



Finland

## Fundamental rights - Finland

### National courts

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#### National courts

District Courts handle criminal, civil and petitionary matters. A decision by a court of first instance can usually be submitted for the consideration of a higher court. A decision by a District Court can be appealed to the Court of Appeal. A decision by the Court of Appeal can, in turn, be appealed to the Supreme Court if the Supreme Court grants leave to appeal.

Administrative Courts handle appeals concerning decisions by authorities. A decision by an Administrative Court is appealed to the Supreme Administrative Court.

Special courts include the Market Court, the Labour Court, the Insurance Court and the High Court of Impeachment.

The contact information of the courts can be found on the following websites:

<https://oikeus.fi/tuomioistuimet/fi/index.html>

<https://oikeus.fi/en/index/yhteystiedot.html>

#### National Human Rights Institutions

In the beginning of 2012, a functionally autonomous and independent centre for human rights was established under the auspices of the Office of the Parliamentary Ombudsman. The role of the Centre for Human Rights is to distribute information and promote education, training, research and cooperation in the field of fundamental and human rights. The Centre will prepare reports on the implementation of fundamental and human rights as well as take initiatives and issue statements to promote these rights. The Centre for Human Rights will also participate in international efforts to promote fundamental and human rights. The Centre for Human Rights does not deal with complaints or other individual cases which fall under the remit of the highest legal supervisory body.

#### Ombudsperson

##### The Parliamentary Ombudsman

The Parliamentary Ombudsman can be contacted if it is suspected that authorities or officials have not complied with the law or fulfilled their obligations. For example, it is illegal to violate fundamental rights. Anyone can complain to the Ombudsman. The complaint may relate to a matter concerning the complainant, but it is also possible to complain on behalf of another person or jointly with others. The Ombudsman investigates the complaint if there are reasons to believe that an authority has acted illegally. Complaints are investigated free of charge. As part of the investigation, the Ombudsman hears the person or the authority targeted by the complaint. In addition, he requests reports and statements from various authorities and can, if necessary, order inspectors from his office to conduct investigations. Complaints are investigated free of charge.

Of the various measures available to the Ombudsman, the most severe is a criminal prosecution of malfeasance. As an alternative to this, the Ombudsman can issue an official reprimand to the official concerned. In most cases, he expresses his view as to how

the procedure followed has been illegal or involved negligence and issues a reminder about correct procedure. The Ombudsman can also make a proposal for remedying the error and draw the attention of the Council of State to shortcomings that he has observed in legal provisions or regulations.

### **The Office of the Parliamentary Ombudsman**

Street address: Arkadiankatu 3, Helsinki

Postal address: 00102 Parliament

Website: <https://www.oikeusasiames.fi/fi/> />

Telephone: (09)\*4321

Fax: (09) 432 2268

E-mail: [eoakirjaamo@eduskunta.fi](mailto:eoakirjaamo@eduskunta.fi)

### **Chancellor of Justice**

The Chancellor of Justice can be contacted in a matter that directly concerns the complainant or in any other matter, should the complainant believe that authorities, officials or other persons or bodies performing public functions have acted incorrectly or neglected their obligations, or that a member of the Bar has neglected his or her obligations. In addition, anyone who believes that a fundamental right or human right guaranteed under the Constitution has not been observed can contact the Chancellor of Justice. Legally trained personnel process the complaints and obtain any necessary supplementary documentation. The complainant is usually provided with an opportunity to file a reply to the respondent. The complainant will then receive a written decision by mail. The services of the Office of the Chancellor of Justice are free of charge to the complainant.

If it is found that a procedure was illegal or incorrect, the Chancellor of Justice can issue a reprimand to the official or instructions on the proper procedure for future reference. In more serious cases, he can order charges to be brought against the official. If he deems it necessary, the Chancellor of Justice has the power to propose that provisions or instructions be amended, a court ruling be annulled or some other extraordinary appeal be made. An investigation carried out by the Chancellor of Justice may in itself result in the authority or official correcting their own error.

### **The Office of the Chancellor of Justice**

Street address: Snellmaninkatu 1, HELSINKI

Postal address: P O Box 20, 00023 GOVERNMENT

Website: <https://www.okv.fi/fi/>

Telephone: (09) 16001

Fax (09) 160 23975

Registry: (09) 160 23950

E-mail: [kirjaamo@okv.fi](mailto:kirjaamo@okv.fi)

Information: (09) 160 23955

E-mail: [tiedotus@okv.fi](mailto:tiedotus@okv.fi)

### **Specialised Human Rights Bodies**

#### **The Ombudsman for Children**

The following duties of the Ombudsman for Children are laid down by law:

- Monitoring the welfare of children and young people and the implementation of their rights
- Influencing decision-makers from a child's perspective
- Maintaining contacts with children and young people and conveying information received from them to decision-makers
- Conveying information concerning children to professionals working with children, authorities and the public
- Developing cooperation between those responsible for child policy
- Promoting the UN Convention on the Rights of the Child.

#### **The Office of the Ombudsman for Children**

Vaasankatu 2

40100 Jyväskylä

E-mail: [✉ lapsiasiaavaltuutettu@stm.fi](mailto:lapsiasiaavaltuutettu@stm.fi)

Fax: (014) 337 4248

Website: [✉ http://www.lapsiasia.fi/](http://www.lapsiasia.fi/)

## Equality Body

### The Ombudsman for Equality

The Ombudsman for Equality is responsible for: supervising compliance with the Act on Equality between Women and Men and the prohibition of discrimination and discriminatory job advertising, in particular; promoting the objective of the Act by means of initiatives, advice and guidelines; providing information about the Equality Act and its application; and monitoring the implementation of equality between women and men in different sectors of society. In addition, the Ombudsman for Equality supervises the implementation of the protection of gender minorities against discrimination.

### The Office of the Ombudsman for Equality

Postal address: PO Box 33, FIN-00023 Government

Street address: Meritullinkatu 1, 00170 Helsinki

Counselling line: (09) 1607 3248 (Mon - Thu 9 - 11 and 13 - 15, Fri 9 - 12)

Registry: Tel. (09)1607 4427

E-mail: [✉ tasa-arvo@stm.fi](mailto:tasa-arvo@stm.fi)

Fax: (09) 1607 4582

Website: [✉ https://www.tasa-arvo.fi](https://www.tasa-arvo.fi)

### The Ombudsman for Minorities

The basic task of the Ombudsman for Minorities is to improve the position, equality and legal protection of ethnic minorities and foreigners and promote good ethnic relations in Finland. The Ombudsman also acts as the national rapporteur on trafficking in human beings. You can contact the Ombudsman for Minorities if, for example, you have experienced or witnessed ethnic discrimination.

In cases of discrimination, the Ombudsman for Minorities can

- offer guidance and advice, make recommendations or take initiatives to ensure discrimination is not continued or repeated
- take measures to achieve reconciliation between the parties involved
- ask the authority or entrepreneur suspected of discrimination to provide a clarification
- impose a penalty payment if the authority or person suspected of discrimination does not provide the clarification requested
- take or help the client take the case to the National Discrimination Tribunal of Finland.

### Office of the Ombudsman for Minorities

Street address: Mikonkatu 25, Helsinki

Postal address: PO Box 26, 00023 GOVERNMENT

Customer service number: 071 878 8666, weekdays 10-12

Switchboard: 071 878 0171

E-mail: [✉ ofm@ofm.fi](mailto:ofm@ofm.fi)

Website: [✉ https://www.syrjinta.fi/](https://www.syrjinta.fi/)

## Data Protection Body

### Data Protection Ombudsman

The Data Protection Ombudsman is responsible for reviewing and resolving cases concerning the use of personal data and credit information according to the provisions of the Personal Data Act and the Credit Information Act and for handling other duties resulting from the aforementioned acts. The Data Protection Ombudsman is also responsible for monitoring general developments in the use of personal data and credit information and for intervening where necessary. Moreover, the Data Protection Ombudsman informs the public about personal data and credit information issues and participates in international cooperation relating to the use of personal data. (Act on the Data Protection Board and Data Protection Ombudsman 27.5.1994/389)

The Data Protection Ombudsman's statements containing guidance and advice related to the processing of personal data are not binding decisions. The decision-maker in such matters is the Data Protection Board, to which the Ombudsman can bring cases where a controller does not follow the Ombudsman's instructions. The Ombudsman can also order charges to be brought in a case.

Furthermore, the Data Protection Ombudsman makes decisions concerning the implementation of the rights of data subjects. To a great extent, compliance with the Personal Data Act is ensured by allowing individuals to verify what data on them have been collected and stored and if necessary to ask the Ombudsman to investigate any suspected violations. This way the data subject can also see to it that the registered data are accurate. As regards implementing the right of verification and correcting personal data, the decisions of the Ombudsman are binding and subject to appeal.

### **Office of the Data Protection Ombudsman**

Postal address: PO Box 315, 00181 Helsinki

Street address: Albertinkatu 25A, 3rd floor

Website: <http://www.tietosuoja.fi/fi/>

Telephone: 010 36 66700

Fax: 010 36 66735

E-mail: [tietosuoja@om.fi](mailto:tietosuoja@om.fi)

### **Other**

#### **Legal aid**

The purpose of legal aid is to give individuals the possibility to obtain professional legal assistance fully or partly at the expense of the state. Legal aid covers all legal matters. However, legal aid is usually not granted if the applicant has legal expenses insurance that covers the expenses of the case in question. In criminal proceedings, the defendant is under certain circumstances entitled to a public defender paid for by the state, regardless of his or her financial status. The victim of serious violent crime or sexual crime can be provided with a trial counsel at the expense of the state, regardless of his or her income. Legal aid is not available to companies or corporations. In matters pending abroad, legal aid covers the costs of legal advice.

In court proceedings, legal aid is offered by Public Legal Aid Attorneys, Advocates and other lawyers; in other matters, legal aid is provided by Public Legal Aid Attorneys, who work in State Legal Aid Offices. These Offices are normally located in the same municipalities as the District Courts. The contact information of the State Legal Aid Offices can be found at <https://oikeus.fi/fi/index/yhteystiedot.html>.

#### **Refugee Advice Centre**

The Refugee Advice Centre is an NGO that provides legal aid and advice to asylum seekers, refugees and other foreigners in Finland. The Centre also works to promote the position of asylum seekers, refugees and other immigrants in Finland and follows the asylum and refugee policy of the European Union.

Website: <http://www.pakolaisneuvonta.fi/>

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