

ANNEX E.6

TEMPLATE FOR DRAFTING YOUR FRAMEWORK DOCUMENT

1. Dialogue mechanism put in place

In Finland, the “ad hoc working group” has been the Steering Committee of the ongoing Equality is Priority 3 -project, and consists of the representatives of the project partner organisations. The following types of organisations have been represented: national authorities, umbrella and human rights NGOs representing different grounds of discrimination, self-governance and dialogue-promotion bodies, National Equality Body, national implementing body of the 2007 EYEO and the Progress antidiscrimination contact point. The members of the WG have represented the following grounds of discrimination: ethnic origin (the Sámi People, the Roma and immigrant back-grounded population), disability, sexual orientation and gender identity (LGBT persons), age, religion and multiple forms of discrimination.

The members of the ad hoc WG are: Ms Sinikka Keskinen, Progress anti-discrimination contact point from Ministry of the Interior; Ms Seija Jalkanen from the Ministry of Employment and the Economy, Ms Kirsti Laine from Ministry of Education; Ms Riitta-Maija Jouttimäki from Ministry of Social Affairs and Health; Mr. Niklas Wilhelmsson from Ministry of Justice; Mr. Veli Särnäkari from Finnish Defence Forces; Mr. Klemetti Näkkäläjärvi from Sámi Parliament; Ms Janette Grönfors from Advisory Board for Roma Affairs, Nevo Roma (member NGO); Mr. Atanas Aleksovski from Advisory Board for Ethnic Relations (immigrant NGOs); Ms Mirella Huttunen from Finnish Youth Cooperation Allianssi (umbrella for youth NGOs); Ms Johanna Pihlajamäki from Sexual Equality SETA; Ms Pirkko Mahlamäki from Finnish Disability Forum; Mr. Okan Daher from Islam Parish of Finland; Ms Yrsa Nyman from the Ombudsman for Minorities (equality body), Ms Elina Nivala from the Ombudsman of Children and Ms Milla Aaltonen from Finnish League for Human Rights.

The ad hoc WG has held 2 meetings to prepare the proposal for a project to be co-funded under the Call VP/2010/008. In addition, a consultation process has been carried out by e-mail and by individual meetings with the co-funding ministries. As soon as the Call had been published the national antidiscrimination contact point prepared a written summary in Finnish on the objectives, priorities and practical details of the Call and sent it by e-mail to the members of the WG for further discussions with their background communities. During the SC/ad hoc WG meeting on March 22, a presentation on the Call for Proposals was given by using a PowerPoint-presentation prepared for the purpose. Preliminary discussions on the objectives and priorities to be set took also place during this meeting. It was agreed that all members will send their concrete proposals by the 9th of April and a separate planning meeting will be organised on the April 19.

For the planning meeting, the antidiscrimination contact point had prepared a “Suggestions Paper”, where the initiatives made were further developed and placed under five priorities: Equality mainstreaming, Measurement of discrimination, Multiple discrimination, Diversity management in the public and private sectors and Disability. During the ad hoc meeting on the 19th of April, the “Suggestions Paper” was thoroughly discussed, priority actions selected and decisions on the next steps and timetable made. Ministries and the Defence Command Finland were also requested to confirm their possibilities to provide co-funding for the project by the end of April. The first draft on this Framework Document was sent for a commentary round on the 23rd of April.

The contents of the discussions and commentary rounds could be summarised as follows:

- Equality mainstreaming is in the current situation the first priority in Finland. The methods and tools for equality mainstreaming have been developed both by national activities and Community instruments, especially equality planning. Since the proposal for a new anti-discrimination law in Finland includes the obligation for all employers with at least 30 employees hired on a regularly basis to make an equality plan, there is a need to develop equality planning in the private sector, enterprises and NGOs. Some of the initiatives made by the members of the ad hoc WG could be combined under one single component to promote equality mainstreaming by training and preparing tools for equality planning and social responsibility policy. The special emphasis would be on youth organisations, sports and culture.
- The impact assessment of legislation is another equality mainstreaming tool, which is currently under development in Finland. The results of the developing process should ensure the participation of the civil society actors representing different grounds of discrimination in legislative processes. Furthermore, impact assessment should be promoted by training instruments and programmes.
- Two major programmes, Roma Policy Programme and National Policy Programme on Disability will be implemented during the next few years. In both programmes the role of the NGOs representing the above-mentioned groups is remarkable but tools and resources to guarantee their actual participation are insufficient. Since the participation of the discriminated groups is one of the most important equality mainstreaming tools, capacity within NGOs representing them has to be built. Furthermore, awareness should be raised on these two programmes among “general public”, not just within narrowly targeted audiences.
- Measurement of discrimination was identified as the secondly important priority by the ad hoc WG. It was seen that the ongoing process to establish Local Advisory and Reporting Points on discrimination should be continued for at least another year. Training of local rapporteurs and counsellors is a long-term process, which involves a large number of different actors: local authorities, NGOs and social partners.
- Information on discrimination at workplaces and on job advertisements was gathered last year by the National Monitoring Group on Discrimination. The results of the study launched by the Ministry of the Interior, which leads the Monitoring Group, reveal that very little is actually known and done on discrimination in recruitment. The Ministry of Employment and the Economy launched also a special study on data concerning discrimination in recruitment and the methods for studying it. All members of the ad hoc WG agreed on the importance to carry out an experimental study on discrimination in recruitment. Since this type of a study would be very expensive, targeted funding should be sought from other sources as well.
- Diversity management in the public and private sectors is very timely in Finland. During the 2007 EYEO, activities to train on diversity management were carried out but not as successfully as expected. Diversity management –component could involve several sectors including enterprises, Defence Forces, police administration, universities and business schools.
- Parliamentary elections will take place in Finland in spring 2011. One of the main topics of debate will probably be migration policy. Groups that call themselves “migration critics” are extremely visible in different social media forums and right wing politicians are predicted to achieve a victory. When the ad hoc WG last year decided to give up Diversity Day format, it was planned to be reformed for the 2010-2011 project e.g. by targeting it to political parties and the Parliament. However, it is possible that separate funding would be available for organising Diversity Day during the first quarter of 2011, just before the elections. It was decided that a DD would not be included in the project this time either.
- It was decided that gender mainstreaming and gender impact assessment would be carried out concerning each component and activity included in to the project proposal. Gender would be included into project activities only on a multiple basis, e.g. into the study on discrimination in recruitment.
- It was also decided that accessibility will be ensured and promoted by each component and activity by reserving additional resources and by making accessibility assessment concerning

the proposal as a whole. Accessibility guidelines would also be prepared for the project actors by the project administration.

2. National situation and priorities for 2010-2011

a) National context

The Committee set by the Ministry of Justice gave a proposal for a reformed antidiscrimination legislation in December 2009. The Committee had altogether 62 meetings and the proposal given includes several disagreement opinions. The Committee established two sub-groups to prepare and discuss practical matters: employment WG and Civil Society WG. The grounds of discrimination covered by the proposal are: age, ethnic origin, nationality, language, religion, belief, opinion, political activity, trade union activity, family relations, state of health, disability, sexual orientation and any other comparable reason. As planned, the proposed act would give equal protection against discrimination to all grounds and in different areas of life. Gender equality including gender minorities would be protected by separate gender equality legislation. The national equality bodies would be Ombudsman for Equality (all other grounds except gender) and Ombudsman for Gender Equality. The Committee's proposal is currently on an extensive commentary round.

A new law on services for the persons with disability has been in force from the beginning of September 2009. The law increases remarkably the independency of persons with severe disability by providing them a subjective right to personal assistance including free-time activities and social interaction. The proposal for the National Policy Programme on Disability has been given at the end of March 2010. An extensive commentary round will be organised during the spring. The Programme proposal includes also sector-base Action Plans. The Programme includes activities to 1) make the necessary legislative changes in order to enable the ratification of the UN Convention on the Rights of the Persons with Disability; 2) improve the socio-economic situation of the person with disability and combat their social exclusion; 3) guarantee the availability and good quality of specific services and supportive measures in different regions of the country; 4) strengthen and increase the accessibility in the society as a whole; and 5) strengthen research, data collection and developing of monitoring tools and methods.

The law on internal adoption of children for registered same-sex partners, which enables partners to adopt each other's children, was accepted by the Parliament. The law entered into force at the beginning of September 2009. A number of families already applied for the adoption. Local authorities are responsible for advisory services on the adoption process, which, according to NGOs, has been well organised e.g. in Helsinki. Some local authorities buy the above-mentioned advisory services from a child protection NGO. The process to establish national structures for the implementation of the Council of Europe recommendations on measures to combat discrimination on grounds of sexual orientation and gender identity has also started in Finland. The Ministry for Foreign Affairs has established a working group of experts to prepare the structures and measures to implement the recommendations.

The operational possibilities for registered religious communities have improved since 2009. Finland has two official churches, the Evangelic-Lutheran and the Orthodox churches, both of them having taxation rights. According to the newly adopted procedure, registered religious communities can be provided funding for their operational costs from the state budgetary funds (Ministry of Education).

The Roma Policy Programme was adopted by the Government late in 2009. The vision of the Programme is that Finland will be in 2017 a forerunner in Europe in promoting the equal treatment and inclusion of the Roma population. The overall objective of Finland's first national policy on Roma is to promote the inclusion and equal treatment of the Roma in different spheres of life by mainstreaming the promotion of equal treatment and non-discrimination into different functions in society. The main areas addressed by the Programme are pre-school education and day care, basic and further education, adult education and employment, access and equal treatment in public services, Roma language and culture, promotion of equality and combating discrimination, self-representation, and active participation in international Roma policy.

The Ministry of the Interior gave in March 2010 new Recommendations on Equality Planning. The Recommendations emphasise the implementation of the Plans, and therefore Plans, which include concrete measures and activities, are prioritised. A Planning Guide was published at the same time to support the process. A related comprehensive training and information sharing process will be carried out this year. The Guide and the training process are supported by the ongoing Equality is Priority 3 – project.

The role of NGOs continues to be strong in the implementation of activities to promote equality and combat discrimination. Social partners have actively participated in employment related equality promotion activities as well. Both NGOs and social partners played an active role in the work of the Committee established for the reform of equality legislation. However, these two “groups” had differences of opinion similar to those that have come up in connection to the Commission’s proposal for the new directive.

b) Needs at national level

In Finland, there is a clear need to reform the existing antidiscrimination legislation, and it will be seen whether that will be possible during the current parliamentary period. The most important objective, in general, is to develop national antidiscrimination policy to combat discrimination and promote equality beyond legislation by creating and strengthening methods and tools for equality mainstreaming. Efforts have been made especially concerning equality planning, although there are still needs to develop it qualitatively and quantitatively. The need to extend equality planning and other equality promotion tools to the private sector is also obvious. Concerning civil society actors, equality planning themes combined with other training and awareness-raising methods would be timely, since initiatives and some experimental pilots have already been carried out by umbrella NGOs.

Another equality mainstreaming tool, equality impact assessment, needs to be further promoted. Good practices, manuals and guidebooks have been prepared for the mainstreaming of gender in equality, which is also one of the main objectives of the Government Policy Programme on Gender Equality. The process for developing equality impact assessment in legislative processes has also started. In order to achieve concrete results, training on equality impact assessment in legislative processes should be planned and organised, and practical tools like guidebooks and manuals prepared and disseminated.

The third equality mainstreaming tool, which has been identified both by the ad hoc WG and other equality experts in Finland, is the promotion of the participation of discriminated groups in the design, implementation and monitoring of legislation, policy programmes and other strategic processes. Two governmental programmes, Roma Policy Programme and National Policy Programme on Disability, have recently been given and their implementation will start after the monitoring instruments are put in place. Targeted support is needed in order to enable the full participation of the two minority groups in the implementation processes. NGOs from both groups have expressed their fear that the necessary resources (human and financial) for their participation in the implementation process will not be available, which will lead to the situation that instead of “subjects” they will be “objects”. The visibility and own activities of the two groups need to be supported by capacity building. Good practices to do this have already been developed in previous awareness-raising projects and can be repeated in this context.

The participants of the Equality Mainstreaming Seminar in Helsinki came into the conclusion that changing circumstances, which act as barriers to the realisation of equality for the groups exposed to discrimination, is very important for making equality mainstreaming processes successful. Furthermore, if the support for equality from the general population and from politicians is low, it can create invincible barriers for equality mainstreaming. According to several studies, e.g. a recent study on the barriers for accessing employment, negative stereotypes related to the Roma have a great impact on recruitment processes. In order to create better circumstances to the realisation of equal opportunities for the Roma, measures must be taken to break these negative stereotypes. For general awareness-raising, the best media in Finland is TV, since it reaches all social and population groups.

In order to make the first Roma Policy Programme generally known, and give the Roma “own voice” in breaking stereotypes related to them as a group, a national media programme should be designed and carried out.

The support for the victims of discrimination is still very limited outside Southern-Finland, since all umbrella NGOs, which provide advisory services, as well as the national equality bodies are placed in Helsinki. At the same time, there is a need to gather up-dated information on the equality situation at local level outside the capital area. The information gathered by NGOs on discrimination cases was mapped in late 2008 with a conclusion that there are various ways to gather it, and although it would not be commensurable and systematic, it is a very valuable source of information for monitoring the principle of non-discrimination. In order to have equal opportunities for counselling and monitoring on discrimination all over the country, a process to establish a network of advisory services and monitors/rapporteurs was included in the ongoing Equality is Priority 3 –project. Training of local actors all over the country is a long-term process, which has started well and needs to be continued.

The Ministry of Employment and the Economy launched last year a study on the existing methodologies used for testing and data collection on discrimination in recruitment. On the basis of the findings, a methodology called “Situation testing” has proved to be effective in some countries. The results of the study also reveal that very little data and studies are available in Finland on discrimination in recruitment. In order to fill this gap, an experimental and broad-base study should be made. NGOs representing different grounds of discrimination see it utterly important to make discrimination in recruitment visible, since it is very difficult for a victim to provide proof on such discrimination. Furthermore, many groups reported that discrimination in recruitment is the most common form of discrimination in employment.

There is a momentum in Finland for sharing information and training on diversity management in the public and private sectors. Public sector organisations have widely recognised the need for capacity building in this area especially in organisations, which traditionally are rather hierarchic. The need for a change is partly caused by the new challenges brought by the change in customer/client structure, and partly by the need for diverse labour force in these organisations. In the business sector, the interest in diversity management is caused by the same background reasons. In addition, private companies have got more aware of the economic benefits of diversity, and are also worried about the forthcoming shortage of labour force followed by the improvement of the economic situation. Diversity management themes have been prioritised by social partners for the promotion of equality, and there are already networks that can be utilised for campaigning and awareness-raising.

c) Lessons learned from other EU supported activities

The lessons learned from the implementation of the 2007 EYEO were widely analysed in the Framework Documents of the 2008 and 2009 applications. Most of the achievements are still remarkable and have been further developed. Concerning 2010-2011 activities, the experiences and concept of the EYEO visibility campaign, which reached the audience of more than 20 million people watching TV, can be utilised when designing the media campaign on the Roma Policy Programme. The same concerns the experiences on working in partnership of social partners and NGOs in the field of diversity management.

The 2010-2011 proposal is structurally built on the achievements and corner stones of the previous national awareness-raising activities: horizontal approach covering all grounds of discrimination, the broad-based Steering Committee/ad hoc working group, national antidiscrimination portal www.equality.fi as a tool to disseminate up-dated information and publish data, co-operation of NGOs representing different discrimination grounds and diversity work already carried out in different branches of administration. Transnational antidiscrimination projects, co-ordinated by Finland under the Community Action Programme to combat discrimination; have also brought valuable experience, which can be utilised by the proposed activities.

Some of the activities, which have been started by the ongoing project, need to be continued. This concerns especially the establishment of Local Advisory and Reporting Points, which have already created wide enthusiasm within local authorities and NGOs country-wide. . The 2010-2011 activities

build on experiences of the ongoing activities. Already during the proposed second year, some localities are planned to be included in the advisory and reporting network at their own costs. The final objective is to make the local activities sustainable and find national funding for the purpose on a permanent base.

The Ministry of Employment and Economy has during the past two projects co-funded under the Progress Programme built a network of actors, which will play an important role in the activity proposed under the priority "Diversity management in the public and private sectors". The proposed activity will base also base on the results of the ongoing process for mapping good diversity practices in big companies and testing their transferability to the public sector.

Co-operation with the "For Diversity, Against Discrimination" –campaign has produced plenty of good and beneficial experiences, as well. It has e.g. supported Discrimination Free Zone – initiative to grow-up and get new visibility in a way, which has brought new needs and challenges to develop and extend the initiative. In the proposed action, the experiences of the 2007 EYEO concerning sports and the Discrimination Free Zone –campaign will be utilised in equality mainstreaming process targeted especially at youth and sports organisations. In addition, the contents and reports of the various seminars and other events on equality and non-discrimination organised by the Commission under the Progress Programme have been utilised in the design of the proposed project. Events and materials produced by EU agencies, especially the Fundamental Rights Agency, have also contributed to the design of the project.

It should be mentioned that some of the identified challenges to combat discrimination in Finland have been met by nationally funded activities or by utilising other Community instruments. This concerns e.g. the increase of hate crimes, hate speech on Internet as well as discrimination and violence against visible ethnic minorities. Thus, the proposed activities are not overlapping with any other nationally or Community co-funded activities.

d) Priorities for 2010-2011 (max. 2 pages)

The ad hoc WG has identified four priorities: equality mainstreaming, measurement of discrimination, diversity management in the public and private sectors and disability.

Equality mainstreaming was identified as the 1st priority. Although progress has been made during the past few years in developing methods and tools, further efforts are needed especially for 1) equality impact assessment of legislation, and 2) to promote the participation of the groups exposed to discrimination in the design, implementation and monitoring of strategic and policy processes in the society. Furthermore, there is a need to 3) expand and develop equality planning concept, equality education and other awareness-raising tools among civil society actors. In order to make good achievements in equality mainstreaming, 4) barriers caused by the lacking support from the general population have to be overcome by breaking negative stereotypes and prejudices.

Measurement of discrimination was identified as 2nd priority. Finland has established a national system of monitoring on discrimination. The system is co-ordinated by the Ministry of the Interior and led by a broad-based Monitoring Group, which has identified the major needs for data and information collection as follows: i) basic data on the living conditions of the Sámi People and the Roma; ii) establishment of regional and local reporting systems, and iii) developing measures to collect information on discrimination in working life. The ad hoc WG was unanimous that the process to establish local victims' support and reporting system, which has started in November 2009 under the ongoing Progress project, should be continued at least for another year. The training of advisers and rapporteurs country-wide, the establishment of a reporting system and sharing information on the services within different groups exposed to discrimination (all grounds of discrimination) are time-consuming. In addition, national funding for the purpose can be expected, when these methods have been tested and the need for this kind of activity has been proven.

In 2009, two studies were conducted, which showed that data and research on discrimination in recruitment in Finland is needed. Furthermore, NGOs representing different groups have reported that

one of the biggest problems in accessing employment is discrimination in recruitment situations. In order to make discrimination visible and change employers' practices in recruitment situations, a broad-base experimental study should be carried out. Since the cost level of this type of a study is high, funding from national sources would be gathered as well.

Diversity management in the public and private sectors was identified as the 3rd priority. There are already operational networks for campaigning, awareness-raising and information sharing, and the interest to develop diversity strategies has remarkably grown especially within private companies and social partners. The activity could benefit both from the already developed European level materials and from the work carried out during the 2009 project in Finland.

The major tool to implement both the European Disability Action Plan and the UN Convention on the Rights of Persons with Disabilities in Finland will be the National Policy Programme on Disability. In order to enable person with disability and their organisations to fully contribute to the implementation process, capacity has to be built among NGOs established by them, and concrete supportive measures targeted at strengthening their participation.

3. Link between national priorities and proposed action(s)

We propose that the following activities would be supported by the European Union under the call VP/2010/008:

1. Equality mainstreaming

Equality impact assessment of legislation

An Expert Group will be established covering different branches of administration and NGOs representing different grounds of discrimination. The Expert Group will develop and test impact assessment indicators, prepare a Guidebook for Equality Impact Assessment and organise training for the staff responsible for legislative work in different ministries.

Promotion of the participation of discriminated groups

A capacity building programme will be organised for Roma NGOs and disability NGOs in order to ensure their full participation in the implementation of the Roma Policy Programme and the National Policy Programme on Disability. Programme contents will be partly separate and partly integrated. The programme consists of 1) training on the contents of the above-mentioned policy programmes; 2) design and implementation of NGO-based micro-projects related to the above-mentioned programmes; 3) general equality and human rights education covering all forms and grounds of discrimination, and 4) media training. Four training sessions will be organised over weekends on the above-mentioned topics. In addition, each NGO will design and implement its own project, which is targeted at awareness-raising and information dissemination on the selected topic included in the concerned policy programmes. Concerning NGOs established by persons with disabilities, this project component is common for two priorities "Equality mainstreaming and "Disability".

Breaking stereotypes that create barriers for equality mainstreaming

A media campaign will be carried out for breaking negative stereotypes that create barriers for Roma participation, employment and equal treatment in services. The campaign consists of 8 mini-documents and TV-spots, which introduce Roma in different life situations, tasks and sectors of the society. The spots/documents will be broadcasted by the Finnish Broadcasting Company YLE in two national TV channels as intervals and as independent programmes. On the basis of the good experiences from the 2007 EYEO diversity campaign, the spots and documents will follow a kind of advertisement-style of presentation and avoid info-clip type of "preaching". The documents and spots are expected to reach several million viewers covering all population groups. DVDs will be prepared as well for training purposes and all material placed on Internet.

Equality planning, equality education and awareness-raising for civil society organisations

A project component will be carried out to expand and modify equality planning -concept and equality education within civil society organisations, and to study experiences of discrimination and barriers

for minorities in accessing activities organised by them. Special emphasis will be on youth and sport organisations. Regional workshops will be organised to raise awareness and share information for NGOs on equality planning and social responsibility policy. Awareness-raising sessions will be organised in connection to sport and youth events all over the country to encourage NGOs and sport clubs for recruiting members and targeting events at persons belonging to different minorities. Discrimination Free Zone – concept will also be presented as a tool to increase the acceptance of diversity. A mapping exercise will be carried out in order to gather information on barriers of participation for different minorities in sport and youth activities organised by NGOs/sport clubs.

2. Measurement of discrimination

Local Advisory and Reporting Points on Discrimination

The establishment of Local Advisory and Reporting Points on Discrimination has been started successfully under the 2009 project by the establishment of three 1st Points in the cities of Turku, Tampere and Kotka, by testing the model and by training local actors. It is necessary to continue the process, since the creation of the model will not be completed by the end of the 1st operational year. The 2nd year activities include establishment of three new Points, finalisation of the reporting model for the Points as well as the creation and testing of a reporting form for actors in the localities, where Points will not be established. Furthermore, training and evaluation sessions will be organised nationally and regionally.

Experimental study on discrimination in recruitment

A study on discrimination in recruitment will be launched following the ILO developed model of “situation testing”. Of different grounds of discrimination, the study will cover ethnic origin and age; gender will be included on a multiple basis. The results of the study will be published as a book, and widely disseminated through existing networks, internet and by organising a national seminar and a press conference. The results will also be utilised in discussions with companies and other employers.

3. Diversity management in the public and private sectors

An awareness-raising campaign targeted at SMEs and the public sector will be designed and carried out in order to share information on the European level studies, experiences and good examples on the benefits of diversity. Diversity charters or commitments will be launched as well. The campaign will be designed and implemented by the network of different actors: Ministry of Employment and the Economy, social partners, business networks, chambers of commerce, business schools and universities, NGOs etc. Mapping exercise on the contents and coverage of diversity management studies in the universities and business schools will be executed. Tools and indicators to measure economic benefits of diversity will be established and published.

4. Disability

Activities to promote the implementation of the European Disability Action Plan and the UN Convention on the Rights of Persons with Disabilities have been included under priority “Equality mainstreaming”. In addition, a National Roundtable with workshops targeted at NGOs established by persons with disabilities, will be organised. The topic of the Roundtable will be related to the participation of persons with disabilities in the design, implementation and monitoring of legislation, policy instruments, strategies, structures.

Date and signature of the PROGRESS antidiscrimination contact point: