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Contribution to the Study on Youth and Human Rights of the Office of the United Nations High Commissioner for Human Rights by Finnish Youth Cooperation – Allianssi.

***Finnish Youth Cooperation - Allianssi** is a national service and lobbying organisation for youth work. It is a non-governmental, non-profit umbrella organisation for 125 youth and youth work organisations and acts as the National Youth Council of Finland advocating for the rights of young people.*

## 1. Challenges faced by young people in Finland:

Finland's [Youth Act \(2017\)](#) and the complementing [Government Decree on Youth Work and Policy](#) define youth as those under 29 years of age. From research and monitoring information it seems obvious that young people face many kinds of discrimination, that certain factors cause inequality to a great extent and that certain groups encounter discrimination in many areas of life.

When young people's wellbeing is examined from a rights-based point of view, especially two things deserve attention: Firstly, the rights need to be taken seriously and their realisation cannot depend, for instance, on the resources and priorities of the municipality. Secondly, young people's knowledge of their rights and their ability to defend those rights must be supported – even when in a society like Finland one has to be able to assume that legal, administrative and political institutions supervise and promote the realisation of basic rights also when it comes to young people.

It is worth noting that young people feel that discrimination is ignored. Adults do not notice it, do not want to intervene or do not know how to intervene, at least effectively. Young people are not aware of means of legal protection, or the threshold to resort to them is too high. It is apparent that the ability to recognise discriminating actions and structures has to be improved and intervening in discrimination activated. The right to non-discrimination has to be taken seriously, and there will have to be structures and models that increase the amount of information on discrimination, help victims of discrimination seek compensation for the violation and make intervening more effective. The Non-Discrimination Act (2014) and the creation of the position of a non-discrimination ombudsman may advance it, if the ombudsman's operational resources correspond to the widened field of operation.

Sources used for answering this consultation are amongst other Toteutuvatko nuorten oikeudet? / Are young people's rights fulfilled? A rights based review of young people's living conditions, Outi Lepola, Suomen Nuorisoyhteistyö – Allianssi ry ja Nuorisotutkimusseura/ Nuorisotutkimusverkosto, Helsinki 2015

### **Regional inequality and minority discrimination**

Regional inequality, which influences young people's chances of employment as well as services available to them, leisure activities and opportunities to participate, is in a clear violation with the requirement for equality in the basic rights. Also the socioeconomic status of a young person and his or her family has an effect on opportunities to participate as well as experiences of discrimination and harassment.

Young people who belong in certain groups encounter serious and extensive discrimination. Young people of immigrant background, Somali background in particular, and young people of ethnic



minorities, the Roma in particular, encounter discrimination in working life, at school and in the street. Young Sami people feel culturally discriminated. The life of disabled young people is made more difficult by structural discrimination in particular, but also harassment. Negative attitudes and discrimination against individuals belonging to sexual and gender minorities are alarmingly common in many areas of life.

The situation of young asylum seekers is also worrying with changes in the Alien Act to be stricter and enhanced laws on family reunification. This has led to amongst others CERD, the UN Committee on the Elimination of Racial Discrimination to give [a recommendation to Finland in 2017](#): The Committee noted with concern that after the arrival of 32 000 asylum seekers in Finland in 2015, Finland has made a number of legislative changes which undermine the protection of asylum seekers, refugees and other vulnerable immigrants. The Committee shows concern that the provision of the Aliens Act (301/2004) on the granting of a residence permit on humanitarian grounds has been repealed and that the amendment has been applied retrospectively. The Committee also showed concern in regard to asylum seekers in detention facilities and about the paperless asylum seekers having difficulties in obtaining health care services. Allianssi raised this question in the [Universal Periodic Review](#) of Finland.

In addition, young asylum seekers have difficulties in obtaining legal aid and there are concerns on the appointment of guardians to unaccompanied minors. The recommendations of the UPR stated that special attention must be paid to a child's best interest and circumstances related to child's development and health. Also reminding that children between 12 and 18 years old must be heard and minors without a guardian and children seeking for international or temporary protection must be designated a representative without delay.

## **2. Examples of discrimination against young people in the exercise of their rights:**

### **Youth Unemployment**

Combined with a high unemployment rate, the low employment rate of young people indirectly suggests that they are subjected to discrimination in the labour market. The large portion of fixed-term employment contracts among young people and especially women shows that young women are particularly susceptible to discrimination at work. However, young people have not claimed occupational discrimination to the occupational safety and health authorities, so there is a lack of concrete examples.

Young people without education are particularly vulnerable. There were 8404 young people who quit vocational school without graduating in 2014/2015 and the number for upper secondary school was 1335. (Source [Me Säätiö](#))

### **Youth Guarantee**

The Youth Guarantee and the preceding Youth Social Guarantee clearly indicate the aims of public authority to guarantee every young person's right to work. However, one can make many kinds of assessments regarding the sufficiency and efficiency of the measures taken. It is clear that as labour administration service points become scarcer and there are fewer meetings in person, youth employment generally declines – especially in fields that would be consciously chosen. More information on the Youth Guarantee on the [Allianssi website](#).

The goal of regionally equal accessibility of arts and culture services and participation opportunities to cultural activities has not yet been achieved: while not having a creative hobby prevents the participation of one out of ten young people at the national level, the number is doubled in the Province of Lapland. Young people's equal opportunities to leisure activities are also limited due to many hobbies being too expensive for lower-income families and newly independent young people. It is important to promote

also voluntary and self-motivated sports, because not all children have the opportunity to participate regularly in sports club activities.

Ethnic, sexual and gender minorities face discrimination also during their free time and in sports activities in particular, making it more difficult for them to participate.

### **Youth poverty and low income of youth**

The [Bank of Finland's statistics](#) show that the rising standard of living acquired during the last generation has not benefited the younger generations at all. Between the years 1990 and 2013 the income level of under 35-year-old adults has collapsed in comparison to the rest of the society, while the income of older generations and especially pensioners has risen. This development is due, among other things, to the poverty of students, youth unemployment and the financial crisis.

The amount of young people living under the poverty threshold has increased significantly. According to [Statistics Finland](#) 30% of young people have incomes of less than 60% of the median for households' equivalent disposable monetary income. The amount of people living in poverty is higher among the 18 to 30 year-olds than in any other age group. The poverty is deepest among young people, as one third of the low-income youth are amongst the poorest section of the population. Their income is under 40% of the median for households' equivalent disposable monetary income.

In the Universal Periodic Review for Finland, we gave the following recommendations

- Include an assessment of impacts on young people and intergenerational justice in each policy process. Invest especially in the youth guarantee, the education system, student grants and preventive services.
- Allocate funds to support youth employment and create financial incentives for employers to recruit young people. Provide support for unemployed young people at an early stage to avoid prolonged periods of unemployment as they increase the risk of social exclusion.
- Grant youth and students access to an equal standard of welfare support as other age groups.

### **Social and health services**

Young people's right to health means that health should not be at risk because of discrimination. Young people of sexual and especially gender minorities suffer from harassment even to the extent that it affects their health negatively. The situation of trans youth in particular is not good.

A large part of young persons are covered by healthcare services specifically targeted to them. Despite that it is not too uncommon for pupils to feel that it is difficult to get a doctor's or a public health nurse appointment. In regards to mental health services essential to young people, there are differences and deficiencies in their availability and operation.

Mental health issues are worrying as the amount of young people who have gotten reimbursements for antidepressants was 4,6% of the 18-24 year olds in 2016, which is 20 811 young people. (Source: [Me Säätiö](#))

### **Discrimination due to sexual orientation**

Young people from gender minorities face discrimination, for example in schools and when accessing services, for example through ignorance and negative attitudes towards gender minorities in discrimination based on gender identity and gender expression in schools and other public services. In

[the research of Katarina Alanko](#), approximately 82% of respondents with transidentity reported having experienced at school occasionally or often illicit treatment, bullying or discrimination.

Discrimination also occurs in working life. The consequences of discrimination - both towards sexual and gender minorities - increased susceptibility to, for example, mental health problems, and the elevated suicide risk. The state does not have specific targeted actions that can be seen as inability to address discrimination and hence violations of rights.

The absolute 18-year age limit for Trans Act does not allow for the individual attention of the child's interests and violates the right to self determination. It is not supportive of children's positive development, impedes areas of life such as schooling and applying for jobs and is against the Convention on the Rights of the Child. More information [here](#).

### **Hate speech and harassment**

Racism and hate speech has increased in Finland which the recommendations of the Universal Periodic Review also showed. One tenth of Finns have experienced hate speech based on nationality, ethnicity or religion ([Taloustutkimus Research, 2017](#)).

According to the Ministry of Education and Culture research hate speech and harassment are linked to serious mental and physical health consequences. In response, the government has launched an Action Plan in 2016 to prevent hate speech. According to the survey\* more than 60 % of 13–24-year-olds minority groups had encountered harassment or hate speech. Common places for these experiences were public places, such as streets, parks and car parks. Hate speech and harassment had the strongest effect on people's general feeling of safety (61%) and their mental health (52%).

Allianssi calls on the Finnish government to gather data on discrimination, hate speech and bullying targeting youth. Such data must be used to develop effective and targeted hate speech prevention programs. Furthermore, Finnish government should guarantee that democratically elected representatives are fully aware of the human rights framework and thus do not support or practice any discrimination.

\* (Ministry of Justice, 2016. [Source in Finnish](#), with description in English:

Finland has not ratified the International Labour Organisation's (ILO) "Convention No. 169", and has thus not granted indigenous and tribal peoples the same rights as other citizens. This is problematic especially for issues with land rights.

### **3. Policies and programmes aimed at supporting young people to realise their rights;**

Finland has its own law for respecting the rights of young people. The Youth Act promotes social inclusion, opportunities to participate in decision-making in matters of concern, development of individuals' abilities, the improvement of living conditions and the availability of free-time hobbies and youth work, to name a few. The Government Decree supports the implementation of the act by, for example, specifying the allocation of the duties at the national, regional and local levels.

[National Youth Policy Action Program \(2017-2019\)](#) contains the national objectives of youth policy. The implementation of the "VANUPO Programme" is assessed by the State Youth Council.

The Ministry of Education and Culture is responsible for the overall development of youth policy. The aim of youth policy is to improve the conditions in which young people grow up and live in and to enhance

interaction between the generations through inter-sectoral cooperation. The implementation of the "VANUPO Programme" is assessed by the State Youth Council.

More on [Youth policy in Finland](#).

#### **4. How are youth organisations or youth-led structures involved in developing, implementing, monitoring and/or evaluating policies and programmes on youth in your country?;**

The new Youth Act came into effect in 2017, as well as the renewed Government Decree on Youth Work and Policy. Also the new Youth Policy Programme for the next two years has been accepted [National Youth Policy Action Program \(2017-2019\)](#). Possibly due to the new legislation and hurry to finish the policy, youth organizations were not heard adequately in the process of formulating the national objectives of youth policy. In the case of the previous youth policy the hearing of stakeholders was done in a more comprehensive manner.

The youth group under the Finnish National Commission on Sustainable Development Indicator for Young has been given the chance to develop an indicator to the national indicators measuring the achievement of the sustainable development goals. The indicator measures "[Young People's Confidence in Society and the Future](#)" - this indicator will also be open to discussion at the beginning of next year. Data for the indicator is produced by the Youth Research Society.

The "Ohjaamo service centers" is a network of around 40 integrated support centers for young people. Known as "Ohjaamo", these centers offer employment/enterprise support, educational guidance and personal budgeting assistance, among other services. [More information](#) on the "Ohjaamo" scheme.

#### **5. What measures at international level would facilitate/support the realisation of young people's rights;**

A convention or declaration on youth rights on international level would give a strong base for realisation of young people's rights. Stronger legal mechanisms are needed to ensure that youth rights are realised.

The follow up and monitoring of youth rights could be developed in Finland toward the UN human rights monitoring bodies. For instance, the OHCHR could organize a training on youth rights monitoring and reporting to the international level for Finnish stakeholders. The reporting on youth rights can be developed, through strengthened interaction between youth actors and the UN, for example through regular information or newsletters. Also involving young people from different backgrounds in processes on the international level can be improved, which the OHCHR could help by giving information on how youth can influence processes. Participation, equality and diversity and cooperation with these themes are key.