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Member States' best practices on the Charter

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Finland



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Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary.

The main policy document in force is the Government of Finland Human Rights Report 2014 (*Valtioneuvoston ihmisoikeusselonteko*, VNS 6/2014 vp), which looks at ways to strengthen the EU's fundamental rights dimension, including by raising awareness of the EU Charter of Fundamental Rights. The report also mentions the Commission's Report on the Application of the EU Charter of Fundamental Rights and the annual report of the European Union Agency for Fundamental Rights, as well as the discussion on these at Council level. It also states that it is important to increase citizens' awareness of the Charter. The report emphasises the importance of developing and making use of existing practical tools for drafters, such as guidelines and checklists, in order to raise awareness of the Charter. This should be supported, for example, through training for EU rapporteurs (p. 38). In its opinion on the Human Rights Report, the Grand Committee of the Parliament of Finland particularly stressed the need to raise awareness of the EU Charter of Fundamental Rights (SuVL 6/2014 vp).

[Government of Finland Human Rights Report 2014](#)

Finland's second National Action Plan on Fundamental and Human Rights 2017–2019 (*Kansallinen perus- ja ihmisoikeustoimintaohjelma 2017–2019*) specifically references the EU Charter of Fundamental Rights as a legal basis for the entire Action Plan (p. 17) in addition to other relevant fundamental and human rights sources. The Charter of Fundamental Rights is also a legal basis for some individual action plan projects, such as action 1.1 Enhancing the capacity of the Government in fundamental and human rights matters (*Valtioneuvoston kapasiteetin kasvattaminen perus- ja ihmisoikeusasioissa*) and action 1.1.1 Strengthening the basic and human rights skills of Government officials (*Valtioneuvoston virkamiesten perus- ja ihmisoikeusosaamisen vahvistaminen*).

[Kansallinen perus- ja ihmisoikeustoimintaohjelma 2017–2019 \(National Action Plan on Fundamental and Human Rights 2017–2019\)](#)

Training on the application of the Charter of Fundamental Rights

- Government training programme on fundamental and human rights (*Perus- ja ihmisoikeudet valtioneuvostossa*) for Government officials in spring 2017, which also addressed fundamental rights in the EU, including a section on fundamental and human rights impact assessment;
- Training course for officials on fundamental and human rights in the European Union (*Perus- ja ihmisoikeudet Euroopan unionissa*), which includes a separate section on the EU Charter of Fundamental Rights (every year, latest training course on 30 March 2020);
- Training course for officials called *EU-oikeus pähkinänkuoressa* ('EU law in a nutshell'), which also deals in detail with the EU Charter of Fundamental Rights (every year, latest training course on 10 May 2019);
- Training on data protection and the EU Charter of Fundamental Rights in cooperation with the European Union Agency for Fundamental Rights, the Finnish Human Rights Centre and the Finnish Ministry of Justice (16 January 2019);
- Training course for officials on legal drafting criteria, including a section on fundamental rights and the


Charter of Fundamental Rights (every year);

- Training session for officials of the Permanent Representation of Finland to the EU (Brussels) on how to take into account the Charter in the work of Council working groups (spring 2019, as part of Finland's preparations for the Finnish presidency of the Council), in cooperation with the EU Agency for Fundamental Rights and the General Secretariat of the Council.
- A visit to the EU Agency for Fundamental Rights (FRA) in Vienna by staff from the Office of the Parliamentary Ombudsman took place in October 2019 as a follow-up to the FRA's initiative to cooperate more closely. During the visit, the Agency's activities were presented, in particular monitoring the application of the Charter of Fundamental Rights and the Agency's role in monitoring and evaluating the rights of people with disabilities and children. The participants agreed to further develop cooperation between the agencies. Other training courses on the content and application of the Charter have also been organised at the Prime Minister's Office.

Tools that help better understand the Charter and when it applies

The Ministry of Justice drew up a note on the interpretation and application of the EU Charter of Fundamental Rights. The note was first drafted in 2016 and updated in early 2020. The purpose of this note is to serve as a tool for drafting national legislation and Finland's drafting with regard to the EU, in particular when assessing fundamental and human rights in matters falling within the scope of EU law. Much of EU law is implemented at national level, which is why EU fundamental rights are also an essential part of drafting national legislation. In addition, EU law often leaves room for national discretion in the practical implementation of EU law and in the choice of measures, but this discretion must be used in accordance with EU fundamental rights.

The note addresses issues related to the scope, interpretation, legal effects and level of protection of the EU Charter of Fundamental Rights. The update took into account the latest case law and sought, in particular, to address in more detail the main issues of the practical aspects of legislative drafting. These include the conditions for restricting EU fundamental rights and the relationship between the Charter and other fundamental and human rights, such as those included in the European Convention on Human Rights and the Constitution of Finland.

[Muistio EU:n perusoikeuskirjan soveltamisesta ja tulkinnasta \('Note on the interpretation and application of the EU Charter of Fundamental Rights'\)](#)  (978 Kb) 

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

Information on the reports and tools of the EU Agency for Fundamental Rights (FRA) is provided through the Government's fundamental and human rights network. In addition, the annual fundamental rights report will be the subject of a ministerial press release to support communication to citizens.

Cooperation with stakeholders to promote the use and awareness of the EU Charter of Fundamental Rights

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

Legislative drafting course organised by the University of Tampere, including a section on fundamental and human rights impact assessments, in particular on the EU Charter of Fundamental Rights (organised on 8 November 2018 and 26 November 2019 and to be organised in autumn 2020).

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

Emphasising the importance of the Charter of Fundamental Rights on the occasion of its tenth anniversary: [a piece published in the newspaper Turun Sanomat on 11 December 2019](#)

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