is being drafted.

Changes in the legislation on more effective restraining orders ([HE 143/2022 vp](#)) entered into force in October 2023 ([898/1998](#)). The reforms include that the person applying for a restraining order is not charged a fee even when the application is rejected or the matter lapses. In addition, a legal counsel may be appointed for a restraining order applicant who has been a victim of a serious offence and referral to support services in restraining order matters enhanced.

13. Resources of the judiciary (human/financial/material)

Financial resources:

The resources for the administration of justice have been increased by decisions of the previous and new Finnish Governments in March 2023 and October 2023. The increases will be in total EUR 30 million in 2024, EUR 65 million in 2025, EUR 80 million in 2026, and EUR 75 million from 2027 onwards. The increase of the appropriation level is based on the Government Report on Administration of Justice ([VNS 13/2022 vp](#)) prepared last year. According to the report, a total of approximately 1,200 man-years is needed to

secure the operating conditions of the administration of justice and to achieve reasonable objectives for the administration of justice.

On the other hand, an operational efficiency target of EUR 17.7 million has also been allocated to the administrative branch of the Ministry of Justice by 2027.

Government's budget proposition 2024 for the Ministry of Justice is ca. 1,2 billion euros. Compared with the budget 2023, there is an increase of ca. 120 million euros (expenses of parliamentary and other elections excluded because they are not annual.)

Courts:

The new Government Programme states that the independence of courts will be strengthened by increasing the number of permanent posts of judges (p. 209). As of 2024, additional permanent funding of EUR 19.4 million was allocated to the courts to ensure the resources of the administration of justice. The added funding enables the establishment of permanent employment of staff previously employed with fixed-term funding and, in addition, to recruit more personnel to the judiciary for a total of around 100 man-years from 2024 onwards.

The NCA has developed calculation system for measuring the workload of the courts based on internationally used methods. The working group reviewing the "weighting coefficient" published its' final report on workload and other economic indicators for courts in May 2023. The NCA decided to adopt the new weighting coefficient indicators proposed by the working group during court performance negotiations for assessing courts' workload in 2024. Resource allocation also considers additional factors, including court backlog.

The Administrative Board of the NCA has approved the establishment of seven new posts in the NCA in 2024, which is an increase of about 10% in the NCA's staff.

Prosecutors:

In 2021 the total number of personnel was 590 (559 man-years) and in 2022 the number of personnel was 612 persons (586 man-years). The estimation for the number of man-years in 2023 is 630 and the goal for 2024 is 667 man-years. The human resources at the Prosecution Authority are expected to grow in the near future.

In 2020 and 2021 there were over 17 000 open cases, but at the end of the year 2022 (31.12.2022), there were 18.869 open cases. For the year 2023, the Prosecution authority estimates there will be 17.400 open cases. The goal set for 2024 is 16.400 open cases. The number of open cases is expected to decrease because of the increased number of prosecutors and other personnel.

Prosecution Authority reports the criminal cases, which have been under consideration of charges for over 6 months and over one year. In 2021, these numbers were 4.700 cases (over 6 months) and 1.200 cases (over 12 months). At the end of 2022, there were 4.200 cases open for 6 months and 1.600 cases open for over 12 months. For the year 2023 the estimated amounts are 4.400 (over 6 months) and 1.350 (over 12 months). The goal for 2024 is 3.300 (over six months) and 1.150 cases (over 12 months).

Material resources (court houses):

In 2023, the rents of the court premises are approximately EUR 39 million. The objectives and policies for the state premises are defined in [the State Premises Strategy](#) (in Finnish). The Special features of activities shall be taken into account in the use of premises. Key challenges are the high level of premises expenditure and their growth. According to the new Government Programme, the Government will ensure funding for premises and information system projects so that their implementation does not detract from the funds available for core activities.

A new courthouse for Administrative Court of Northern Finland, Court of Appeal of Rovaniemi and District Court of Oulu was completed in spring 2023. In the courthouse, there are also premises for other judicial

agencies and for Immigration Service. Also, the renovation of the courthouse of the Administrative Court of Helsinki, Market Court and Labor Court was completed in spring 2023. At the end of 2023, the renovation of the premises of the Supreme Administrative Court will be completed, and the move to the renovated premises can begin in the beginning of 2024.

14. Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

According to the new Government Programme (p. 209), court training will be developed into a stage of the legal career that will serve the entire judicial administration and promote recruitments in the administrative branch. Preliminary assessments of the reform have commenced.

The Ministry of Education and Culture and the Ministry of Justice have established a working group with the specific mandate of conducting a comprehensive assessment of legal education. This evaluation aims to determine the requisite expansion of student capacity in legal education programs and to formulate organizational structures for accommodating these additional student placements. Addressing challenges outlined in the Government Report on the Administration of Justice ([VNS 13/2022 vp](#)), the working group assessment aims at taking into account i.a. anticipated retirements, regional disparities, the allure of judicial roles, and the impact of digitalisation. The steering group was appointed in September 2023 encompassing a diverse composition of experts, officials, and academia members. The project is expected to be finished by July 2024.

In October 2023, the Ministry of Justice received [a regulatory impact assessment report](#) on the Development of the Court Training System, stemming from the Courts Act (673/2016) implemented in 2017. This report addresses Parliament's requirements to monitor the effectiveness of the reforms in judicial training, focusing on aspects like costs, resources, appointment procedures, and transparency in judges' career paths. The report, affirming the achievement of reform objectives, also includes recommendations for further development of Court Training. The report was handed to the Parliament in December. A consultation round is planned for spring 2024.

Prosecutors: No significant developments.

15. Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgments online)

Courts:

Development project AIPA, the digitalization project and the case management system for general courts and prosecutor's offices, continue. The project is expected to be ready in June 2024, although development will continue even after. For example, insolvency cases will be included in the system later. The implementation of citizens' e-services compatible with the AIPA system has started in 2023.

As noted in the 2022 and 2023 Rule of Law Reports, the case management system for administrative and special courts (HAIPA) was finalised in 2020, and it has a "coarse-level technical readiness" for the automated distribution of cases, which is used only in some courts to distribute cases for preparation to secretaries and referendaries. Unlike what was stated in the 2023 report, HAIPA is used in all administrative and special courts by all court staff, not just the supporting staff but also the judges.

Use of video recordings in taking of evidence:

The reform will come into force once a data system for video recordings has been developed. The

Government expects this to happen in 2025. The NCA has continued the preparations for its implementation.

The project for acquiring and installing more video conferencing equipment in the courts:

Piloting of the new data secure remote trial tool to replace Skype for Business has started in 2023.

Prosecutors:

The AIPA project will be the most essential step to advance digital case management tools for prosecutors. The tools are planned to be launched in 2024. Court hearings are held remotely in some cases. The short-term objective is to increase remote court hearings, but this is dependent on the Court's approval. Court judgement documents are handled digitally, but the documents are usually sent by email and are not available online currently.

16. Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

Courts:

The NCA and Legal Register Centre have continued to work together in providing statistical information and answering requests from outside the judiciary. However, some challenges have occurred in producing sufficient statistical information and reports, and further development is needed.

17. Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

The Unified Patent Court (UPC) started its operations in June 2023. Simultaneously, the Finnish Local Division of the Unified Court began its activities. Therefore, disputes falling within the jurisdiction of the Unified Patent Court can also be resolved in Finland. As the Unified Patent Court is a supranational court established by an international treaty, the Finnish Local Division of the Unified Patent Court is not part of the Finnish judiciary.

C. Efficiency of the justice system

18. Length of proceedings

In accordance with the new Government Programme (p. 210), the Government aims to reform civil procedure, criminal procedure and the procedure for considering petitionary matters. The objective is to expedite and streamline judicial proceedings while safeguarding the legal protection and fundamental rights of parties. The means to achieve this include increasing the number of written procedures; easing the requirement to appear in court; enhancing the use of electronic practices, remote connections, and video recordings; assessing the appropriateness of court compositions; and expanding the scope of application of plea bargaining. A [working group](#) appointed by the Ministry of Justice was established in September 2023 to assess the expansion of the scope of application of plea bargaining.

[A working group](#) appointed by the Ministry of Justice in September 2022 assessed ways to streamline the processing of criminal cases throughout the criminal procedure chain.

The working group prepared and released [a memorandum](#) in May 2023, which was circulated for comments until September 2023. The memorandum and the statements based on it can be used to support political decision-making in the further preparation of the matter, i.e. streamlining and improving the efficiency of the criminal procedure as a whole.

The Ministry of Justice is preparing a reform of the legislation on the use of remote connections in general courts. [The assessment report](#) on the matter was circulated for comments in spring 2023. Generally, commentators have supported the development and clarification of legislation on remote participation. The aim is to create clearer legislation that enables the extensive use of remote connections to participate in court proceedings and accept oral testimony. The remote participation of judges is also being investigated concerning administrative courts with a [preliminary study](#) on the matter currently being circulated for comments.

As previously reported, the Government will explore the possibilities of providing a lighter procedure for smaller civil cases (small claims procedure). A lighter procedure could make the processing of small civil cases in courts more affordable, simpler, and faster for the parties. See also answer to question 12.

Additionally, according to the new Government Programme, court mediation will be developed, and the use of alternative dispute resolution procedures increased. Mediation in criminal and civil cases will be transferred from the administrative branch of the Ministry of Social Affairs and Health to the administrative branch of the Ministry of Justice (p.189).

[Amendments](#) to the Criminal Investigation Act ([805/2011](#)) and the Criminal Procedure Act ([689/1997](#)) to improve the position of child victims in criminal proceedings entered into force in October 2023. Many offences against children must be processed urgently.

Other – please specify

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II. Anti-corruption framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

19. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the anti-corruption framework (if applicable)

Recommendation 2: Adopt legislation on trading in influence and continue to take steps to propose a revision on the criminal offence of foreign bribery.

In reference to earlier Rule of Law reports, the Ministry of Justice prepared a draft proposal on criminalizing trading in influence, subject to public consultation in November 2022. The summary of these consultations was published in March 2023 and is available (in Finnish) via [this link](#).

Due to the Parliamentary elections in spring 2023, the draft proposal was not taken to parliamentary proceedings. The criminalization of trading in influence is also included in the EU Commission proposal for an anti-corruption directive given in May 2023. Therefore, the criminalization of trading in influence is pending due EU negotiations and the future adoption and implementation of the directive.

The Ministry of Justice has commenced an independent study on the Criminal Code provisions on bribery and foreign bribery offences, estimated to be completed in spring 2024. This study also aims to address the recommendations of the OECD.

Recommendation 3: Strengthen the integrity and accountability framework applicable to ministers and other persons entrusted with top executive functions by adopting a code of conduct for them

The aim is to review the adoption of a code of conduct for ministers at a later stage. [The Minister's Handbook](#) describes, among other things, the ministerial responsibilities (legal and political responsibility of ministers, ministers' declaration of private interests, disqualification including example cases concerning ministers, receiving hospitality, benefits and gifts as a minister, ministers' commitment to actions when transferring to other duties, principles of good governance, openness of administration, non-disclosure and prohibition on the use of information, insider matters, civil servants' obligations and liability for acts in office). A revised version of the Handbook was published in spring 2023. Current ministers were familiarized with its content during an orientation organized to the present government by the Prime Minister's Office together with the other ministries in summer 2023.

As stated in Finland's inputs for 2021 and 2022 the Code of Conduct for Civil Service Ethics was published in May 2021. The Code of Conduct concerns all civil servants, including senior top civil servants. The matter was also noted in the 2023 Rule of Law Report in footnote 127. Link to the Code of Conduct [here](#). In addition, Ministry of Finance and Ministry of Justice have jointly prepared an integrity-training course for senior civil servants. This is the first time that Finland offers dedicated integrity and anti-corruption training to top civil servants (see answer 23 on the content of the training).

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

20. List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.

Police resources on prevention and investigation of corruption have been strengthened as part of the [National Anti-Corruption Strategy and Action Plan \(2021-2023\)](#) by two police officers. Enhanced cooperation with the municipal and private sector is a continuous effort and priority in order to make the economic conditions for criminal activities more difficult.

National Police Board of Finland has set up a working group to develop an action policy against corruption. Action Policy Against Corruption in Police is expected to be published in January 2024. Its objectives relate to safeguarding a high level of public trust in the police, zero-tolerance towards corruption, recognition of corruption risks and disclosure of possible abuse and immediate reactions thereto.

The Office of the Chancellor of Justice acts as the centralised external reporting channel for whistleblower protection. This new role was established as part of the [Whistleblower Protection Act \(1171/2022\)](#), which entered into force in January 2023.

21. Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.

No significant developments.

22. Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.

The final implementation report of the National Anti-Corruption Strategy and Action Plan (2021–2023) is currently under preparation. The aim is to complete the report in January 2024 and organize a webinar to present the results and impacts of the Action Plan.

As a result of the Action Plan and in response to GRECO recommendations from the 5th round, several authorities have implemented or are in the process of implementing anti-corruption policies. These authorities include the Customs, the Border Guard, and the Police. The Tax Administration's tailor-made anti-corruption policy has been provided as a best-practice model for public sector organisations.

A decision regarding a possible next Strategy/Action Plan is under consideration.

B. Prevention

23. Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training).

A legislative proposal on limiting 'revolving doors' as regards ministers was submitted to the Parliament in September 2022. Processing of the proposal was unfinished in the Parliament when the parliamentary session ended in spring 2023. In accordance with the Finnish Constitution, consideration of the proposal lapsed at the end of the parliamentary term in April 2023. According to the Programme of Prime Minister Petteri Orpo's Government, the act on limiting 'revolving doors' as regards ministers will be completed. Legislative drafting project in the matter has been included in the recent Government legislative plan. According to the plan, a legislative proposal on cooling-off period for ministers is estimated to be submitted to the Parliament during the spring parliamentary term 2024. So far, basis for preparation of the new proposal has been the legislative proposal submitted to the Parliament in 2022.

[Anti-corruption guidance for public sector organisations](#) was published in December 2022. A training session was organized for public officials in January 2023. The training session reached a wide audience both online and in person. The guidance has been presented and disseminated in various meetings, online events, and webinars throughout spring 2023.

Following the second GRECO recommendation of fifth evaluation round for Finland, Ministry of Finance and Ministry of Justice have jointly prepared an integrity-training course for senior civil servants. This is the first time that Finland offers dedicated integrity and anti-corruption training to top civil servants. The course is also recommend for the mid-level management under the top management. The digital eOppiva course consists of seven modules: (1) the role of the top management in fostering good governance and the fight against corruptions, (2) the foundations of good administration, (3) corruption prevention, (4) conflicts of interest, (5) stakeholder cooperation, (6) emerging ethical questions, and (7) the way forward. The course was published on late December in 2023. In September 2023, Ministry of Finance published guidelines supplementing general recruitment instructions concerning senior management posts. The guidelines state,

among other things, that the assessment of the need for a waiting period agreement is analysed as part of the appointment procedure. According to the supplementary guidelines, a waiting period agreement is a precondition for appointment if the statutory criteria are met. ([Link to the guidelines](#))

24. General transparency of public decision-making (including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing)

As reported in previous Rule of Law Reports, the Transparency Registration Act ([430/2023](#)) entered into force on 1 January 2024. The Transparency Registry Act lays down the obligation to register for influencing activities and related professional advice by legal persons and private traders. From 2024, lobbying activities targeted at Parliament and ministries must be reported to the Finnish Transparency Register. The controller is the National Audit Office. The aim of the Transparency Register is to improve the transparency of decision-making, combat inappropriate influence, and strengthen public confidence. The Government will monitor the functioning of the Transparency Register and evaluate the relevant legislation towards the end of the government term (2026-2027).

An extensive communication and training campaign is ongoing. The new transparency register has been included as a topic in the e-learning course for the top executive functions.

As provided in previous written contribution, the Ministry of Justice has prepared amendments to develop transparency in electoral and party funding legislation. The parliament did not have time to consider the proposal before 2023 elections, which is why it lapsed. The aim to amend the Candidate's Election Funding Act, Parties Act, the Electoral Act and the Citizens' Initiatives Act is included in the new Government programme (p.215-216) with slight modifications. The legislative proposal is intended to be given to the Parliament in May 2024.

The working group for reforming the Act on the Openness of Government Activities [has suggested](#) expanding the scope of application of the Act to private parties responsible for certain public administrative duties and also to corporations or foundations controlled by a public body. See answer to question 33.

Ministry of Finance published in November 2023 updated guidelines on "Hospitality, benefits and gifts" (link [VN/27196/2023](#)). In these updated guidelines the use of central government funds for entertainment purposes was specified and a reference was added to the State Treasury's order on the treatment of entertainment expenses and expenses arising from personnel events in the accounting unit's financial rules.

25. Rules and measures to prevent and address conflicts of interest in the public sector.

Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

No significant developments.

For questions 23-25, please provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

See attachment 1.

Ministry of Finance's website contains declarations of private interests of senior management in central government and of special advisers to ministers. Link to the website: <https://vm.fi/julkinen->

[johtaminen/ylimman-johdon-sidonnaisuudet](#). There is no centralised statistical monitoring of declarations of interest and they are not verified in a specific process. It is the duty of a civil servant to correct and supplement any changes and shortcomings in the information contained in the declaration of private interests (State Civil Servants' Act, section 8a). In addition, the authority concerned is responsible for keeping the published information up to date (State Civil Servants' Act, section 8d).

26. Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

The Ministry of Justice started a [training project](#) on whistleblower regulation in September 2023 to ensure that both public sector and private sector organisations have the necessary knowledge and understanding of the Whistleblower Act, which entered into force in January 2023. The training project is funded by the EU Internal Security Fund.

27. Sectors with high risks of corruption in your Member State:

- Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement
- list other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen/residence investor schemes, urban planning, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

Public procurement has been identified as a risk sector in Finland. This is reflected i.a. in [the Municipal Government Anti-Corruption Report](#) published by the Ministry of Justice in December 2022, as reported in the previous written contribution. In a similar manner, as provided in the previous written contribution, in 2022, procuring entities were provided with a procedural [guide](#) to tackle the grey economy in public procurement. The guide provides information for procuring entities on how to identify grey economy, including corruption, labour exploitation, and tax evasion. The study also mentions urban and land use planning as a risk. Other risk sectors listed in the publication include ICT procurement, medicines and medical supplies.

The guide sets out concrete measures to ensure that persons involved in the procurement decisions are disqualified; the criteria used to evaluate tenders are economically relevant, relate to the subject-matter of the contract, are not so vague as to allow a pre-selected tenderer to be selected, or to favour a particular tenderer whose customer wishes to be successful, and are neither too restrictive nor tailored to a particular tenderer; and finally, the benchmark does not require a previous contractual relationship with the procuring entity or unduly favours the local supplier. In addition, the evaluation criteria shall not give the contracting entity too much freedom in comparing tenders.

Anti-corruption training for the municipal office holders was organized in spring 2023. Training for elected municipal counselors is scheduled for January 2024.

The [ProcureFinland action program](#) (Hankinta-Suomi) aimed at developing public procurements, has continued the implementation of measures that enhance openness and transparency in procurement. This initiative has been carried out in collaboration with experts in both public and private sector procurement. The program is executing a national procurement strategy that encompasses eight areas of common goals,

containing several measures directly and indirectly addressing corruption. One of the guides directly depicting anti-corruption efforts in practice is the “Guidelines for combating the grey economy for procurement units”. During the reporting period, the planning for the new phase of ProcureFinland has commenced. Building on the entries concerning procurement in the new Government Program (2023–2027), there will be a further intensification of open collaboration between public and private sector stakeholders. One of the key initiatives already underway is a project to establish a National Database of Public Procurement Information. This database is set to enhance transparency by enabling assessment of developmental activities and legislative changes, dissemination of best practices, and detection of irregularities. As part of the database effort, legislation will mandate the open and centralized publication of purchase invoice data from public entities without the need for separate requests.

28. Any other relevant measures to prevent corruption in public and private sector

Anti-corruption strategies for the Customs, and the Police are scheduled to be completed in early 2024. The Border Guard has completed its [anti-corruption action plan](#), which has entered into force in November 2023.

Training sessions and the exchange of best practices have been consistently maintained.

In December 2023, a seminar on Criminal Law and Combating Corruption was organized for public sector actors and related stakeholders.

In November 2023, a workshop on anti-corruption policy was organized for public organizations. The objective was to provide best practices, using the Tax Administration Anti-Corruption Policy as an example, demonstrating how to plan and implement tailor-made anti-corruption policies within public organizations.

The Police has also organized numerous anti-corruption training events; such as training sessions on the recognition of corruption in national police stations, the National Bureau of Investigation’s lecture series on the recognition of corruption, the Ministry of the Interior training for municipal officials in internal audit and a 2-day seminar on corruption organized by the Office of the Prosecutor General.

An event on the EU's anti-corruption framework is scheduled to be organized in January 2024 at the European Commission's Representation in Finland. The workshop, addressing key areas such as public procurement and the third sector's role in corruption prevention, aims to encourage dialogue and awareness. This initiative follows the release of the Rule of Law Report in July 2023 and it is part of the EU's efforts to enhance collaboration and share best practices for more effective anti-corruption policies.

C. Repressive measures

29. Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery.

No significant developments.

30. Data on the number of investigations, prosecutions, final judgments and application of sanctions for corruption offences (differentiated by corruption offence if possible), including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds.

See attachment 1.

31. Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

No significant developments.

32. Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders.

No significant developments.

Other – please specify

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III. Media pluralism and media freedom

33. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding media pluralism and media freedom (if applicable)

Recommendation 4: Advance with the reform of the Act on the Openness of Government Activities to ensure effective and wider access to documents taking into account the European standards on access to official documents.

The mandate of the working group for reforming the Act on the Openness of Government Activities was extended until October 2023. The working group has now finished its work, and the [working group report](#) has been published. The report has been sent for wide public consultation with a deadline in mid-February. The working group proposes a new Act on the Openness of Government Activities with the aim of achieving a clearer and more effective general law regulating the openness of government activities in Finland. The goal is also to promote openness and meet the requirements of today's society. The working group also suggests expanding the scope of application of the Act to private parties responsible for certain public administrative duties and also to corporations or foundations controlled by a public body. In addition to clarifying and updating the Act in general, the proposal aims, in particular, to reconcile the protection of personal data and the principle of openness.

The working group also presented a proposal on more urgent needs to change the legislation in 2022. The proposal concerned access to certain documents drafted in criminal proceedings. However, this government proposal lapsed in the parliament due to elections and the setting of the new parliament in spring 2023. The next steps regarding the amendments proposed in this government proposal will be assessed in conjunction with the overall reform of the Act, after a thorough analysis of the feedback from the public consultation has been conducted.

A. Media authorities and bodies

34. Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

No significant changes. However, new human resources is provided (21 man-years in total) for the Finnish Transport and Communications Agency (Traficom) for the monitoring tasks in accordance with the European Accessibility Act and Digital Services Act.

35. Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

No significant developments.

36. Existence and functions of media councils or other self-regulatory bodies

No significant developments.

B. Safeguards against government or political interference and transparency and concentration of media ownership

37. Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

No significant developments.

38. Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance

The new Government Programme states that the Finnish Broadcasting Company's (YLE) independence and editorial neutrality will be strengthened. The Government has established a parliamentary working group (see appointment decision of the working group via [link](#)) to assess the need to amend the Act on the Finnish Broadcasting Company. The parliamentary working group will submit its report by the end of the 2024 spring session.

39. Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners as well as any rules regulating the matter

The Government has launched [a research project](#) related to the concentration of media in Finland. The main objective of the project is to find out what the current state of media ownership concentration is in Finland. Moreover, the study empirically examines how the concentration of news media has affected the

diversity of media content and considers the consequences of concentration in terms of equality of information and freedom of speech. At the same time, the aim is to map out the effects that concentration has had on media content internationally and what has been done in key reference countries to curb concentration. Another objective is to find out how the media sector and experts see the effects of concentration on media diversity, equal access to information and freedom of expression.

C. Framework for journalists' protection, transparency and access to documents

40. Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.

Finland has replied to three new alerts created on the Council of Europe's platform to promote the protection of journalism and safety of journalists in 2023. [Alert No. 167/2023](#) concerns a situation where threats of physical and sexual violence against a journalist emerged after MPs discredited and insulted the journalist following a column, in which a party had been criticized for trying to prevent the media from bringing out what was termed the "extreme right-wing connections" of its MPs. [Alert No. 210/2023](#) concerns a situation where two journalists were targeted on social media after they shared and wrote, respectively, articles on the current Finnish government and politicians. [Alert No. 113/2023](#) concerned a situation where the police briefly detained a freelance photojournalist and confiscated the memory card of his camera while he was covering a protest.

As referenced in the previous Rule of Law report, the criminalisation of targeting has been under careful consideration and [a memorandum on the matter](#) was delivered in 2022. According to a policy statement made in August 2023, no changes will be made to criminal legislation since the consultation round indicated considerable challenges, including difficulties in defining targeting, restrictions arising from the protection of freedom of expression, lack of information relating to targeting, as well as lack of reference legislation in other countries. Additionally, the current Criminal Code comprehensively regulates the criminal activities often associated with targeting. It is important to ensure that victims of targeting receive adequate support in their working environment and in the criminal process. In this respect, work will continue as part of the preparation of the victim policy action plan mentioned in the new Government Programme (p. 217).

41. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

No significant developments.

42. Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

On access to information and public documents, please see the answer to question 33.

43. Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

In 2023, no SLAPP cases were reported in the media. However, official statistics on lawsuits or convictions against different professions are not available. On legislation concerning SLAPPs, please refer to the written contribution of 2022.

In 2023, there were no convictions against journalists in the published case law of the courts of appeal or the Supreme Court. At the district court level, as mentioned in the 2022 and 2023 reports, charges were brought against three journalists of the newspaper Helsingin Sanomat for the disclosure of national secrets and attempted disclosure of national secrets. The District Court of Helsinki convicted two of the journalists for the disclosure of national secrets and sentenced one of them to 50 unit fines. For the second one, the punishment was waived. As for the third journalist, the charges were dismissed. The case is pending in the Helsinki Court of Appeals.

Charges were also brought in District Court of Helsinki against three journalists of the same newspaper for aggravated defamation and aggravated dissemination of information violating personal privacy. According to media reports, the charges are based on a story on a policeman's conduct published in the newspaper. The case is not yet scheduled for trial.

Other – please specify

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IV. Other institutional issues related to checks and balances

44. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable)

N/A

A. The process for preparing and enacting laws

45. Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'/public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase.

The new Government Programme upholds the tradition of government programmes strongly committed to evidence-informed and participatory policymaking. It affirms the Government's commitment to promoting the use of knowledge-based impact assessments and considering regulatory instruments in legislative drafting. Additionally, the programme emphasizes the enhancement of openness and transparency in law drafting by making the monitoring of the entire process more accessible.

Initiated for a new term from 2023 to 2027, an inter-ministerial cooperation working group focuses on the development of law drafting. This group, comprising the legislative directors of the Ministries, monitors the realization of the Government's legislative plans, engages in discussions on topical issues related to law

drafting and its development, proposes measures to further good legislative practices, and keeps track of EU and international better regulation issues.

Regarding better regulation guidelines, the Permanent Secretaries of the Ministries adopted the [Government's common principles](#) for the monitoring and ex-post evaluation of legislation in May 2023. These principles include more detailed guidelines and models for monitoring and evaluation.

A government-commissioned [research report](#) on quality indicators for the law drafting process was published in March 2023. The research project established an indicator system for measuring the quality of the law drafting process across seven thematic areas. It conducted an initial pilot survey for law drafters and stakeholders, revealing significant differences in views on consultation and participation. Law drafters perceived current practices more favorably than stakeholders, particularly in terms of timing, equality of consultations, and consideration of received comments. The plan is to collect indicator data every two years to map changes in perceptions, highlight potential improvements or deteriorations, and guide further development work.

[An interministerial working group](#), initiated in June 2023, is actively updating governmental guidelines on stakeholder engagement in law drafting. The project aims to promote consultations and transparency at an earlier stage in the process.

46. Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions).

[A comprehensive reform of the Emergency Powers Act](#), which began in the fall 2022, is ongoing. The government proposal for a new Emergency Powers Act is expected to be presented no later than the fall of 2025.

47. Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.

The Ministry of Social Affairs and Health has appointed a steering group and a preparatory working group for the reform of the Communicable Diseases Act. The steering group will be responsible for the progress of the project. It will also provide guidance regarding the work of the preparatory working group and outline the objectives for the project. It will report on its work to the ministerial working group on a sustainable welfare society. See more on the reform [here](#).

48. Regime for constitutional review of laws

After the parliamentary election in spring 2023, the plenary session of Parliament elected members to 16 parliamentary committees, including the [Constitutional Law Committee](#).

Regarding the working group '[Rule of Law Guarantees and Development of the Judicial System](#)', one subgroup is intended to assess and, if necessary, make a proposal to revise Section 106 of the Constitution concerning the primacy of the Constitution in a matter pending before a court of law, while safeguarding the legal protection of individuals. According to Section 106 of the Constitution of Finland, if the application of an Act in a matter being tried by a court of law is in evident conflict with the Constitution, the court of law shall give primacy to the provision in the Constitution. Thus, the court's threshold for not applying a

provision of law in conflict with the Constitution is currently higher than the court's threshold for not applying a provision that is in conflict with EU law or international human rights obligations due to the requirement of being evident. The aforementioned subgroup is expected, among other things, to review section 106 from this perspective. See also answer to question 1.

B. Independent authorities

49. Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

High-level nominations:

Regarding the state of play of nominations for high-level positions for independent authorities, there have been following nominations since January 1st, 2023:

According to the Constitution, section 38, the Parliament appoints for a term of four years a Parliamentary Ombudsman and two Deputy Ombudsmen. Mr Mikko Sarja was elected to serve as a Deputy-Ombudsman for the period June 1st 2023 – May 31st 2027.

According to the Act on the Ombudsman for Equality, section 2, the government appoints an Ombudsman for Equality for a term of maximum five years. The Government appointed Mr Rainer Hiltunen to the position of Ombudsman for Equality in March 2023.

The budget allocated to the National Human Rights Institution has increased in the last years: 7 226 000 euros in 2020, 7 517 000 euros in 2021, 8 087 000 euros in 2022, and 8 531 000 euros in 2023. For year 2024 the budget allocation is expected to be 9 455 000 euros.

According to the new Government Programme, the Government will examine the duties of the specialised ombudsmen to identify possible overlaps and any potential for savings in this respect. The Human Rights Center's [report](#) on national fundamental and human rights actors and its recommendations published in 2022 will be taken into consideration in the work.

A number of amendments to the Non-Discrimination Act entered into force in June 2023. The amendments will bring the monitoring of the Non-Discrimination Act in the sphere of working life within the competence of the Non-Discrimination Ombudsman. Other changes concern, for example, early childhood education and care and the definition of harassment.

In December 2023, the Parliament passed a [legislative proposal](#) to establish a new agency for special authorities in the judicial administration, currently operating in the administrative branch of the Ministry of Justice. The adopted law brings together the following authorities: The European Institute for Crime Prevention and Control, the Bankruptcy Ombudsman, the Consumer Disputes Board, the Office of the Ombudsman for Children, the Board on Trial Counsel, the Safety Investigation Authority, the Ombudsman for Equality, the Intelligence Ombudsman, the Data Protection Ombudsman, the Ombudsman for Older People, and the Non-discrimination Ombudsman, along with their support and administrative services. In the new agency, the authorities would retain their independence and their current mandate. Due to the exceptional nature of the agency's administrative structure, the Parliament required that the Government monitors the reform and submits a report on it by the end of 2026.

50. Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years.

As previously reported, fundamental and human rights indicators, serving as a new instrument for monitoring fundamental and human rights in the short and long term, have been developed as part of the National Action Plan on Fundamental and Human Rights. This plan covers the period 2020–2023, with a special focus on the monitoring of fundamental and human rights. In 2023, the first monitoring round's indicator data collection was completed, and a public website to publish the information was developed. The aim is to launch the website in 2024, providing systematic data on the realization of rights.

As outlined in previous written contribution, [an assessment report](#) on "Legislative and Ethical Framework Conditions for Human Rights-Based Data Collection" was published in December 2023.

C. Accessibility and judicial review of administrative decisions

51. Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

[New legislation](#) regarding automated decision-making in public administration came into effect in the spring of 2023. The law on automated decision-making by public authorities was adopted in spring 2023. The scope of automation is limited to decisions where the decision can be made based on human-made rules, typically involving legally simple cases. The exclusive use of AI technology to make decisions is practically excluded. Administrative sanctions (not criminal sanctions) can be decided using automation only within the specified conditions, limiting it to simple cases with clear facts and clear law.

Transparency is required at several stages during the process:

- Before an automated decision-making system can be used, the authority must prepare specific documentation on the system, including the rules that will be used to make the decisions. A separate decision is taken to approve start of the system's use. These documents can be requested by anyone under the national transparency law, and oversight bodies have access to all the documentation.
- Individual decisions must be reasoned (i.e., reasons must be explained), as defined in the Administrative Procedure Act. If made automatically, this needs to be indicated in the decision, along with information on where to access the approval decision.
- The authority is required to publish the approval decision online, along with general information on how automated decision-making is being used and the conditions under which it operates.
- Each sectoral law defines the data sources that competent authorities are allowed to use, and the use of automated decision-making does not change this.

Regarding access to information and public documents, please refer to the answer to question 33.

52. Judicial review of administrative decisions:

- short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).

In June 2022, the Government submitted [a proposal](#) to Parliament regarding amendments to several administrative appeals provisions in sectoral legislation. The proposal also included other, more technical changes aimed at making the legislation on administrative judicial procedures coherent and up-to-date. With the new General Administrative Judicial Procedure Act ([808/2019](#)) which entered into force in March 2023, the objective of the proposal was to unify provisions and align them with the main rules of the new

general legislation, such as the right to two-instance appeal, thereby strengthening the position of the Supreme Administrative Court as the highest authority guiding legal practice.

53. Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

The independent courts will decide on the rules and practices related to the application of the preliminary ruling procedure. There are no common practices for the entire judiciary.

54. Follow-up by the public administration and State institutions to final (national/supranational, including the European Court of Human Rights) court decisions, as well as available remedies in case of non- implementation

In 2023, the examination of seven leading judgments and altogether 12 judgments of the European Court of Human Rights concerning Finland was closed. On 1 January 2024, Finland has, thus, two leading judgments and altogether six judgments pending implementation. [One of the leading judgments](#) was delivered in 2012 and concerns violations of the right to liberty and security and the right to respect for private and family life in relation to involuntary care in a mental hospital. [The other leading judgment](#) – and four repetitive cases - concerns a violation of the right not to be punished twice. The leading judgment in this group of cases was delivered in 2014 while the repetitive cases were delivered in 2014 and 2015. With respect to judgments delivered after 2015, the measures taken to execute the judgments and the reporting thereof has been done in due time and the examination of the execution of the judgments has been closed.

D. The enabling framework for civil society

55. Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

Recent amendments to the Associations Act ([HE 200/2022 vp](#)), as reported in the previous Rule of Law report, entered into force in February 2023. A government decree on further provisions about the simplified accounting standards for small-scale associations entered into force in July 2023 ([503/1989](#)).

56. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services.

Prime Minister Petteri Orpo's Government has pledged to promote equality and non-discrimination and to reduce racism. The Government aims to engage all of the Finnish society in this task. In August, the Government submitted [a statement on promoting equality and non-discrimination](#) to the Parliament. Additionally, the new Government Programme includes several detailed entries that have a link to the aforementioned statement.

The Ministry of Justice is responsible for promoting non-discrimination and is currently coordinating two EU-funded projects: [Well Planned](#) and [Peer Action against Hate](#). The Well Planned project combats structural discrimination and racism by enhancing equality planning, contributing to the accelerated

implementation of non-discrimination legislation. The Peer Action against Hate project aims to intensify interventions in racism, discrimination, and hate crimes through peer learning with the support of both authorities and civil society actors.

Amendments to the Non-discrimination Act ([1192/2022](#)) entered into force in July 2023. The amendments include changes in the definition of harassment, allowing harassment to target a group of people, in addition to individual targets. Moreover, a matter may be referred to the national Non-discrimination and Equality Tribunal without a designated victim.

57. Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

The Government plans to prepare a governmental strategy on civil society organisations along with an implementation plan. The strategy aims to reduce excess regulation related to organizational and voluntary activities, explore opportunities to enhance fundraising activities for civil society organizations, and improve the interaction between public authorities and the civil society. Specifically, the EU funding opportunities for civil society organizations engaged in the prevention of violence and crime will be expanded. [A cross-governmental working group](#), led by the Permanent Secretary of the Ministry of Justice, was established for this purpose in October 2023.

The Ministry of Finance has concluded its [project](#) aimed at [improving the administration of discretionary government grants](#), and [a final report](#) was published in December 2023. However, [new digital instruments](#) improving the administration of discretionary government grants will be developed in 2024, as also recommended by the Parliament ([VaVM 29/2022](#)). The development will continue to further increase effectiveness, transparency and uniformity.

The Ministry of Finance also aims to promote efficiency and productivity in government grant activities and supports data-driven decision-making. The goal is to examine how the application of the Act on Discretionary Government Grants ([688/2001](#)) could be harmonized and clarified by developing the regulatory framework.

In October 2023, the Government appointed a new [parliamentary advisory board](#) to develop the financing and activities of non-profit communities until the end of the government's term (or no later than the end of 2027). The advisory board will monitor the entirety and development of discretionary government grants awarded to non-profit organisations. The appointment of the advisory board is based on the [parliamentary memorandum](#) of February 2022.

58. Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

Interaction with civil society is sought in the monitoring of the implementation of international human rights treaties. The Ministry for Foreign Affairs organised a round table discussion on the concluding observations of the UN Committee on the Rights of the Child in August and on the *ad hoc* thematic report on the cost-of-living crisis submitted under the revised European Social Charter in December. Civil society organisations were also consulted on the UPR recommendations at a meeting in March.

Ministry of Finance jointly with civic society actors and the Prime Minister's Office and representatives of municipalities has developed a National Dialogue Model. During 2022 this model was piloted in Democracy Defense Dialogues and in Immigration dialogues. The latter was organised by the Ministry of the Interior. The National Dialogues started in beginning of 2023 and two rounds of National Dialogued were held in 2023. The first one had 86 dialogues around theme of "Living in uncertainty" and the resume was published in September 2023. The Second round was held in autumn with the them "Together and alone – about communities and encounters in Finnish society". The resume will be published in February 2024. Based on the Democracy Defense dialogues that were organised in 2022 a Handbook on democratic encounters was published. The handbook draws on the material originated in the Democracy Defence Dialogues held in spring 2022. The material outlined a key field of social action in which the majority of people living in Finland encounter the democratic state, namely the extensive public services of our society. This handbook is primarily aimed at professionals working in public services. The democratic nature of the encounters that arise in their work, supports the achievement of the intended impact of services. The perception of one's own work as something that enhances people's democratic experience of society can also give meaning to the professionals.

In the National Dialogues the individual dialogue discussions can be organized by Civil Society Organisations and other actors on the society. The Dialogues were originally set up as a rapid and creative response to the Covid-19 crisis and is the unique co-operational effort of national government and various agents of civil society. Starting in mid-April 2020, the dialogues provided the opportunity for citizens to come together to share their experiences, learn from one another, and build trust in the nation's ability to steer through the crisis. From the very beginning, particular attention has been paid to inviting the participation of people from different demographic groups, especially individuals in vulnerable circumstances. All dialogues are documented and then used to build a comprehensive overall view, which is published and utilized in different ways by the national government, municipalities, and agents of civil society.

<https://kansallisetdialogit.fi/en/>

Ministry of Finance has taken part in preparation of Council of Europe recommendation of deliberative democracy. <https://www.coe.int/en/web/good-governance/cddg> The recommendation and its guidelines gives some practical ideas that can be used also in Finland. The legislation for municipalities and wellbeing service counties is very flexible and allow also experiments with the new form and means of democracy, using citizen panels and other complementary forms with co-operation with representational democracy.

E. Initiatives to foster a rule of law culture

59. Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

In response to the 2022 Government Report on the Administration of Justice, the Parliament mandated the Government to promote legislative amendments presented in the report. Additionally, the Parliament requested a new report on the operating conditions for the administration of justice by the end of September 2026. This forthcoming report is expected to assess more general, principled questions related to the rule of law, substantive questions concerning access to justice, and the connections between the administration of justice at the EU and international level.

In February 2023, the Ministry of Justice appointed a working group to strengthen the rule of law and develop the judicial system. See answer to question 1 for more details.

The annual [Rule of Law Day](#), organized for the second time by the Rule of Law Centre at the University of Helsinki in October 2023, was accessible online. This event serves as a platform for fostering dialogue on international development cooperation and the rule of law.

Civil society has highlighted the need to protect and strengthen the rule of law. Advocacy efforts by the Finnish League for Human Rights and the Bar Association have called for strengthening the independence of judicial administration actors in the Constitution. They also advocate for a constitutional amendments to allow courts to more easily prioritize constitutional provisions in situations of conflict between the law and the Constitution.

In November 2023, the Human Rights Centre published [a report](#) on human rights foresight, resilience, and preparedness during societal transformations. The report explores human rights foresight, provides tools for developing foresight capabilities and resilience among human rights actors, and outlines different human rights scenarios placed in 2040. The publication event, open to the public, accompanied the report's release.

The Human Rights Centre has published thematic summaries of the most recent recommendations issued to Finland by various human rights treaty bodies in May 2023 on its [website](#). The aim is to promote the use of recommendations, the realization of rights, and enhance awareness of the issues identified by committees.

Other – please specify

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