



**National Institutions and Regional  
Mechanisms Section**

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Field Operations and Technical  
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High Commissioner for Human Rights  
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**14th session of the Open-ended Working Group on Ageing**

**Guiding questions on the normative content related to social inclusion,  
answers of the Human Rights Centre / Finnish National Human Rights  
Institution**

**The Finnish Human Rights Center** (HRC) is an autonomous and independent expert institution whose task is to promote and monitor the implementation of fundamental and human rights in Finland as well as to increase cooperation and exchange of information between various actors in the field. According to its founding legislation, one of the tasks of the HRC is to participate in European and international cooperation related to the promotion and protection of fundamental and human rights.

**The HRC represents the Finnish NHRI in international NHRI cooperation. The HRC forms the National Human Rights Institution (NHRI), alongside with its pluralistic 39-member Human Rights Delegation and the Parliamentary Ombudsman.**

The National Human Rights Institution in Finland was established by law in 2012 and received **A-status in 2014. The status was renewed in 2019.**

**Definition**

*How are the key human rights related to older persons' social inclusion defined in the national and local legislation in your country? If definitions are not available, how should such rights be defined considering relevant existing national, regional and international legal frameworks?*

The key human rights related to older persons' social inclusion have not been defined as such.

Most relevant provisions regarding older persons' social inclusion in the Constitution of Finland would be the task of public authority is to promote individuals' opportunities to participate in societal activities, the right to equity and equality and the right to adequate social and health services, as well as the

freedom of assembly and the freedom of association.  
The Social Services Act gives the Well-being Counties the responsibility to organize social services i.a. to prevent social exclusion and promote participation.

### Scope of the right

*2. Please provide references to existing national legal standards relating to older persons social inclusion on normative elements such as:*

- a) the right of older persons to take part in cultural life;*
- b) older persons' inclusion in the digital sphere;*
- c) ensuring that older persons can live independently and be included in the community;*
- d) ensuring the social inclusion of older persons living in institutions;*
- e) older persons' inclusion in intergenerational policies and programmes;*
- f) Access to prompt remedies and redress when older persons' rights related to social inclusion are violated.*

There aren't any specific legal standards relating to older persons' social inclusion. In fact, the most important service in the prevention of social exclusion with persons with disabilities, that is personal assistance, is reserved only for individuals whose need for assistance is not due to age-related illnesses or functional impairments.

### State obligations

*3. What are the measures that should be undertaken by the State to respect, protect and fulfil relevant human rights to ensure the social inclusion of older persons?*

According to current legislation, personal assistance is only possible to receive when a person's limitation in functioning is not related to aging. There is no service available for older persons through which they could participate in various activities outside their home if they are unable to do so without assistance. In the service system, older individuals are assumed to either be at home or in residential care, not actively engaged in social life. For those living at home and in need of assistance, their ability to go out relies on those close to them, such as relatives, neighbors, or friends. In residential care facilities, older individuals may be assisted to go for a walk, but there is no service available that enables social inclusion for older persons outside of residential care. Transportation services are available to some extent, but assistance services are not.

The state should start viewing older persons as equal members of the society when designing services and deciding on resources.

### Special considerations

*4. What special measures and specific considerations should be considered to respect, protect and fulfil relevant human rights to ensure the social inclusion of older persons?*

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## Implementation

*5. What are the best practices and main challenges faced by your country in the adoption and implementation of relevant human rights to ensure the social inclusion of older persons?*

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