



NON-DISCRIMINATION

OMBUDSMAN

YHDENVERTAISUUSVALTUUTETTU
DISKRIMINERINGSOMBUDSMANNEN
OVTTAVEARDÁSAŠVUODÁÁITTARDEADDJI

Comments

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Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

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Comments on the Report by the Government of Finland of 26 October 2023 with reference to GREVIO/Inf(2022)31 on the 1st thematic evaluation round: Building trust by delivering support, protection and justice

Comments of the Non-Discrimination Ombudsman

The Finnish Non-Discrimination Ombudsman acts as the national Rapporteur on Violence against Women. The Ombudsman is an independent and autonomous authority promoting fundamental and human rights. Her mandate was extended to issues related to violence against women in January 2022 with an explicit reference to the Council of Europe Convention on preventing and combating violence against women and domestic violence (hereinafter ‘the Istanbul Convention’, or ‘the Convention’). According to the Act on Non-Discrimination Ombudsman (1326/2014), the Ombudsman

monitors violence against women and domestic violence, monitors and assesses, jointly with the Committee for Combating Violence against Women and Domestic Violence, measures and policies targeted to prevent and combat all forms of violence covered by the [-] Convention, by means laid down in Article 10 of the Convention.

The Ombudsman hereby submits her comments on the Report by the Government of Finland on the first thematic evaluation round by GREVIO. Comments follow GREVIO’s questionnaire to the Parties and refer

to the numbered paragraphs in the Government's report, when deemed necessary.

To summarise, the Ombudsman wishes to emphasise three major concerns:

- 1) National policies combatting violence are not cross-sectionally and comprehensively gender-sensitive. Not even the Istanbul Convention Action Plan considers explicitly needs for support and protection of women and girls.
 - On one hand, policy programmes addressing violence should include an intersectional approach to gender. On the other hand, policy programmes on gender equality should acknowledge inequalities between men and women as the root cause of gender-based violence against women.
 - Provision of public general support services, especially in health care, should include a gender-sensitive approach to violence.
 - Civil society organisations' expertise and gender-specific services targeting women should be endorsed and their resources secured when deciding on national policies and measures.
- 2) Measures combating violence are not co-ordinated on every level of decision-making.
 - The NAPE Committee should exercise fully its powers, including assessment of national policies and data collection and research.
 - The wellbeing services counties and municipalities should follow the national guidelines on preventing close relationship violence.
 - There should be legally binding provisions for municipalities and wellbeing services counties to ensure their anti-violence work.
- 3) Finland, regardless its know-how in gender budgeting, has not engaged in the appropriate budgeting of comprehensive measures to prevent and combat violence against women and domestic violence.
 - State Budget, and especially in current times of economic austerity, the impact of cuts on public expenditure, should be repeatedly assessed from the point of view of intersectionality, gender equality and prevention of violence.

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Part I: Changes in comprehensive and co-ordinated policies, funding and data collection in the area of violence against women and domestic violence

Article 7: Comprehensive and co-ordinated policies

1. Finland keeps lacking a long-term strategy to prevent and combat violence against women (VAW). Different policy programmes and action plans are repeatedly of fixed duration, most often comprising one parliamentary term at a time. This means that aims, means, and funding are constantly renegotiated and redefined on national level. Lack of continuity and lack of long-term earmarked funding weaken national policy framework notably.
2. Throughout the Government's report, Finland highlights
 - the second Action Plan for the Istanbul Convention 2022–2025 (hereinafter the 'IC Action Plan')
 - Action Plan to Combat Violence against Women 2020–2023 (hereinafter the 'VAW Action Plan'); and
 - the second National Action Plan for the Prevention of FGM, 2019 onwards (hereinafter the 'FGM Prevention Action Plan')

It should be noted that, contrary to the fourth pillar of the Istanbul Convention, these Action Plans are not co-ordinated nor comprehensive, but each has been drafted, funded, and implemented separately under different administrative branches and ministerial responsibility.

3. In the Non-Discrimination Ombudsman's view, Finland does not have a comprehensive and co-ordinated policy mechanism as required and referred to as the fourth pillar of the Istanbul Convention.
4. Many policy programmes and measures referred to in action plans, and in the Government's report on Gender Equality, are not explicitly gender sensitive, and as a rule of thumb, do not target specifically women. The FGM Action Plan is the only one putting the protection of women and girls at the centre of actions.
5. Furthermore, the primary cross-sectoral policy tool to coordinate gender equality policies in Finland is the national Action Plan for Gender Equality (hereinafter the 'GE Action Plan'), drafted and monitored apart from the other action plans. The previous GE Action Plan 2020–2023, extending former prime minister Sanna Marin's Government's term, mentioned explicitly 'violence against women' as a serious issue in Finland, yet its measures to combat violence were gender neutral in framing the problem simply as 'gender-based violence'.
6. The Government Report on Gender Equality, submitted to the Parliament in June 2022, sets as a goal that by 2030 no one dies or loses one's health as a victim of gender-based violence. Again, the goal is framed in a gender-neutral way as if women and men were equally affected by gender-based violence.
7. The Parliament gave a statement (EK 67/2022 vp) on the Government Report on Gender Equality, demanding the Government to ensure that measures against violence will be of

permanent nature and that the policy framework to combat violence will be assessed. The Ombudsman is not aware if this statement will have a positive effect on national policies.

8. Finland had parliamentary elections in April 2023, and Prime Minister Petteri Orpo's Government started operating in June 2023. Prime Minister Orpo's Government Programme includes many concrete measures related to violence against women. However, it remains unclear whether these measures, such as assessing the need to criminalise coercive control, female genital mutilation and forced marriage, or the need to amend legislation on public social and health services and on alternative dispute resolution to better combat violence against women, will be carried out in a co-ordinated and comprehensive manner.
9. The only action plan currently in force is the IC Action Plan 2022–2025. In the Ombudsman's view, it is problematic if the IC Action Plan will not be revised considering the Government Programme and thus continues to exclude, for instance, criminal law and its reforms.
10. As a new GE Action Plan is under preparations for the term of Prime Minister Orpo's Government, it would be paramount for the GE Action Plan to address violence against women, to refer to the IC Action Plan, and to define what measures will be followed by which mechanisms.
11. As for the NAPE Committee, it should be noted that the political decision-making and implementation of measures fall out of the scope of the Committee's mandate. Notwithstanding, obligations laid down in the Istanbul Convention and the powers given to the NAPE Committee in the Government Decree state clearly that the NAPE Committee shall co-ordinate, monitor and assess national policies. The Ombudsman would encourage the NAPE Committee to take a more active role in continuous assessment of national policies.
12. The new wellbeing services counties comprising 21 units nationwide, and the City of Helsinki, have been operating since January 2023. It is the counties' duty to provide public health and social services. The counties may either provide services themselves or purchase them from private service providers and civil society organisations (CSOs). Services include:
 - primary healthcare
 - specialised healthcare
 - hospital services
 - dental care
 - mental health and substance abuse services
 - maternity and child health clinics
 - social work for adults
 - child welfare
 - services for people with disabilities
 - housing services for older people
 - home care
 - rehabilitation.
13. The Finnish Institute for Health and Welfare (hereinafter THL) plays a key role in possessing expertise and providing nationwide support for multi-agency cooperation across different

fields, especial in social and health care and including the wellbeing services counties. For the wellbeing services counties and the municipalities, THL has published national guidelines on how to better support the regional and local governments on prevention of close relationship violence.¹ The guidelines include, for instance, a recommendation for every wellbeing services county to appoint a coordinator for combatting close relationship violence.

14. In the fall of 2023, THL reviewed whether the counties had followed the guidelines. It results that the counties have established different kind of mechanisms at a varying pace.² Biggest challenges seem to be the lack of systematic training of professionals and deficient follow-up of the use of existing good practices and working methods to screen and intervene violence. Half of the counties were able to describe available service chains for victims of close relationship violence, but none had any for the adult perpetrators.
15. The respondents in the THL survey, who were either coordinators for close relationship violence or had similar responsibilities at the counties, were in favour of enacting a law on duties to organise anti-violence work on regional and local level.
16. The question regarding the need for legislation stems from the Government Programme of Prime Minister Orpo, according to which the Government will assess the need for a binding legislation for municipalities and wellbeing services counties in order to strengthen the mechanisms of anti-violence work.
17. The Ombudsman supports full and nationwide implementation of the national guidelines and agrees with the need for new binding legislation. Legislation would give visibility to anti-violence work, show commitment top-down, and hopefully guarantee a coherent, minimum level of services.
18. To conclude, the Ombudsman is concerned about the lack of institutionalised mechanisms and the inadequate level of cooperation and coordination of policies. The Ombudsman calls for a coordinated, cross-sectoral policy framework which includes all levels of decision-making, that is, the national, regional, and local level.

Article 8: Funding

19. The Ombudsman laments that the Government of Finland does not estimate of nor follow annually the overall allocations from the State Budget to measures combating violence against women and close relationship violence. Resorting to existing models of gender budgeting, developed to national needs, would be valuable, especially in current times of economic austerity.
20. For instance, the proposal for the On-Budget Expenditure 2024, drafted in January 2023, by the Ministry of Finance was EUR 87,9 billion (30.2 per cent of the GDP). When divided

¹ October, M.; Laitinen, H-L.: Ohjeet kunnille ja hyvinvointialueille lähisuhdeväkivallan ehkäisyn koordinaattorakenteiden ja lähisuhdeväkivallan vastaisen toiminnan järjestämiseksi, THL, 2022. See: <https://urn.fi/URN:ISBN:978-952-343-878-1>. (October & Laitinen 2022)

² Krogell, J. & Niklander, E.: Lähisuhdeväkivallan ehkäisyn rakenteet vaihtelevat eri puolilla maata: koordinaattori-verkostosta tukea ohjeiden toimeenpanoon, THL, 2023. See: <https://urn.fi/URN:ISBN:978-952-408-238-9>. (Krogell & Niklander 2023)

between On-Budget entities by different administrative branches, Social Affairs and Health was proposed to receive EUR 16.2 billion, Education and Culture EUR 8 billion, Interior 2.5 billion, and Justice EUR 1 billion. The Government aims at cutting public expenditure by EUR 4.2 billion by 2027, mostly by reducing expenditures in social and health care services, and social security and benefits.

21. On the other hand, a recent study estimated that the annual direct costs for the healthcare caused by physical violence targeting women amount to EUR 150 million.³ This amount excluded indirect costs such as sick leaves or periods of disability.
22. In light of these numbers, the enlisted amounts of funding received for work combatting violence against women and domestic violence in the Government's report seem slim.
23. The Government fails to give an overall picture of public funding and does not put separate appropriations in the wider, national context. It would be useful to know, for instance, how much resources are allocated to preventive measures and support for victims in general support services in comparison to specialist support services. Taken into account economic and human loss caused by violence against women, the Ombudsman finds the current situation as a sign of lacking understanding what is at stake.
24. The wellbeing services counties receive funding from the central government and the counties themselves can decide how to use the funding. The amount is calculated annually considering several criteria, which are weighted in accordance with the Act on the Funding of Wellbeing Services Counties. The criteria include coefficients describing the need for healthcare and social welfare services and regional conditions, bilingualism, speakers of foreign languages, speakers of the Saami language, population density, and area consisting of archipelago.
25. In the Ombudsman's view, it would be beneficial for the wellbeing services counties to assess and follow funding allocated to prevention of violence. Also, measures combatting explicitly violence with a gender-sensitive approach could be introduced in the general funding criteria for different counties.
26. The Ombudsman wants also to note that many non-governmental organisations (NGOs) and CSOs provide services and expertise in work combating violence against women. NGO funding is granted by the Funding Centre for Social Welfare and Health Organisations (STEA), which to a large extent grants temporary funding. Dependency on temporary grants makes the work then fragmented and short-sighted.
27. The IC Action Plan 2022–2025 is supposed to be implemented without any budgetary funding. It was given though an extra EUR 600.000 by the Finance Committee of the Parliament in December 2022, of a total increase of EUR 40 million to the State Budget. In December 2023, no more funding was granted for the implementation of the IC Action Plan.

³ Siltala, H., Hisasue, T., Hietamäki, J., Saari, J., Laajasalo, T., October, M., Laitinen, H-M. & Raitanen, J.: Domestic violence-related use of services and the resulting costs in health, social and legal services. Publications of the Government's analysis, assessment, and research activities 2023:4. Prime Minister's Office, 2023. See English version: <http://urn.fi/URN:ISBN:978-952-383-317-3>. (Siltala et al. 2023)

Article 11: Data collection and research

28. There is no comprehensive database on the prevalence of different forms of violence against women in Finland. Currently, information needs to be gathered from different sources, that is, from different statistics, surveys, and research outputs resulting in inconsistency, and inability to compare results. Furthermore, many national surveys touch upon violence, as shown in the Government's report, but women's experiences on personal safety, security and well-being are seldom of explicit interest. Thus, framing of questions often demonstrate lack of understanding violence as a gendered phenomenon.
29. On the one hand, two recent nation-wide surveys have shown alarmingly high prevalence of intimate partner violence (IPV) and sexual violence against women as well as sexual harassment of girls.⁴ Especially young women are exposed to violence when dating, as well as in other close relationships, online and in work life, and almost half of the 16–17-year-old girls who had dating experience had experienced physical or sexual violence from their partner. Almost half (45%) of 8th and 9th grade girls (aged between 14 and 16 years) said they had experienced sexual harassment.
30. The Ombudsman notes with concern that there seems to be no signs of decrease in prevalence. The previous population wide survey, the FRA Violence against Women Survey 2014, showed similar numbers of prevalence of IPV in Finland.
31. The Ombudsman underlines the need to follow prevalence of different forms of VAW on a regular basis and to compare the results with previous years and to other countries in the Nordic and European context. The Gender Based Violence Survey, now in 2021 conducted by Statistics Finland and funded by Eurostat, should be repeated nationally systematically.
32. Regarding the Finnish criminal legal system, it is difficult to assess its capacity to protect victims from violence and victims' access to justice due to lack of available and accessible data.
33. Statistics Finland provides statistical data on close relationship violence considered by the criminal investigation authorities. In 2021, almost 70 per cent of the total of approximately 11,000 victims of violence in a close relationship were women.⁵ Unfortunately, when public authorities make further decisions on whether to proceed or not with cases, it is not possible to sort out cases of close relationship violence from other types of violence.
34. The Ombudsman considers it of utmost importance to ensure that new operational systems of the investigating authorities render possible better data collection and analysis of close relationship violence. Unfortunately, it seems that the introduction of the new operational system of the police, called Vitja, has not only been delayed but possibly suspended. With

⁴ Attila, H.; Keski-Petäjä, M.; Pietiläinen, M.; Lipasti, L.; Saari, J. & Haapakangas, K.: Sukupuolistunut väkivalta ja lähisuuhdeväkivalta Suomessa 2021, Statistics Finland, 2023. See: <https://urn.fi/URN:ISBN:978-952-244-717-3>. (Attila et al. 2023); See electronic reporting system of [School Health Promotion Study 2023](#) (in Finnish and Swedish).

⁵ Statistics Finland www.tilastokeskus.fi (Search from the database Viranomaisten tietoon tulleen perhe- ja lähisuuhdeväkivallan uhrin sukupuolen, iän, rikosnimikkeen, suhteen, asumismuodon ja ilmoitusvuoden mukaan, 2009–2021).

respect to prosecution, it should be ensured that the National Prosecution Authority's new information system, AIPA, will enable targeted collection of close relationship violence cases from other cases of violence.

35. Overall, in the Ombudsman's view, public registers and statistics should be developed with the aim to better follow the trends of the prevalence of violence against women. A knowledge-based strategy plays a key factor when assessing the effectiveness of chosen measures.
36. No public authority or research institution has been given the specific duty to collect and analyse data on violence against women. Notwithstanding, according to the Decree on the NAPE Committee, the Committee 'coordinates data collection referred to in Article 11 of the Istanbul Convention, assesses it, and reports its results'. It seems that the NAPE Committee has yet to demonstrate how to exercise its tasks with this respect.
37. The Ombudsman urges public authorities to follow the prevalence of different types of violence against women, the effectiveness of preventive measures, victims' access to services, and the handling of violence in criminal legal proceedings in a systematic manner. Data collection and analysis should be comparable in a long-term basis.

Part II: Information on the implementation of selected provisions in priority areas in the field of prevention, protection and prosecution

Article 12: General obligations

38. The IC Action Plan 2022–2025 does not address primary preventive measures. The Action Plan refers to Article 12 and to GREVIO's previous recommendations, and states that all groups, including men and boys, should have access to better understanding and knowledge. However, there have not been any continuous efforts with this aim apart from disseminating information on gender equality and gender-based violence to migrants and professionals working with migrants.
39. According to the Government Programme of Prime Minister Orpo, the Government combats VAW by strengthening prevention and recognition of VAW particularly by public authorities, in municipalities and wellbeing services counties. It is not known, though, if this aim will materialise in any concrete measures and funding. The Ombudsman recommends the Government to consider prevention of VAW in its Gender Equality Action Plan, currently under preparations. This GE Action Plan should also acknowledge the IC Action Plan and the NAPE Committee's role in coordinating policy measures combatting VAW.
40. The national legislation, namely the Act on Equality between Women and Men (aka Gender Equality Act or 'GEA') and the Non-discrimination Act ('NDA') oblige public authorities, educational and early childhood educational institutions, and employers to actively promote equality and combat discrimination on multiple grounds. These proactive measures have a long tradition in Finland, they are promoted by the National Authority for Education, and monitored by the Ombudsman for Equality and the Non-Discrimination Ombudsman. Thus, in the Ombudsman's view, it would be convenient and efficient to incorporate systematically

obligations laid down in Article 12 of the Istanbul Convention in these, somewhat well-established and commonly known measures.

Article 14: Education

41. As noted above, the first pillar of the IC is absent in the IC Action Plan, and gender-based violence against women and girls is not explicitly referred to in the legal provisions on duties to promote equality. The Ombudsman laments this, and partly to compensate, the Ombudsman organised a roundtable discussion in June 2023 on sexual education and violence with the aim to get a situation analysis, to identify the challenges and to share good practices.
42. The roundtable discussion suggested that many civil society organisations have a deep expertise in the area, and they have had projects in which they provide education and educational material for professionals who work with children in early childhood education or basic education. Some CSOs work directly with young children and teens and provide support and guidance especially in cases of online harassment and violence.
43. [Sua varten somessa](#) (For you in social media), is a forerunner digital service operating on social media platforms such as Instagram, TikTok and Snapchat, run by a team of youth workers combating cyberbullying and online sexual abuse. They support youth aged 8 to 21 years of age. In 2022, they had over 300 discussions with children, out of which 89 percent were 15 years or younger. Their typical contact is a girl aged between 11 and 14 years, who has received or asked to send nude pictures.
44. The Finnish Family Federation and Protect Children provide good examples (in addition to Save the Children, referred to in para. 179 of the Government's report) of good practices with younger children. The Family Federation has promoted sexual health education, often referred to as [kehotunnekasvatus](#) ('body awareness education') in early childhood education since 2000. The Federation provides with materials in plain language, training for professionals, and online courses and lectures with open access. Their work leans on the [European Standards for Sexual Education](#) by WHO. Protect Children has developed material and training on digital safety skills for small children aimed at children themselves, families and educators in the [Online Road Safety](#) project and [StopSlowGo](#) workshops.
45. Amnesty Finland has provided an exceptional and comprehensive human rights education material on sexual rights and consent for schools: [Puhutaan suostumuksesta!](#) (Let's talk about consent!). This material supports discussions at schools on sexual rights focusing on positive interaction and pleasure.
46. Amnesty Finland also had a joint project with SETA (LGBTI Rights Finland) to educate school professionals to better identify, to intervene, and to promote prevention of gender-based violence in school. This [Suostumus ja sateenkaari koulussa](#) (Consent and Rainbow at School) course included one session from [eraseGBV training programme](#), a project lead by the University of Tampere and funded by the Rights, Equality and Citizenship Programme of the European Union (2014–2020).
47. With these examples the Ombudsman wishes to underline that in Finland there are many outstanding practices developed and lead by CSOs. However, they are normally carried out as temporary projects, they depend on temporary funding, and run the constant risk to be

discontinued. The importance of these projects should be recognised and valued from the point of view of the Istanbul Convention and its obligations laid down under Article 14.

48. It should also be noted that while existing materials and training are of high quality, they reach only those who voluntarily want to get involved with the topic, as none of the activities is compulsory for professionals in education.

Article 15: Training of professionals

49. In general, there is no compulsory initial training on VAW for professionals who complete their degrees at the universities of applied sciences (eg. nurses and social workers) or who have university degrees in education, health sciences, law, medicine, psychology, or social sciences. Neither there is compulsory in-service training for these professionals.

50. The Ombudsman finds the information asked in the Tables I and II but shown in the Annexes 1, 13, 14, and 19 of the Government's report somewhat confusing and misleading. Police University College (Annex 14) is the only educational institution who offers compulsory training.

51. As shown in the Government's report, many stakeholders and NGOs offer in-service training. Unfortunately, due to the voluntariness, the training reaches only few, and usually those who already work with specialist support services, and in general, the participation rates are not consistently overseen.

52. In the Ombudsman's view, regardless the autonomy and independence of higher education institutions (referred to in para. 206 in the Government's report), there is no hindrance to request the institutions to provide information on their curricula, contents of instruction, and degree requirements linked to VAW. Reviewing training (or the lack thereof) should be seen as a part of the implementation of the Convention and could be used as one indicator for the NAPE Committee to assess national preventive measures.

53. Furthermore, the Ombudsman for Equality has pointed out that teachers and early childhood education personnel lack sufficient knowledge on gender equality issues. The Ombudsman for Equality advocates for initial training of teachers and early childhood education professionals to ensure their competencies to provide gender-sensitive and equality-aware teaching. Otherwise, it seems, they cannot meet with the obligations to promote equality as laid down in the national core curriculum.

Article 16: Preventive intervention and treatment programmes

54. The Ombudsman emphasises the importance to incorporate measures aimed at perpetrators in the work of wellbeing services counties, including knowledge-sharing and following the participation rates.

Article 18: General obligations

55. As seen in the Government's report, there are plenty of different networks whose tasks are related to violence. Unfortunately, these networks do not tackle violence comprehensively with a gender-sensitive approach and often lack sufficient expertise in violence against women and girls.

56. The Ombudsman has organised two roundtable discussions in 2023 to pinpoint gaps in co-operation mechanisms and to identify impediments to victims' access to services, especially in post-separation situations. In these discussions, experts, such as legal professionals, NGO representatives, and researchers, have pointed out how stalking, long-term and repeated procedural harassment⁶, and economic violence, as different forms of intimate partner violence, typically taking place during and after separation, are often ignored by public authorities.
57. Intimate partner violence tends to take new forms after separation, and typically, if the man does not accept the woman's intention to separate, he may try to take the woman under intense control and surveillance, and potentially use children as a tool of harassment. However, especially in the context of family law matters, the crisis caused by a divorce can be considered temporary, and the exacerbating situation of the woman and child is not taken seriously by public authorities.
58. In the Ombudsman's view, multiagent cooperation and use of expertise of NGOs and specialised legal professionals would be beneficial to better recognise intimate partner violence and its different forms in matters related to family law, often arising in situations of separation and divorce.

Article 20: General support services

59. According to the Gender Based Violence 2021 Survey, only 20 percent of the women who had experienced physical violence, sexual violence, or threats of said violence by their partner, had talked about the violence in health services, 11 percent had reported to the police, and 8 percent of women had contacted victim support services.⁷
60. As it seems that the threshold for women to tell any professionals about violence is very high, the Ombudsman underlines the need to screen women systematically and routinely when they get in contact with general support services, especially in health care services, and including occupational health care.
61. On the other hand, another study on intimate partner femicides reveals that women tend to attend numerous times health services the year prior their death. Unfortunately, it seems that these women are not screened and their need for help is not recognised as their problems are mostly recorded as simply mental health issues without analysis of possible violence or threat of violence by their current or former partner.⁸
62. The Ombudsman wants also to point out that the service system does not recognise the need for help and support of marginalised women. A roundtable discussion concluded that marginalised women do not receive help in support services as their trauma history is often

⁶ Procedural harassment, or persecution refers to a situation where the perpetrator initiates numerous legal processes against his spouse.

⁷ Attila et al. 2023.

⁸ Suonpää, K; Koskela, T.; Sutela, M.; Törölä M. & Aaltonen, M.: Intimate partner homicides against women. Preceding events, risk factors and prevention, Prime Minister's Office, 2023. See: <http://urn.fi/URN:ISBN:978-952-383-133-9>. (Suonpää et al. 2023)

ignored. These women are in difficult life situations, often associated with homelessness, heavy substance use and committing crimes. Violence is present in many ways in their lives, and many can be repeatedly subjected to sexual violence, making them particularly vulnerable. CSOs contribute notably to the women-specific work with marginalised women. For example, they execute outreach work and get involved with women's living environment. By building trust on a long-term with these women in the margins of society, the CSOs' gender-specific work is progressive.

63. Regarding general housing services, homeless women do not necessarily apply for general housing services occupied by men, due to restlessness, insecurity, and direct violence in these premises. The Ombudsman is concerned that marginalised women's right to housing and safe living is not guaranteed.
64. As for women and girl victims of trafficking, there seems to be no mechanisms or processes to identify victims of trafficking in public social and health care or gather information on possibly identified victims. Yet, some forms of close relationship and intimate partner violence may constitute a trafficking offence. Also, due to the lack of guidance and steering, the knowledge on trafficking in human beings as a gendered phenomenon, identifying its victims, and offering the (specialized) services in the public social and health care services differ regionally and locally.
65. There is no specialised housing for victims of human trafficking, but the victims can benefit from the general services. However, these do not necessarily meet the victims' needs. The Parliament demanded improvement of the position of the victims of trafficking in human beings based on the recommendations of the Non-Discrimination Ombudsman to the Parliament in 2022. There has not been any progress so far.

Questions specific to the public health sector:

66. The LAKU study found that intimate partner violence against women is alarmingly poorly identified in health care and rarely discussed.⁹ As violence is not systematically screened and identified, risk assessment and referral to specialist support services fail too.
67. The national Study on Intimate Partner Femicides concluded also that only few women had resorted to professionals and public authorities disclosing their experiences of violence, fear, oppression, and possibly life-threatening situation. Many women had visited repeatedly health care, but rarely explicitly due to intimate partner violence – or at least their visits were not recorded as visits related to violence.¹⁰

⁹ Siltala et al. 2023.

¹⁰ Suonpää et al. 2023.

Article 22: Specialist support services

68. Finland does not provide public specialist support services targeting only women. Specialist support services referred to in the Government's report are always accessible for both women and men.
69. It is and has been the task of NGOs to provide women-specific and gender-sensitive support services in Finland. For instance, Women's Line (Naisten Linja, established in 1999) is a help line and chat service to girl and women victims, and to those close to them. Additionally, they organise support groups online and face-to-face in Helsinki. Tukinainen, established in 1993, is a support organization for victims of sexual violence. Furthermore, Rose-home provides housing and psycho-social support for women victims of human trafficking and their children.
70. The Federation of Mother and Child Homes and Shelters has 31 member associations, who operate 19 shelters. Its member associations provide crucial help for many women, especially mothers who suffer from intimate partner violence. They are also the only agent providing specialised support for victims of stalking through the Support Centre Varjo. The support Centre Varjo identifies the different elements of violence by the former partner and gives support against the oppression in post-separation conflicts which some women may endure for years.
71. It's good that organizations have expertise, they are able to at least partly respond to demand and react to changes (e.g. identifying digital violence and supporting victims)
72. The geographic coverage of the services suffers; continuity suffers due to the fixed-term funding model, and e.g. the STEA funding model does not allow the provision of longer-term subsidies; now the funding is also being cut.
73. It could be useful if -- organisations followed the number of customers and how the management of the service is carried out. For example, STEA-funded activities must already be reported, but reporting could be developed and utilized in evaluating the effectiveness of anti-violence work.
74. In general, the role of organizations as providers of services should be recognised.
75. The service system has not been analysed from the point of view of accessibility. Many organisations collect some data on the prevalence of violence and guidance of victims to the services. However, the data is not gathered systematically and put together. For instance, according to the help line service Nollalinja, one third of the callers had not sought help from anywhere else before contacting the help line.
76. The Ombudsman also notes with concern that marginalised women, that is, women with substance abuse issues and/or mental health problems often have a long history of trauma and abuse. Yet there is no targeted support for marginalised women, and services such as regular shelters are excluded for them. Also, a study on female prisoners shows, that women

who end up in prison have often previous traumas and represent the prisoner group with the most health problems.¹¹ Yet, female prisoners receive seldom trauma-sensitive support.

Article 25: Support to victims of sexual violence

77. The Ombudsman finds the network of SERI support centres an important step in advancing women's rights and access to services. Notwithstanding, as the centres operate as a part of women's clinics, in times of cutting public expenditure, there is a risk that the units must prioritize other activities at the cost of supporting victims of sexual violence. Coordination of and monitoring the SERI support centres on national level by THL would better guarantee the continuation of and developing their work.

Article 31: Custody, visitation rights and safety

78. The Ombudsman's roundtable discussion on economic violence noted that after divorce, the perpetrator can delay on purpose the arrangements related to the separation and the distribution of matrimonial assets. If the negligence also concerns child support, the child's quality of life and wellbeing can suffer. Consideration of legal disputes between divorcing spouses often ignores economic violence as a form of intimate partner violence. If the control and abuse experienced by the woman is ignored, her need for psychological support and legal aid is not recognised and she is considered as an equal party able to give informed consent and to enter negotiations with the perpetrator. Her safety and wellbeing are thus not ensured, and she might be pressured to agree on joint custody of children and other issues related to the divorce, assets, and children.

79. The Ombudsman wishes to draw attention to the fact that post-separation violence can be very long-lasting and can have significant negative psychological and financial consequences for the victims. The Ombudsman calls for more effective measures to protect both women and children in these situations. The risk assessment of both, women and children must be done thoroughly.

80. Legal consideration of family law issues should be assessed and developed with an approach taking into account violence against women in its many forms. The clarification of circumstances and the overall procedure considering visitation rights, housing and maintenance of the child could be built up with the support from a multi-professional and multi-disciplinary group of experts. Strengthening the expertise in decision-making with this respect could be incorporated in national [Child Strategy](#). Legal protection against economic violence is currently weak, and promotion to better identify the phenomenon as a form of intimate partner violence would protect the rights of those who experience economic violence.

81. Also, according to the professionals working with women during their divorce process, note that the woman is often left alone to cope with violence and the acts of violence and harassment by the former partner is not considered harmful for the child. Such harmful activities

¹¹ Tammi-Moilanen, K.: Naisvankiselvitys: Selvitys naisvankien olosuhteista, toiminnoista ja turvallisuudesta, Rikosseuraamuslaitoksen monisteita 4/2020, 2020.

should be, nonetheless, considered significant and identified as violence in decision-making regarding the child's custody, housing, and visitation rights.

Article 48: Prohibition of mandatory alternative dispute resolution processes or sentencing

Criminal law:

82. The Government has indicated a strong willingness to waive the referral of cases of close relationship violence to mediation. First, the Government Programme states that domestic and close relationship violence will be excluded, as a rule, from the mediation. Later this fall, Minister of Social Security, under whose responsibility fall the Act on Mediation in Civil Matters and Confirmation of Settlements in General Courts, has confirmed that her intention is to exclude all cases of close relationship violence. The Governmental Proposal for the legal amendment is intended to be submitted to the Parliament during its spring term of 2024.
83. The Non-discrimination Ombudsman supports strongly, jointly with the Ombudsman for Equality, the exclusion of close relationship violence from the mediation. It would be a substantial step for Finland to show political willingness to take violence against women seriously, as mediation is deemed a typical way to consider of cases of violence against women, that is, not in the formal criminal legal proceedings but in an informal manner in which the perpetrator is not held accountable for his acts of violence. A typical mediation agreement consists of an apology or a promise not to use violence in the future. If this is seen as an alternative, instead of the criminal process, typically in dealing with violence against women, Finland continues to belittle women's right to personal safety. In fact, as a vast number of violence crime cases referred to mediation are cases of intimate partner violence against women, mediation is considered by women's rights advocates a representation of the dismissive attitude by public official towards violence against women.
84. Mediation of criminal offences and the idea of restorative justice supporting it, are premised on the idea of compensating a single and/or minor act of violence between two equals. As for intimate partner violence, the dynamics are typically very different from this premise. The victim is often oppressed by the perpetrator, and the victim is rarely able to give a real and informed consent to mediation. Intimate partner violence is often repeated violence but public authorities recommending a particular case to mediation do not identify all acts as violence. It is also problematic if the victim agrees to mediation due to fear or pressure from the perpetrator, or because the criminal legal proceedings seem exhaustingly long.

Articles 49 and 50: General obligations and immediate response, prevention, and protection

85. It is difficult to assess how law enforcement agencies respond and investigate cases of violence against women due to the lack of information. Notwithstanding, the Deputy Chancellor of Justice conducted a scrutiny in 2022 on police procedures in close relationship violence and sexual crime investigations, some cases involving child victims, indicating that preliminary investigations are not always executed duly in a professional manner and without

unnecessary delay. In general, prolongation of preliminary investigations is detrimental to the credibility of the criminal justice system, and to the fulfilment of the rights of the victims.

86. With reference to migrant women, their residence permits, and the reference to Section 54, Subsection 7 of the Alien's Act in the Government's report, the Ombudsman wants to point out that the preconditions for an extension of the residence permit laid down in said Section seem to be quite high in practice and the issuance of the permit is unpredictable. This renders difficult to disclose violence and end an abusive relationship. Apparently, women whose family ties have terminated are not asked about the possible violence, and National Migration Authority (Migri) does not, in general, provide an oral hearing for women when considering extension of their residency. In the Ombudsman's view, Migri plays a key role to ensure the applicability of the said provision in practise. When considering the extension of their residence permit, women should be asked ex officio about the violence, and the national authorities should not rely solely on a documentary material on violence. Overall, the preconditions for the extension of the permit should be reviewed.
87. The Ombudsman notes furthermore that women who have been issued their first residence permit based on family ties, have not, to a large extent, entered the country as asylum seekers through reception centres. Information on the possibility to apply for an independent residence permit could be provided when women are notified on the permit based on family ties. This could be also a substantial part of integration services of immigrants. Information should be provided both orally and in writing in the native language of the permit-holder. Also, the personnel of the reception centres and the social and health care services must be aware of the provision and know where to turn to for legal consultancy. The National Migration Authority should update their website accordingly.
88. Furthermore, the Non-Discrimination Ombudsman as the National Rapporteur on Human Trafficking, investigated the residence permit practice relating to victims of human trafficking. According to the study, published in 2021, the assessment was diverse, but varying. Human trafficking was not necessarily the main reason for granting international protection or a residence permit in positive decisions. Often, the victim of human trafficking had been subjected to forced labour, sexual abuse or forced marriage. Approximately 67 percent of the decisions in the study data were positive and 33% negative. In most cases, the positive decisions concerned international protection, but human trafficking was not necessarily the primary grounds for protection. The second-most common reason for granting residence permits was on the basis of individual humanitarian reasons. The residence permit for a victim of human trafficking, added to the Aliens Act in 2006, was rarely applied. The number of positive decisions was 29. According to the study, the threshold of considering a victim of human trafficking to be in a particularly vulnerable position was high.

Article 51: Risk assessment and risk management

89. As discussed in length in the Government's report, MARAC is the exemplary method in use for risk assessment. It should be noted, though, that the method is not deployed equally across the country, its use is not mandatory, and its funding is not permanent. Also,

regardless the aim of gathering different professionals to cooperate in the local and regional MARAC groups, the groups' compositions and their activity vary notably.

90. On national level, THL coordinates and develops the MARAC method and supports the working groups. The Ombudsman agrees with the Government's observation on the need to harmonise working methods for all MARAC working groups, to train professionals, and to strengthen the coordination (para. 395). Fortunately, THL has now personnel for this work, but its fixed-term nature is worrying.
91. THL follows the number of cases considered by MARAC groups annually and reviews referral to MARAC assessment by different agents. The Government's report states that persons are most often sent to MARAC by shelters and social services (para. 396). In the Ombudsman's view, it would be useful to follow how much health care services direct persons to MARAC, considering that recent study on intimate partner femicides shows a clear increase in visits by women to doctor and health care professionals during the year preceding their death.¹²
92. Overall, in the Ombudsman's view, the Government should grant permanent funding to MARAC method and ensure its nationwide execution.

Part III: Emerging trends on violence against women and domestic violence

93. As currently the economic austerity is at the centre of national politics, it is of utmost importance to assess how cutting down public expenditure and reducing public services affect women victims of violence and their access to services and justice. Thus, the Ombudsman urges the Government of Finland to assess the impact of its austerity measures from the point of view of equality, intersectionality, and gender-based violence against women.
94. Furthermore, the Government should also follow consistently how cuts in funding mechanisms, such as the suspension of the Government's analysis, assessment, and research activities (VN Teas) funding, or decreasing funding granted by the Centre for Social Welfare and Health Organizations, narrow down knowledge-based policies and specialist supports services, provided often by civil society organisations.
95. The public debate on violence has become more racist, and violence, including violence against women, is often framed as a problem brought to Finland by 'others'. This discourse of 'othering', popular among some top politicians, increases space to hate speech and hate crimes, trolling and online targeting, making it riskier also for women to speak and stand up for their rights.
96. Use of technology and social media platforms are changing forms of human interaction and unfortunately enable new form for controlling behaviour and violence. For instance, in Finland it has been estimated that every 7-year-old has access to smart phone regardless they

¹² Suonpää et al. 2023.

themselves own any. Sexual harassment and abuse of young children, girls in particular, take new forms.

97. The Ombudsman embraces the GREVIO General Recommendation No.1 on the digital dimension of violence against women and hopes that Finland will review its national policies to combat violence promptly in light of the recommendation.

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