

**HUMAN RIGHTS CENTRE
FINLAND**

**UN - OHCHR
Mr Craig Mokhiber**

22 August 2012

by email registry@ohchr.org
cc: disability@ohchr.org

Re: HRs of Persons with Disabilities – HR Council resolution 19/11

Dear Sir,

Please find attached some information relating to your questions, concerning work and employment of persons with disabilities, dated 30 May 2012. Information has been gathered, inter alia, from International Disability Rights Monitor report of 2007, section concerning Finland, and the National Council on Disability.

1. The situation of persons with disabilities in the field of employment, including relevant data and statistics. Do you have information on persons with disabilities working in the informal sector?

Compiling data on the disability population in Finland is complicated by the categorization of disability and/or health information as sensitive personal data. The collection of such personal information is prohibited by Section 3 of the Personal Data Act.¹⁷ In turn, questions about health or disability are not included in the National Census, and there has been no official survey of the disability population.

The difficulties in identifying the disability community are symptomatic of information gaps and the evolving concept of disability. There is no single definition of disability in use. The number of persons with disabilities must, therefore, be estimated on the basis of various indicators: including number of persons eligible for disability services, affiliations or memberships of DPOs.

However, it is a well known fact that there are multiple shortcomings in the field of employment of persons with disabilities. A large number of persons with disabilities are either unemployed, regardless of their willingness or ability to work, or they occupy their time in unpaid activities or activities with very low earning possibilities. The exact numbers are not known, due to the gaps in collection of statistical data. However, there are estimates that some 30.000 persons with disabilities would be willing and able to work, at least part time.

Many of these shortcomings are currently being examined and addressed in Finland's Disability Policy Programme 2010–2015, including various improved ways of supporting and funding employment of persons with disabilities, enhanced employment services for finding employment, new types of employment suitable for persons with various disabilities, improved translation services as well as changes in legislation to remove discriminatory terminology.

2. Has the legislative and policy framework of your country been developed in conformity with article 27 of the Convention on the Rights of Persons with Disabilities (CRPD) on work and employment? Can any gaps be identified in legislation and policies related to work and employment of persons with disabilities?

The legislative and policy framework in Finland is not considered contradictory to article 27 of the CRPD and it should not prevent the ratification of the convention, which is being considered at the moment.

However, there are multiple shortcomings in the practices and service systems, and in particular in the opinion of employers and general population, which make it harder for persons with disabilities to be employed or to work effectively in comparison with others.

It is recognized in many national surveys and studies that for example sufficient accommodation in the work place is not provided often enough (fear of costs, non-effective support structure or lack of knowledge of the structure), suitable places of employment are not found from the open market (lack of interest on the employers side, negative attitudes, fear of added costs), lacking resources in the support systems (decreased support for the employers, limitations in the support). All of these severely hamper the employment of persons with disabilities. In addition, the service structure is complicated and scattered. It is widely recognized that policy changes are needed and there are several processes under way currently.

3. Implementation of national legislation and policies, in particular related to progress made and obstacles preventing persons with disabilities, or specific groups of persons with disabilities (for example young persons with disabilities, women with disabilities or persons with intellectual/psycho-social disabilities), from enjoying the right to work on an equal basis with others.

There is a general lack of disaggregated relevant statistical data and research on the situation of persons with disabilities and in particular their socio-economic status and living conditions. There is clear need to have baseline information and an extensive overview of the situation of all persons with disabilities, young and old, men and women and children as well as persons with disabilities from minority backgrounds.

4. Involvement of persons with disabilities and their representative organizations in the development, implementation and monitoring of legislation and policies to promote and protect the right of persons with disabilities to work.

In general, Finland has strong and well organised disability related NGOs with wide range of activities. Even though the involvement of persons with disabilities in the various legislative and policy related work has increased significantly in recent years, gaps can still be found. The disability NGOs feel that although they are allowed to participate in various forms, including as members in working groups etc, their views are not always taken seriously into consideration.

It is the view of many of the disability NGOs that they are not always automatically included in the processes even in issues that directly concern persons with disabilities. In this regard there is still work to be done in changing attitudes, old practices and processes.

5. International cooperation programmes related to the promotion of work and employment opportunities for persons with disabilities. Is your organization involved in any such programme?

6. Is there any additional information you wish to provide?

There is more, although somewhat outdated, information available on the issue in the Disability Rights Monitor report on Europe <http://www.idrmnet.org/reports.cfm> and more specifically under the section concerning Finland and employment, pages 146-153.

The most current activities in the field of this survey are two ongoing working groups under auspices of the Ministry of Social Affairs and Health. The first one prepares renewal of legislation with regard various types of employment, activities and work related training and it aims at clarifying the role of social services in the support of employment in relation to the legislation and

services provided by the employment and economy services. The second working group prepares an action plan for facilitating and increasing the employment of persons with a lowered ability to work.

Should you require more detailed information, please do not hesitate to contact my office, Ms. Leena.Leikas@eduskunta.fi.

with regards,



Sirpa Rautio

Director

Human Rights Centre

Finland