

14th session of the Open-ended Working Group on Ageing
Replies by the Government of Finland to the guiding questions
11 April 2024

Guiding questions on the normative content related to social inclusion

According to the Constitution of Finland (731/1999), public authorities shall guarantee inviolability of human dignity, freedom and rights of individuals, promote fairness in society, and provide educational services in accordance with person's ability and special needs and opportunity to develop themselves without being prevented by economic hardship.

The Non-discrimination Act (1325/2014) promotes equality and prevents discrimination and improves legal protection for victims.

The Act on Supporting the Functional Capacity of Older Persons and Social and Health Services for Older Persons (980/2012) defines services and rights for older persons.

The Act on Liberal Adult Education (632/1998) provides education by supporting cohesion, equality, and active citizenship based on lifelong learning. Self-motivated learning, communality and inclusion are also emphasized.

According to the Social Welfare Act (1301/2014) social services must be organised to combat social exclusion and promote inclusion. The objectives of social work and social guidance include promoting wellbeing and inclusion. Home care is a priority for as long as older persons can live at home safely and independently through various support measures. The Act requires attention to strengthening independence and defines support services that create and maintain conditions for performing everyday life functions as independently as possible, and services that enable to produce wellbeing in person's life. These allow elderly to participate in and be an active member of the entity.

The Act also stipulates that 24-hour service housing includes treatment and care independently of individual needs, activities maintaining and promoting functional capacity, meals, clothing maintenance, cleaning and activities that promote inclusion and social interaction. Implementation of sheltered housing must respect person's privacy and support participation.

Provisions on the older people's Council at national level are in the Act on Wellbeing Services Counties (611/2021) and municipal level in the Act (410/2015).

The Constitution, governmental steering documents, policy programmes and projects regulate and ensure that cultural activities at large are part of older persons' everyday life. Culture is perceived as part of a holistic view on preventive actions together with *i.e.* nutrition and physical activity enhancing the functional capacity of older person, consequently improving quality of life, and minimizing need of health and social services.

The Quality Recommendation to guarantee active and functional ageing and sustainable services for 2024–2027 recommends that municipalities, wellbeing services counties and organizations create structures and operating practices for digital support and to develop and implement user-driven, technology-based services that support active participation and inclusion.

Digital support covers, for example, support for learning to use a digital device or service, solving individual digital problems, advising on acquiring new digital devices or introducing services. Access to digital support must be ensured for everyone, as older persons, especially those who are remote from digital development, may not be able to cope independently using technologies and electronic services as a whole. Digital support is also provided by public libraries. The Government Programme (2023-) measures aims at preventing digital exclusion, takes into account the needs of different user groups and facilitates the use of digital solutions.

It also recommends to recognize the importance of arts and culture to support functional capacity and rehabilitation as well as to integrate cultural well-being activities into multidisciplinary activities and the promotion of wellbeing of elderly in order to enable them to lead a high-quality, independent and meaningful life and ensure the realization of cultural rights.

The National Programme on Ageing 2030 — For an age-competent Finland, from 2020 was prepared for population ageing. It defines a shared direction and a set of approaches for examining matters across administrative branches and beyond government terms. One of the aims is to promote safe living at home with increased cooperation between different sectors including culture, physical activity, transport and food services.

An appropriation for health promotion supporting older persons' functional capacity and coping at home provides discretionary government grants for health promotion. The activities must support the implementation of the Action Plan for Promoting wellbeing, health and safety 2030. One of the prioritized areas is to introduce and develop cultural content that improve the quality of life of older persons, to make life meaningful and to strengthen meaningful experiences, to improve and maintain functional capacity and participation experience, to increase and intensify proactive activities.

The obligations laid down in the Act on the Promotion of Sports and Physical Activity (390/2015) and the Act on Cultural Activities in Local Government (166/2019) are implemented by liberal adult education institutions. The statutory task of various study centres is to act as national educational institutions for civic organizations by organizing studies to promote lifelong learning, wellbeing, active citizenship, democracy, and the activities of civil society.

According to 2022 Citizen Survey, society's negative attitudes towards old age and hidden age discrimination are a challenge. Active NGO-work with elderly and strong democracy are seen as best practices.

Guiding questions on the normative content related to right to health and access to health services

The Constitution of Finland (731/1999) guarantees rights to social security, equality, access the necessary social and health services and to a social hub; everyone who is unable to provide security required for a decent life has right to essential subsistence and care. Public authorities must strive to guarantee everyone right to a healthy environment and opportunity to influence decision-making concerning their living environment.

The Act on Status and Rights of Patients (785/1992) and the Act on Status and Rights of Social Welfare Clients (812/2000) determine the right to receive appropriate healthcare and social welfare services of good quality. Alternatives must be provided in transparent and understandable manner. A patient/social welfare client shall be treated without violating his/her dignity, conviction or privacy.

Health and social services sector is restructured and responsibility for organizing services transferred from municipalities to larger health and social services areas. The key objective of the reform is to ensure quality of services and equal access. Majority of clients are older, which means that making

access to services more efficient and making their availability equal is of great importance to clients. Functional customer and service guidance has been developed, promoting timely referral to service and providing preventive lifestyle guidance that helps maintain functional capacity.

According to the Non-discrimination Act (1325/2014) no one may be discriminated against on the grounds of age, origin, nationality, language, religion, belief, opinion, political activity, trade union activities, family relationships, health status, disability, sexual orientation or other personal reasons.

Key impact objectives in National Programme on Ageing 2030 – For an age-competent Finland are to direct to older persons and risk groups preventive measures that improve functional ability, to extend functional ability and working careers of older working-age persons, especially in healthcare and social services, to increase and enable voluntary work, to ensure equality, more efficient coordination and economic sustainability of services for older persons, to increase the age-friendliness of housing and residential environments and to highlight the development and utilization of technology for ageing.

Key themes in the Quality Recommendation to guarantee active and functional ageing and sustainable services in 2024–2027 are promoting active ageing and working careers and functional capacity of older persons, participating in voluntary work, using technology in promoting wellbeing, housing and the age-friendliness of living environments, providing services in sustainable manner, using quality indicators for monitoring quality and effectiveness and making scenario calculations based on an estimated number of clients.

The purpose of promoting the Wellbeing, health and safety 2030 Government-resolution is to guarantee sustainable wellbeing for all, with four priority areas: opportunity for all to get involved, good everyday environments, measures and services promoting wellbeing and health and decision-making generates effectiveness.

According to the National Mental Health Strategy and Programme for Suicide Prevention 2020-2030, mental health is a key aspect of wellbeing and impacts a variety of sectors both socially and financially.

The Quality Recommendation for palliative care and end of life care states that all have right to high-quality palliative care regardless of their age, diagnosis, cultural background or place of residence.

The Act on Supporting the Functional Capacity of Older People and on Social and Health Services for Older People (980/2012) and the Social Welfare Act (1301/2014) lay down provisions on assessing needs for services. When making the assessment, client must be informed of his/her rights and obligations, and different alternatives to the provision of services and their impacts. Explanations shall be provided so that customer is sufficiently aware of its content and significance. The assessment of the need for services is carried out together with the client who is involved in the decision-making of services. The care and service plan will also be drawn up together, including clients decision on the implementation of the services.

The realisation of the rights of customers and patients must be monitored according to the Act on the Supervision of Social Welfare and Health Care Services (741/2023). If clients and family members consider that their rights are not realized, they should be instructed to contact the person in charge of the unit and the Social or Patient Ombudsman. If these means are insufficient, a written reminder shall be sent to the operating unit, which shall be answered in writing. It is possible to lodge a complaint against the reply with the Regional State Administrative Agency.

Surveillance has been continuously developed and intensified. For example, each service provider and producer must draw up a self-monitoring plan and monitor its implementation, including client's right to self-determination and decent and respectful behaviour towards another person.

Each wellbeing services county and municipality has a functioning older people's Council, which is statutory and involved in preparation of a plan to support elderly and in assessing adequacy and quality of services. In addition, several municipalities have client committees that plan and evaluate activities.

Guiding questions for the focus area on “accessibility, infrastructure and habitat” (transport, housing and access)

According to section 19 of the Constitution of Finland (731/1999) the public authorities shall promote the right of everyone to housing and the opportunity to arrange their own housing. Section 20 (Responsibility for the environment) emphasizes that the public authorities shall endeavour to guarantee for everyone the right to a healthy environment and for everyone the possibility to influence the decisions that concern their own living environment.

The Government implemented the Action Programme for housing of the older population in 2020–2022, which supported the forecasting and preparation of housing for older people and the development of age-friendly housing and living environments. The Housing Finance and Development Centre (ARA), municipalities and other organizations were involved in implementation. Housing development projects for the older persons were implemented with government aid in many local governments.

Repairing the housing stock is an important means of transforming housing to meet the needs of older residents. In 2024, the Government instruments include grants for renovation of older persons' dwellings and construction of new dwellings for older population, also when they need assistance. The grants to improve accessibility in the condominium residential buildings are available. Furthermore, various housing development projects are on-going with local governments and wellbeing services counties focusing on necessary improvement age-friendliness in the existing housing stock and new construction, as well as in residential environments.

The Land Use and Building Act (132/1999) supports older persons' opportunities to enjoy the physical environment. The objective in land use planning is to promote a safe, healthy, pleasant, socially functional living and working environment, which provides for the needs of various groups of persons, such as children, the elderly and persons with disabilities.

The new Construction Act will enter into force on 1 January 2025. A building shall be fit for its intended use and capable of being repaired, maintained and altered and, in so far as its intended use so requires, also be suitable for persons with restricted mobility or functional capacity. The guidance of construction shall take into account the basic premises of the construction guidance, e.g. the construction object or site shall be fit for purpose and promote a healthy, safe and comfortable living environment that is high in quality, socially functional and aesthetically harmonious. Those undertaking a construction project shall ensure that the building and its yard and recreational areas are designed and constructed as required by their intended use, especially in terms of accessibility and usability for children, older persons, persons with disabilities and those with restricted mobility or functional capacity.

The Government Decree on Accessibility of Buildings (241/2017) specifies the requirement of the Building Act concerning accessibility. The requirements for dwellings intended for service housing or supported housing of a person with mobility and functional impairment differ from those for ordinary dwellings.

The Evaluation of the Act on the Maintenance and Cleaning of Streets and Certain Public Areas (547/2005) identified the ageing of the population as one of the drivers of change in the operating environment and noted that legislation should ensure that older people can live at home and their opportunities for physical activity and participation.

The EU passenger rights regulations include provisions concerning the rights of persons with disabilities and mobility-impaired individuals. These rights encompass the entitlement to assistance during specific public transport journeys. In 2023, Finland released a vision for an accessible transport system, which serves as a national target for enhancing the accessibility of the transport system and digital transport services. According to this vision, every individual is entitled to a journey that they can plan and execute smoothly, safely, and independently. The fundamental principle of the vision emphasizes that accessibility should not be treated separately from other planning processes but rather integrated into all aspects of transport planning. This vision is grounded in the National Transport System Plan for 2021–2032, a strategic framework for the development of the transport system, as stipulated by the Act on the Transport System and Highways (503/2005).

The digitization of services, the ticket sales for example, can negatively impact elderly individuals' access to public transportation.

The Finnish Transport and Communications Agency publishes situational reports on the accessibility of transportation services and key development needs as part of transportation system analysis.

Guiding questions for the focus area on participation in public life and in decision-making processes

According to the Constitution of Finland (731/1999), everyone is equal before the law. No one shall, without an acceptable reason, be treated differently from others on ground of sex, age, origin, language, religion, conviction, opinion, health, disability or other reason that concerns his or her person. Further provisions on non-discrimination are laid down in the Non-discrimination Act (1325/2014).

The Constitution provides everyone the freedom of expression, which entails the right to express, disseminate and receive information, opinions and other communications without prior prevention by anyone. Further provisions are laid down by an Act, such as the Act on the Exercise of Freedom of Expression in Mass Media (469/2003).

Freedom of assembly and freedom of association are secured in the Constitution. Everyone has the right to arrange meetings and demonstrations without a permit and the right to participate in them. Everyone has the freedom of association, which entails the right to form an association without a permit, to be a member or not to be a member of an association and to participate in the activities of an association. The freedom to form trade unions and to organize is guaranteed. The Associations Act (1989/503) includes further provisions. The objectives of the Assembly Act (530/1999) are to guarantee the exercise of the freedom of assembly, as well as to lay down the necessary regulatory provisions on the arrangement of public meetings and public events.

Electoral and participatory rights are guaranteed in the Constitution, including provisions on the right to vote in the European Parliamentary, national and municipal elections and referendums and specific provisions govern the eligibility to stand for office in national elections. Additional provisions are laid

down by an Act. Referendums and citizens' initiatives are forms of direct participation in democratic decision-making, guaranteed in the Constitution.

Further provisions on the right to participate in municipal government are laid down in the Local Government Act (410/2015), and in county government, in the Act on Wellbeing Services Counties (611/2021) as well as in the Local Government Act and in the Election Act (714/1998).

The Constitution provides everyone the right to have his/her case dealt with appropriately and without undue delay by a legally competent court of law or other authority, as well as to have a decision pertaining to his/her rights or obligations reviewed by a court of law or other independent organ for the administration of justice. Provisions concerning the publicity of proceedings, the right to be heard, the right to receive a reasoned decision and the right of appeal, as well as the other guarantees of a fair trial and good governance shall be laid down by an Act.

Statistics Finland produces background analysis of voters and candidates in different elections, including background factors, including age (see the [analysis on the 2023 Parliamentary elections](#)).

Experiences of social inclusion can be measured with the inclusion indicator developed by the Finnish Institute for Health and Welfare. The results can be disaggregated by age groups (see [in Finnish](#)).

There are different *judicial and non-judicial* mechanisms depending on the nature of the violation. The right of appeal is usually exercised by person concerned by the decision in question. Municipal matters may exceptionally be appealed by municipal residents or property owners.

In connection with the decision, the authority shall indicate how and to whom the decision may be appealed against. Some of decisions must first be appealed to the authority that made the decision itself, and only then those dissatisfied with the decision appeal to the administrative court, which deals with appeals from private individuals and communities concerning decisions taken by public authorities in administrative matters.

The Criminal Code (39/1889) includes offences against political rights. Therefore, criminal proceedings may be a suitable mechanism if there is, on the basis of a report made to the police or otherwise, reason to suspect that an offence has been committed.

The Non-Discrimination Ombudsman handles contacts and referrals related to discrimination based on all grounds for discrimination in accordance with the Non-discrimination Act and bring individual cases concerning discrimination to the National Non-Discrimination and Equality Tribunal or a court.

The Ombudsman for Older People is an autonomous and independent authority, with a duty to promote and assess the realization of basic and human rights of older people in legislation and decision-making in the society as stipulated in the Act on the Ombudsman for Older People (753/2021). The Ombudsman does not have the authority to resolve issues related to older individuals.

The Parliamentary Ombudsman strives to ensure that public authorities comply with legislation and oversees the legality of the decisions and measures taken by the Government, the ministries and the President of the Republic. The Ombudsman's tasks include oversight of legality related to the rights of older persons. A complaint can also be filed with the Chancellor of Justice who does not deal with matters that are the special responsibility of the Parliamentary Ombudsman, such as implementation of the rights of older people, but instead transfers these to the Parliamentary Ombudsman.

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