



## **European network of legal experts in gender equality and non-discrimination**

### **NEWS REPORT**

<b>Country:</b>	Finland
<b>Title:</b>	Finland ratifies the Convention on the Rights of Persons with Disabilities and its Optional Protocol
<b>Date:</b>	27 May 2016
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<b>Update of flash report nr:</b>	FI-11
<b><u>Context</u></b>	
<b>Issue at stake:</b>	Finland deposited its instrument of ratification concerning the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol with the Secretary General of the United Nations. The Convention and its Optional Protocol will thus enter into force for Finland on 10 June 2016
<b>Ground of discrimination:</b>	disability
<b>Source:</b>	legislation
<b>Field:</b>	employment, social protection, social advantages, access to goods and services, education, housing, other

### **Content**

#### **Law development:**

On 11 May 2016, Finland deposited its instrument of ratification concerning the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol with the Secretary General of the United Nations. The Convention and its Optional Protocol will thus enter into force for Finland on 10 June 2016.

Earlier on 3 March 2015 the Finnish Parliament passed the Act on The Ratification of Convention on the Rights of Persons with Disabilities and Optional Protocol (CRPD) but Finland considered that it was not ready to deposit its instrument of ratification before all legislative changes were passed in Parliament.

On 10 May 2016 Parliament passed the amendments to the Act on Special Care for the Mentally Handicapped Persons. The need for changes in the Act was due to two reasons: Section 32(1) set disability as prerequisite for involuntary treatment (including medical treatment, health care and housing) and the requirements set in Section 42 for using force in treatment were of a very general nature. Because of these provisions the Act was considered to violate the CRPD. The government proposal for amendments of the Act was heavily criticised in the Constitutional Committee of the Parliament for allowing too widely formulated preconditions for involuntary treatment. Because of the concerns of the Constitutional Committee the Social Affairs and Health Committee changed the wording of the proposed Act after which the Parliament accepted the amendments to the

Act on Special Care for the Mentally Handicapped. Earlier the Parliament had made changes to the Municipality of Residence Act and the Social Welfare Act.

**Key points of analysis:**

- Finland ratifies the UN CRPD and OP.
- The ratification required changes in legislation among other issues to the rights of self-determination of people with intellectual disability when in special care institutions.

**Internet link source:**

<http://www.formin.fi/public/default.aspx?contentid=346204&nodeid=15146&contentlan=2&culture=en-US>.