

## NEWS REPORT

**Update of flash report** 925-FI-4 and 1256-FI-9

**nr:**

**Date:** 27 December 2014

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**Title:** New anti-discrimination legislation passed in the parliament

**Country:** Finland

### Context

**Issue at stake:** The reform of anti-discrimination legislation which started in 2007 was passed in late December. The reform extends the scope of application of the anti-discrimination legislation to all areas of life and provides protection against discrimination to an open ended list of protected grounds.

**Ground of discrimination:** All grounds

**Source:** Legislation, political development

**Field:** Employment, social protection, social advantages, access to goods and services, education, housing, other

**Legislative provisions:**

### Content

**Law:** The revised Non-discrimination Act prohibits discrimination on the bases of age, origin, nationality, language, belief, opinion, political activity, industrial activity, family ties, state of health, disability, sexual orientation or other reasons related to a person. The scope of application of the approved act is all public and private activity except in legal acts falling within the scope of private affairs and family life or practise of religion. The Act will come into force in the beginning of 2015 after the President has confirmed it.

The government's proposal for comprehensive reform of the anti-discrimination legislation in May 2014 has been explained earlier in flash report No 1256-FI-9. In the parliament the proposal was significantly changed because of strong criticism from academics, equality bodies and NGO's heard in the parliament committees. The proposed weakening of protection against direct discrimination (in areas where EU anti-discrimination directives are not applicable) was not approved by the parliament. It changed the statute so that differential treatment is only allowed if it has an acceptable aim *from the perspective of human rights* and the means used are appropriate and necessary for achieving this aim. Furthermore no justification for differential treatment is allowed when using public power or in education in addition to areas governed by the directives.

The main principle of the legislative reform was to expand the protection provided for the ethnic minorities to all grounds of discrimination. Accordingly the responsibility for the public authorities and employers with more than 30 employees to draw up a plan for fostering equality was expanded to all discrimination grounds. The protection provided to ethnic minorities by the Ombudsman for Minorities and the Non-discrimination Tribunal will be expanded to all grounds. The possibilities for the successor of the Ombudsman for Minorities (the Non-discrimination Ombudsman) to assist victims of discrimination also in employment (as required by the directives) were improved in the parliament by adding that the Ombudsman may issue statements also on employment discrimination. In this way the parliament reacted on the pending infringement procedure against Finland on the missing competences of the equality body.

**Internet link source and additional information:** <http://www.eduskunta.fi/triphome/bin/vex3000.sh?TUNNISTE=HE+19/2014>