



# Finland

## BIAS-MOTIVATED SPEECH

Chairperson of the Christian Democrat Parliamentary Group, Päivi Räsänen made several hateful statements again this year. The Public Prosecutor initiated preliminary investigation into some of them. For instance, Räsänen stated that the Bible is clear on its stance against gay people. The Bishop of Helsinki and others condemned efforts to stigmatise and exclude people from the Church.

Initiatives to fly the rainbow flag to mark Pride were debated and voted on in several smaller towns, including Jokioinen and Salo (against) and in Forssa and Kokkola (in favour), sometimes involving hateful language from councillors and in local media.

## BIAS-MOTIVATED VIOLENCE

On 12 June, a trans woman was stabbed to death in Vantaa. Both the police and the media kept misgendering the victim. Trans rights organisations urged the government to train the police, including on respecting victims and recording anti-trans violence as hate crimes.

## EQUALITY AND NON-DISCRIMINATION

In June, the government published its Gender Equality Programme (2020-2023). The specific chapter on gender minorities, reaffirms the government's commitments to reform legal gender recognition, abolish gendered social security numbers, and ban non-consensual and medically unnecessary surgeries on intersex children. The program uses an intersectional approach and steps away from viewing gender as binary.

The revised Law on Sexual Crimes includes a proposal that those using gendered facilities, including bathrooms or changing rooms, that do not match their gender assigned at birth, could be committing 'sexual offense'. In September, trans organisations Transfeminines and Dreamwearclub urged the Ministry of Justice to drop the discriminatory proposal.

In October, the Ministry of Finance announced continuing the social security number reform, with a narrower scope than expected, but with non-gendered social security numbers on the agenda.

## FAMILY

The government started working on a new Parental Law, in line with its programme. The reforms fails to include recognition for more than two parents, or for trans and non-binary parents - a great disappointment for LGBTI organisations.

The first two adoptions by same-sex couples took place in 2020, by a gay and a lesbian couple respectively. Civil society welcomed that the 2014 inclusive adoption regulations are being implemented.

Marriage equality continued to be a debated issue within the Evangelical Lutheran Church, the country's largest religious community. In August, the church's episcopal conference recommended that while the official position of the Church remains that marriage is between a man and a woman, dioceses should refrain from reprimanding priests who perform marriages for same-sex couples, thus finding a compromise position between conservative and liberal fractions of the Church. On 18 September, the Supreme Administrative Court ruled in favour of the Oulu Lutheran diocese, who reprimanded a priest for marrying a same-sex couple in 2017, arguing that although the 2017 Marriage Act had been passed already, the Lutheran Church had not introduced changes in their practices at that point. Despite the ruling, the number of Lutheran priests officiating at same-sex weddings has increased.

## FREEDOM OF ASSEMBLY

Several Pride events were cancelled due to the COVID-19 pandemic and moved online or were carried out as smaller hybrid events. For the first time, the Prime Minister of Finland, Sanna Marin acted as the patron of Helsinki Pride Week.

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## HEALTH

On 11 June, the specialised board in the Ministry for Social Affairs and Health (PALKO) published their new recommendations on trans healthcare. The PALKO recommendations fail trans people, as highlighted by local trans organisations Transfeminines, Trasek, and also Seta. Trasek published a detailed analysis of the recommendations, comparing it to the the World Professional Association for Transgender Health (WPATH) guidelines.

Firstly, the recommendations continue to pathologise trans people, in clear violation of the latest, 11th edition of the International Classification of Diseases (ICD), the WPATH guidelines and Finland's international human rights law obligations. Second, they only grant access to trans healthcare to trans people who report long-lasting and serious suffering over at least two years. Third, they discriminate against non-binary trans people by prescribing them different forms of treatment.

For instance, they restrict genital surgeries only to binary trans people. Fourth, they set out body mass index (BMI) limitations. Fifth, a “high level of caution” is recommended regarding care to minors. The guidelines allow for both puberty blockers and hormone treatment for those 16 or older - it is yet to be seen if trans youth will in fact be able to access services. Sixth, they discriminate against trans women, who will only be able to get breast implants “in special circumstances”, while trans men will continue to have access to mastectomy.

### HUMAN RIGHTS DEFENDERS

The COVID-19 pandemic has forced LGBTIQ+ organisations to work remotely, with many providing online meetings and peer support groups. NGOs receiving public funds, have been concerned about the impact of the pandemic on future funding.

### INSTITUTIONAL SUPPORT

The government marked IDAHOT very visibly this year, with most Ministers publishing an IDAHOT video - progress compared to the previous government.

### LEGAL GENDER RECOGNITION

In February, the working group appointed by the Ministry of Social Welfare and Health published its report on how to improve the legal situation of gender minorities, including via legal gender recognition (LGR) reform.

The report presents two possible avenues. The limited reform model would abolish mandatory sterilisation as a requirement of LGR, but not go further. The broader reform proposal would establish either self-determination based LGR or introduce a reflection period. The working group however expressed concern that the reflection period may violate the right to self-determination. For now, the working group has suggested the lower age limit to be set at 15 or 18.

During the autumn, the parliament’s LGBTI Network and Gender Equality Ombud both expressed concern about the reform’s delay. 75 organisations, student unions, youth organisations, and others, launched a petition urging the government to speed up the process and not use the COVID-19 pandemic as an excuse for delays. Transfeminines directly urged the government, but have not received a response.

### POLICE AND LAW ENFORCEMENT

Rainbow Police, an informal network for LGBTQI police officers was established as an official association, to ensure LGBTQI equality in the police.

In October, the Parliamentary Ombudsman concluded that the training content to medical staff on fitness checks for incoming military trainees, was discriminatory. A slide at the training said that “homosexuality” is usually not an obstacle to military service, but urged the staff to inform conscripts about the conditions of the service and shared accommodation facilities. The training also recommended that in the case of uncertainty, conscripts should be placed in Category C, which allows for dismissal during peacetime. The slides have since been removed from the training materials.



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