



Coronavirus pandemic in the EU – Fundamental Rights Implications

Country: Finland

Contractor's name: Åbo Akademi University, Institute for Human Rights

Date: 3 June 2020

DISCLAIMER: This document was commissioned under contract as background material for a comparative report being prepared by the European Union Agency for Fundamental Rights (FRA) for the project “Coronavirus COVID-19 outbreak in the EU – fundamental rights implications”. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made available for transparency and information purposes only and does not constitute legal advice or legal opinion.

1 Measures taken by government/public authorities

1.1 Emergency laws/states of emergency

Provide information on emergency laws/declarations of states of emergency, including actions taken by police to enforce them and court rulings concerning the legality of such measures.

In Finland, the Emergency Powers Act (*valmiuslaki/beredskapslagen*, Act No. 1552/2011)¹ continues to be applied. The government has decided on 6 May 2020 to extend the enforcement of Sections 86, 87, 88, 93 and 94 of the Act until 30 June 2020.² The previous period of enforcement ended on 13 May. The provisions aim at safeguarding the performance of the social and health care system by allowing deviations from rules on working time, overtime, and holiday and restrictions on the right to resign from work (Sections 93 and 94) within the social and health care sector.³ In addition, the provisions enable a reorganisation of health and social care work when necessary (Sections 86, 87 and 88). To this effect the municipalities are among other things given the right to deviate from prescribed time limits concerning non-urgent health and social care.⁴

After 14 May 2020, the provisions under the Emergency Powers Act covering education (Section 109) and work duty (Sections 95-103) ceased to be in force.

As a follow-up to the previous restrictions on the freedom of movement (Section 118), the Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*) published on 11 May 2020 a decision concerning the police' practice to issue fine orders during the lockdown of the region of Uusimaa between 28 March and 15 April 2020.⁵ Whereas the Emergency Powers Act stipulates that fines can be issued for offences against the Act, it does not criminalize attempt to commit such an offence. According to the Ombudsman's report, the police imposed several fine orders in situations where a driver had been already once stopped at the border and tried without success later to cross the border a second time. The Ombudsman concludes that it is essential that

¹ Government Decrees and Acts of Parliament can be retrieved from the [Finlex](#) database using the name or the number of the legal instrument.

² Finland, [Government Decree No. 308/2020](#) (*valtioneuvoston asetus valmiuslain 86, 88, 93 ja 94 §:ssä säädettyjen toimivaltuksien käytön jatkamisesta/statsrådets förordning om fortsatt utövning av befogenheter i enlighet med 86, 88, 93 och 94 § i beredskapslagen*) and [Government Decree No. 309/2020](#) (*valtioneuvoston asetus valmiuslain 87 §:ssä säädetyn toimivaltuuden käytön jatkamisesta/statsrådets förordning om fortsatt utövning av en befogenhet i enlighet med 87 § i beredskapslagen*), 6 May 2020.

³ Finland, [Government Decree No. 362/2020](#), (*valtioneuvoston asetus väliaikaisista poikkeuksista sovellettaessa eräättä vuosilomalain, työaikalain ja työsopimuslain säännöksiä/statsrådets förordning om temporära undantag vid tillämpningen av vissa bestämmelser i semesterlagen, arbetsstidslagen och arbetsavtalslagen*), 12 May 2020

⁴ Finland, [Government Decree No. 363/2020](#), (*valtioneuvoston asetus kunnan oikeudesta olla väliaikaisesti noudattamatta terveydenhuollon kiireettömän hoidon ja sosiaalihuollon palvelutarpeen arvioinnin aloittamisen määräaikoja/statsrådets förordning om kommunens rätt att tillfälligt avstå från att iaktta tidsfristerna för icke brådskande hälso- och sjukvård och för påbörjande av bedömning av servicebehovet inom socialvården*), 12 May 2020.

⁵ Finland, Parliamentary Ombudsman (*eduskunnan oikeusasiamies/riksdagens justitieombudsman*), [case 2464/2020](#), 8 May 2020.

the prosecutors when deciding on the final penal orders ensure that fines are not issued for lawful acts.

In Finland, the restaurants open on 1 June 2020. To manage the corona threat the government proposed on 19 May 2020 a new temporary provision (Section 58a) in the Communicable Diseases Act (*tartuntatautilaki/smittoskyddslagen*, Act No. 1227/2016).⁶ It covers restrictions on the number of customers, spacing of seats, and opening hours as well as requirements on hygiene. Because the revision infringes on the right to engage in commercial activity (Section 18) and the right to property (Section 15) in the Constitution of Finland (*Suomen perustuslaki/Finlands grundlag*, Act No. 731/1999) and it is in force up to 31 October 2020, the Constitutional Law Committee of the Parliament concluded that the obligations of the restaurateur need to be more clearly specified in the Act.⁷ Furthermore, in order to comply with the necessity requirement applicable when restricting fundamental rights, the possibility to ease the restrictions at regional level need to be explicitly linked to the necessity requirement so that the restrictions are not maintained in regions where the epidemiological situation does not require that. Under considerable time pressure the Parliament adopted an amended version of the original proposal on 29 May 2020. As of 1 June restaurants may stay open to customers between 6 and 23, alcohol can be served between 9 and 22, 50 % of the officially registered indoor seats can be in use. The government may through decrees relax the rules, when the stricter rules are no longer considered necessary.⁸

1.2 Measures affecting the general population

1.2.1 Social distancing

Focus on:

- *Lifting of stay at home orders, and measures/rules for general physical distancing when in public or at home*
- *Enforcement and penalties*

In Finland, the government published on 4 May 2020 its hybrid strategy for managing the corona crisis and for gradually lifting restrictions.⁹ In this context the government ordered that the restrictions on gatherings of more than 10 persons continue until end of May. As of 1 June 2020, the maximum number of persons allowed to gather will increase to 50. Public events with 50-500 persons will also be allowed provided that the organisers follow the instructions on social distancing, good hygiene and cleaning practices issued by the Ministry of Education and Culture and the Finnish Institute for Health

⁶ Finland, [Government Bill No. 72/2020 vp](#) (*hallituksen esitys eduskunnalle laiksi tartuntalain väliaikaisesta muuttamisesta/regeringens proposition till riksdagen med förslag till lag om temporär ändring av lagen om smittsamma sjukdomar*), 19 May 2020.

⁷ Finland, Constitutional Law Committee (*perustuslakivaliokunta/grundlagsutskottet*), Statement [PeVL 14/2020 vp – HE 72/2020 vp](#), 25 May 2020.

⁸ Finland, Parliament (*eduskunta/riksdagen*), Answer [EV 53/2020 vp – HE 72/2020 vp](#), 29 May 2020.

⁹ Finland, Government (*valtioneuvosto/statsrådet*), [‘Government decides on plan for hybrid strategy to manage coronavirus crisis and for gradual lifting of restrictions’](#), press release, 4 May 2020.

and Welfare on 14 May 2020.¹⁰ These rules will be applied until the end of June 2020.¹¹ In addition, many public facilities will reopen to the public in June such as libraries, museums, sports facilities and amusement parks. Further, the government recommends that working from home continues, whenever possible. This recommendation will be reassessed after the summer break. On 19 May 2020, the government published its new guidelines on social distancing for persons over 70 (see 2.2.).¹²

The discussion on the usage of facial masks outside social and health care work continues. No recommendations targeting the general public have been issued so far. The Ministry of Social Affairs and Health commissioned on 13 May 2020 a study on international research results and practices concerning the usage of facial coverings.¹³ The report was published on 29 May 2020.¹⁴ Based on a systematic review of the literature, the report concludes that “there is very little research data available on the effectiveness of community face coverings in preventing the spread of COVID-19 in society. Based on evidence from research, the effect of the use of face coverings on the spread of respiratory infections among the population is minor or non-existent” (description sheet on p. 7).

With respect to the usage of facial masks in air traffic, Finnair has introduced mandatory masks on all its flights as of 18 May 2020. These can be surgical masks, home made masks or fabric.¹⁵

As previously reported a person violating quarantine or isolation orders issued under Sections 60 and 63 of the Communicable Diseases Act may under Chapter 44, Section 2 of the Criminal Code (*rikoslaki/strafflagen*, Act No. 39/1889) be sentenced to fines or imprisonment up to three months. Restrictions on gatherings issued under Section 58 of the Communicable Diseases Act may also be enforced through penalties. According to the Police Board (*poliisihallitus/polisstyrelsen*), there is only one registered case concerning quarantine orders since 16 March 2020. As to gatherings, two fines have so far been imposed for public gatherings of more than 10 persons. In addition, five cases are still under investigation.¹⁶

1.2.2 Education

Focus on:

- *Steps to reopen educational institutions (schools, third level educational facilities and kindergartens/day care). Please include any specific measures aimed at children from socioeconomically disadvantaged backgrounds*

¹⁰ Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*), ‘[Guidelines on prevention of coronavirus infections must be followed at public events](#)’, press release, 15 May 2020.

¹¹ Finland, Regional State Administrative Agency (*aluehallintovirasto/regionalförvalningsverket*), ‘[Kesäkuussa kokontuumisrajoitus 50 henkeä, 50-500 hengen yleisötilaisuudet mahdollisia erityisjärjestelyin](#)’, press release, 19 May 2020.

¹² Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), ‘[Elderly people should avoid exposure to coronavirus – attention should be paid to wellbeing and functional capacity](#)’, press release, 19 May 2020.

¹³ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), ‘[STM selvittää tutkimustuloksia ja linjauskia väestön kasvomaskien käytöstä](#)’, press release, 13 May 2020.

¹⁴ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), ‘[Selvitys väestön kasvosuojusten käytöstä COVID-19-epidemian levämisen ehkäisyssä](#)’, Raportteja ja muistioita 2020:21, Helsinki: Sosiaali- ja terveysministeriö.

¹⁵ Information obtained from the official [twitter account](#) of Finnair on 12 May 2020.

¹⁶ Information obtained from the Police Board of Finland (*poliisihallitus/polisstyrelsen*) via e-mail on 7 June 2020.

- *Measures to protect students and staff as they return to educational institutions (e.g. related to physical distancing, shift patterns, health and hygiene, etc.)*

As of 14 May 2020, primary education is again organized in Finland as contact teaching. This will continue until the end of the school year, that is, until 30 May 2020. Children in the risk group or children with family members who belong to the risk group can apply for permission to be absent from school.¹⁷ The municipalities report that 12 % of the school children were absent during the first day of contact teaching.¹⁸ The National Agency for Education outlines in its instructions to the schools that special arrangements can be organised for children in the risk group.¹⁹ With respect to children with family members in the risk group, the Non-Discrimination Ombudsman recommends that they should be treated in the same way as children who themselves belong to the risk group.²⁰

To assess how the children have experienced distance teaching, researchers from the University of Turku conducted a survey between 4 and 13 May 2020 in 416 schools covering 48,338 students in the grades 1-9.²¹ The findings show that 11 % have been home alone during the distance education period and 59 % liked the school fairly or very much during this period. Further, 88 % report that it has been easy to contact the teachers, 86 % that the teachers have ensured that everyone is included, and 83 % that they have received help from adults in the school when doing assignments. With respect to experiences of bullying, 2.1 % report that they have been continuously bullied also during the distance learning period, compared to 5.7 % before that.

With respect to children and youth in secondary and tertiary education, the government recommends that distance education continues until the end of the term.²²

To facilitate a safe reopening of the schools, the Finnish National Agency for Education (*opetushallitus/utbildningssyrelsen*) has published general instructions for the schools. These comprise the need to avoid close contacts during the school day, to guide the children to maintain good hygiene, to keep the school classes separate during breaks and school lunches. Furthermore, physical contact between the teachers should be avoided and meetings held online.²³

Before the end of the semester the teachers are instructed to assess the learning results during the distance teaching period and the individual needs among the students for special support. The aim being that such support can be provided to those who need it in the beginning of the next school year, which starts in mid-August. In line with Section 18 of the Basic Education Act (*perusopetuslaki/lag om grundläggande utbildning*, Act No. 628/1998), the school can also decide to transfer a child with weak learning outcomes to class-integrated teaching thereby avoiding a situation where a child due to the pandemic crisis has to retake the class.

¹⁷ Finland, National Agency for Education (*opetushallitus/utbildningssyrelsen*), '[Oppivelvollisuus ja poissaolot perusopetuksesta 14.5.2020 alkaen](#)', web page, 15 May 2020

¹⁸ Finland, Ministry of Education and Culture (*opetus- ja kulttuuriministeriö/undervisnings- och kulturministeriet*), '[Kuntakysely:koko maassa 88 prosenttia oppilaista osallistui opetuksen koulujen avauduttua, maakuntien välillä eroja](#)', press release, 20 May 2020.

¹⁹ Finland, National Agency for Education (*opetushallitus/utbildningssyrelsen*), '[Oppivelvollisuus ja poissaolot perusopetuksesta 14.5.2020 alkaen](#)', web page, 15 May 2020.

²⁰ Finland, Non-Discrimination Ombudsman (*yhdenvertaisuusvaltuutettu/diskrimineringsombudsmannen*), '[Yhdenvertainen lähi- ja etäopetus poikkeustilassa](#)', press release, 14 May 2020.

²¹ Finland, University of Turku, '[Koululaisten koronakevätkyselyn tulosten mukaan etäopetus on sujunut pääsääntöisesti hyvin](#)', press release, 14 May 2020.

²² Finland, Government (*valtioneuvosto/statsrådet*), '[Government decides on plan for hybrid strategy to manage coronavirus crisis and for gradual lifting of restrictions](#)', press release, 4 May 2020.

²³ Finland, National Agency for Education (*opetushallitus/utbildningsstyrelsen*), '[14.5. alkaen: Lähiopetuksen palaminen perusopetuksessa](#)', web page, 24 May 2020.

1.2.3 Work

Focus on:

- *Steps for specific sectors/the general population to return to work and measures to protect employees in the workplace (physical distancing, health and hygiene, shift patterns, etc.)*
- *People in precarious work*

In Finland close to 60 % of the workers switched to teleworking in the beginning of the corona pandemic.²⁴ As part of its hybrid strategy to manage the pandemic, the government recommends that teleworking continues whenever this is possible.²⁵ During May, a key group of employees returning to work are the primary school teachers. As noted in section 1.2.2., the Finnish National Agency for Education has provided guidelines to schools on how to organise the teaching in order to protect the teachers and students from infections.²⁶

On the basis of the Occupational Safety and Health Act (*työturvallisuuslaki/arbetarskyddslagen*, Act No. 738/2002), the Occupational Safety and Health Administration in Finland (*työsuojeluhallinto/arbetsskyddsförvaltningen*) has provided instructions to employers on how to realize the general duty to exercise care and assess risks regarding the safety and health of their workers during the pandemic. It is noted in this context that the primary measure is to avoid human contact. In case teleworking is impossible, the workplace conditions shall be organized to avoid risk of exposure through means such as enhanced cleaning, hygiene instructions for employees, use of protective screens to prevent drop infections, guidelines for workers to avoid exposure to corona, advice on managing suspected cases of illness, and shift arrangements. Another recommended measure is to avoid unnecessary gatherings in breakrooms. In case of a significantly increased risk of infection, personal protective equipment such as breathing protection, gloves, goggles and protective clothing shall be used.²⁷

Further, to prevent corona infections, the Finnish Institute of Occupational Health (*työterveyslaitos/arbetshälsoinstitutet*) has published general guidelines for employers as well as guidelines for specific sectors, such as passenger traffic, service industry, cargo ships and ports.²⁸ Themes addressed in the general guidelines include cleanliness and hygiene, risk groups, and travel and quarantine.

According to the Finnish Ministry of Economic Affairs and Employment, the number of unemployed jobseekers, including those who have been temporarily laid off, has nearly doubled in April 2020 compared to April 2019.²⁹ It is reported that the rapid increase particularly in the number of full-time lay-offs was due to restrictions caused by the covid-19 pandemic. This has consequently increased the workload of institutions processing unemployment benefits and has led to delayed payments. To ensure that unemployed do not have to wait for their decisions, a temporary amendment in the Unemployment Benefit Act (*työttömyysturvalaki/lag om utkomstskydd för arbetslösa*, Act No.

²⁴ Eurofound (2020), [Living, working and COVID-19: First findings – April 2020](#), Dublin, p. 5.

²⁵ Finland, Government (*valtioneuvosto/statsrådet*), [‘Government decides on plan for hybrid strategy to manage coronavirus crisis and for gradual lifting of restrictions’](#), press release, 4 May 2020.

²⁶ Finland, National Agency for Education (*opetushallitus/utbildningsstyrelsen*), [‘14.5. alkaen: Lähiopetuksen palaaminen perusopetuksessa’](#), web page, 24 May 2020.

²⁷ Information obtained from the webpage of the Occupational Safety and Health Administration, [Questions on coronavirus and occupational safety and health](#), accessed on 28 May 2020.

²⁸ Information obtained from the webpage of the Finnish Institute of Occupational Health, [Guidelines for workplaces to prevent coronavirus infections](#), accessed on 28 May 2020.

²⁹ Finland, Ministry of Economic Affairs and Employment (*työ- ja elinkeinoministeriö/arbets- och näringslivsministeriet*), [‘Number of unemployed jobseekers nearly doubled in April’](#), press release, 27 May 2020.

1290/2002) has been made for the period 11 May to 31 October 2020.³⁰ The amendment means that payments can be made up to six months in advance of the decision, compared two months normally.

To safeguard enough workers for tasks that are considered essential for the security of supplies and the functioning of the labour market, the Ministry of the Interior proposes a temporary relaxing of asylum seekers' right to work.³¹ The Government Bill No. 65/2020 with an amendment of the Aliens Act to this effect was tabled in Parliament on 8 May 2020.³² If approved, an asylum seeker would be able to start work earlier than previously and to continue work even despite an expulsion order provided that the asylum seeker still receives reception services. The temporary amendment would be in force until 31 October 2020.

The closing of the restaurants during the period 4 April and 31 May 2020 caused considerable financial losses for the restaurant sector. To support the re-employment of staff when the restaurants open in June a new Restaurant Support Act (*laki ravitsemisyrysten uudelleentyöllistämisen tukemisesta ja toiminnan rajoitusten hyvittämisestä/lag om stöd för återanställning och gottgörelse för verksamhetsbegränsningar till förplägnadsföretag*) was adopted on 29 May 2020. During the legislative process in the Parliament, the government proposal was amended with the effect of extending its scope also to agency workers. In the statement of the Employment and Equality Committee³³ and in the report of the Finance Committee³⁴ of the Parliament, the precarious status of many restaurant workers was recognized. It is estimated that only 50 % of the employees in the hospitality industry have regular employment contracts. The re-employment support paid to the employer amounts to € 1,000 for each worker who during a three-month period receives compensation above a prescribed level established in Section 4 of the Act.³⁵

1.2.4 Access to justice

Focus on:

- *Strategies /steps to lift measures or restrictions previously imposed on court proceedings (e.g. resuming physical hearings)*
- *Measures to address the backlog in cases/proceedings prompted by lockdown restrictions*

³⁰ Finland, [Act No. 315/2020](#) (*laki väliaikaisista poikkeuksista työttömyysturvalakiin covid-19- epidemian vuoksi/lag om temporära undantag från lagen om utkomstskydd för arbetslösa på grund av covid-19-epidemin*), 8 May 2020.

³¹ Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*), '[To help ensure availability of a necessary workforce, asylum seekers' right to work could be temporarily made more flexible](#)', press release, 8 May 2020.

³² Finland, [Government Bill No. 65/2020](#) (*hallituksen esitys eduskunnalle laiksi ulkomaalaislain väliaikaisesta muuttamisesta/regeringens proposition till riksdagen med förslag till lag om temporär ändring av utlänningslagen*), 8 May 2020.

³³ Finland, Parliament, Employment and Equality Committee (*työelämä- ja tasa-arvovaliokunta/arbetslivs- och jämställdhetsutskottet*), Statement, [TyVL 4/2020 vp – HE 67/2020 vp](#), 14 May 2020.

³⁴ Finland, Parliament, Finance Committee (*talousvaliokunta/ekonomiutskottet*), Report, [TaVM 11/2020 vp – HE 67/2020 vp](#), p. 6, 20 May 2020.

³⁵ Finland, [Act No. 403/2020](#) (*laki ravitsemisyrysten uudelleentyöllistämisen tukemisesta ja toiminnan rajoitusten hyvittämisestä/lag om stöd för återanställning och gottgörelse för verksamhetsbegränsningar till förplägnadsföretag*), 29 May 2020.

In Finland, the National Courts Administration (*tuomioistuinvirasto/domstolsverket*) reports weekly on the number of adjourned court cases due to COVID-19. As of 17 May 2020, there are 8,101 adjourned cases, which is an increase of 561 from 5 May 2020.³⁶

To facilitate the return to regular activities, the National Courts Administration has finalized a return plan on 18 May 2020.³⁷ The plan has been distributed to the courts, where the final decision on how to organise the work is taken. The measures concern, for example, customer service, serving the summons, and oral hearings. Regarding customer service social distancing is emphasised. In case protective glass between the customer and staff is missing, civil servants in risk groups are recommended to use personal protective equipment. Further, enough space between the customers in the waiting room is to be safeguarded. As to the summons, it is recommended to use personal protective equipment when it is uncertain whether a summons can be served without violating the rules on social distancing or when the defendant or the bailiff belong to a risk group. When serving the summons takes place in an institution, the instructions of the institution should be followed. As to the hearings, it is proposed that they should be organised at different times and days of the week to avoid crowded courts, travel reimbursements for taxi should be considered when applicable, and social distancing should be observed throughout the hearing. This is important even if restrictions laid down by public authorities on gatherings are not applicable on courts.

The return plan has been drafted in cooperation with courts, labour unions and occupational health care services. Courts are responsible for organising their work themselves and can also consider actions beyond the return plan according to their own circumstances.

The return plan recommends that suspended processes would be cautiously continued when safe procedures have been created. If restrictive measures have to be brought back at a later stage, the processing of the backlog would have already been started.

So far one of the districts courts has informed that they are resuming their normal activities, however, observing necessary care and protection.³⁸ Further, the National Courts Administration has estimated that it will take at least two years to address the backlog of cases and that more resources will be needed.³⁹

1.2.5 Freedom of movement

Focus on:

- *Steps to reopen borders/lift restrictions on freedom of movement to (external borders) and within the EU (internal borders), including rules or restrictions applying to certain categories of people (citizens; ‘essential workers’; cross border commuters etc). Please mention what requirements are in place for various categories of people to enter country (e.g. negative COVID-19 test result and/or obligation to self quarantine; work certificate etc).*

³⁶ Finland, National Courts Administration (*tuomioistuinvirasto/domstolsverket*), [Keskeytystilastot](#), web page, accessed on 20 May 2020.

³⁷ Finland, National Courts Administration (*tuomioistuinvirasto/domstolsverket*), ‘[Tuomioistuinviraston palautussuunnitelmassa suositellaan, että keskeyttettyjä toimintoja käynnistettäisiin harkiten uudelleen](#)’ press release, 29 May 2020.

³⁸ Finland, District Court of North Savo, [press release](#), 19 May 2020.

³⁹ Finland, National Courts Administration (*tuomioistuinvirasto/domstolsverket*), ‘[Tuomioistuimien ruuhkan purkaminen vie aikaa ja vaatii merkittäviä lisäresursseja](#)’, press release, 6 May 2020.

- Any changes to asylum application procedures (e.g. lifting of temporary suspensions or restrictions on procedures, or mentioning whether such restrictions are rather still in place)

In Finland, the government decided on 7 May to extend the temporary restrictions on border traffic until 14 June 2020.⁴⁰ The decision follows on from the decision made on 19 March to restore border control at internal borders, close certain border crossing points and restrict traffic across external borders. Whereas the restrictions on external border traffic continues unchanged, alterations to the restrictions on internal border traffic were made. Thus, as of 14 May 2020, cross-border commuting for employment or commissions and other essential traffic is permitted. In accordance with instructions issued by the Finnish Border Guard, persons arriving for work should be prepared to prove their work-related grounds for entry. This can be done by showing documents of the employment relationship and commission. The need to submit a justification form to the border control authorities when entering for work is after 14 May only applied on persons entering through external borders.⁴¹ As to travel across internal borders for pressing personal and family reasons, the Border Guard clarifies that recreational travel is not an acceptable reason for foreign citizens to enter Finland.⁴²

As to seasonal workers, the government has on 29 May 2020 increased the maximum number of seasonal workers from non-EU countries by 4,500.⁴³ In total 9,000 seasonal workers are allowed to enter the country provided that they have the necessary permits for entry and for work. In addition, their employer must fill in the form justifying the necessity of their entry into the country.

A person entering the country through either internal or external borders is instructed to restrict unnecessary close contacts and enter self-isolation for 14 days. Under self-isolation, the person can move between the workplace and place of residence and for other essential reasons. This principle does not apply to first response and emergency service personnel or employees of the Border Guard and Customs. Instead they are expected to follow the general guidelines of the authorities on good hygiene practices, maintaining a safe distance and avoiding physical contact.⁴⁴

Persons arriving to work in general healthcare and social welfare are expected to agree with their employer on any special work arrangements. The employer is expected to assess the risk of infection and, if necessary, make changes to the employee's duties for 14 days from arrival in the country in order to ensure client and patient safety and the safety of the workplace.⁴⁵

In addition, exceptions to the restrictions on border crossings are applied in northern Finland. Thus, crossing the internal border in border rivers between Finland and Sweden and between Finland and Norway is permitted for fishing purposes provided the person does not go ashore to the territory of

⁴⁰ Finland, Government (*valtioneuvosto/statsrådet*), '[Commuting across internal borders now allowed without a requirement on the necessity of the work](#)', press release, 7 May 2020.

⁴¹ Finland, Border Guard (*rajavartiolaitos/gränsbevakningen*), '[Ohjeistus rajanylitykseen pojakeusolojen aikana 14.5.2020 alkaen](#)', 7 May 2020.

⁴² Finland, Border Guard (*rajavartiolaitos/gränsbevakningen*), '[Clarifications on the arrival of foreign citizens in Finland between 14 May 2020 and 14 June 2020](#)', press release, 18 May 2020.

⁴³ Finland, Ministry of Agriculture and Forestry (*maa- ja metsätalousministeriö/jord- och skogsbruksministeriet*), '[Maximum number of seasonal workers from non-EU countries increases by 4,500](#)', press release, 29 May 2020.

⁴⁴ Finland, Government (*valtioneuvosto/statsrådet*), '[Border traffic to be opened in a controlled and gradual manner from 14 May – guidelines on safe distances and hygiene still in force](#)', press release, 13 May 2020.

⁴⁵ Finland, Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos/institutet för hälsa och välfärd*), [Instructions for passengers and employers arriving in Finland](#), leaflet, accessed on 25 May 2020.

the neighbouring state.⁴⁶ Discussions on the possibility to lift restrictions on recreational travel between the Nordic countries have been conducted at Nordic level.⁴⁷

In the government's communication it has been repeatedly emphasised that Finnish citizens have always the right to enter the country and to leave the country unless there is a legal ground prohibiting the border crossing such as ongoing legal proceedings.⁴⁸

With respect to asylum seekers, the government notes that the decision to restrict border traffic does not infringe anyone's right to be granted international protection.⁴⁹ The Finnish Immigration Service reports that only a few asylum applications have been submitted during the COVID-19 pandemic. From 19 March to 30 April 2020, a total of 78 first asylum applications were submitted primarily by persons who resided in Finland before the restrictions on entry came into force. Asylum interviews, which were temporarily interrupted from 16 March to 14 April 2020, are now being held in premises where staff members and clients can be sufficiently protected. The interview rooms are equipped with plexiglass screens.⁵⁰

1.3 Impact of measures on particular groups

Select the three most relevant groups from the following:

- *persons with disabilities,*
- *homeless people,*
- *Roma and Travellers (Note – for those countries requested to collect additional data on the impact of COVID-19 on Roma – Service request No 33 (Belgium, Bulgaria, Czechia, Ireland, Greece, Spain, France, Croatia, Italy, Hungary, Netherlands, Portugal, Romania, Slovakia and Sweden), information submitted on Roma for Bulletin 3 should not be duplicated in this additional data collection)*
- *Detainees (including measures on early release or alternatives to detention)*
- *or another group not listed that have immerged in your country as facing particular challenges - before selection, this should be discussed with FRA.*

Persons with disabilities

In **Finland**, the Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö / social- och hälsovårdsministeriet*) updated the instructions on prevention of coronavirus infections in units providing 24-hour care and treatment on 15 May.⁵¹ The new instructions replace those issued on 9 April 2020. The instructions also apply to all housing units for people with disabilities, which

⁴⁶ Finland, Border Guard (*rajavartiolaitos/gränsbevakningen*), '[Instructions for border traffic issued by the Border Guard in accordance with the Government decision of 7 May 2020](#)', press release, 14 May 2020.

⁴⁷ Finland, Ministry of the Interior (*sisäministeriö/inrikesministeriet*), '[Nordic Ministers of the Interior discuss easing restrictions on border traffic](#)', press release, 15 May 2020.

⁴⁸ Finland, Government (*valtioneuvosto/statsrådet*), '[Commuting across internal borders now allowed without a requirement on the necessity of the work](#)', press release, 7 May 2020.

⁴⁹ Finland, Government (*valtioneuvosto/statsrådet*), '[Border traffic to be opened in a controlled and gradual manner from 14 May – guidelines on safe distances and hygiene still in force](#)', press release, 13 May 2020.

⁵⁰ Finland, Finnish Immigration Service (*maahanmuuttovirasto/migrationsverket*), '[Only a few asylum applications have been submitted during the coronavirus pandemic](#)', press release, 15 May 2020.

⁵¹ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö / social- och hälsovårdsministeriet*), '[Ministry of Social Affairs and Health has updated instructions on prevention of coronavirus infections in units providing 24-hour care and treatment](#)', 15 May 2020.

accommodate clients belonging to at-risk groups (e.g., persons over 70 years of age, or persons with diabetes or a severe heart or lung disease). As a rule, visits to units providing 24-hour care and treatment are still prohibited. However, care units are encouraged to consider allowing visits by family members and close friends on a case-by-case basis. Such visits can be arranged, for example, in specific rooms or during outdoor activities, taking all necessary safety precautions.

Disability law scholars have criticized the prohibition of visits to housing units for persons with disabilities due to the COVID-19 pandemic. In their view, such a prohibition has an impact on the fundamental rights of persons with disabilities, including the right to private and family life, freedom of movement and prohibition against discrimination. A general prohibition of visits does not take into account that all clients in a housing unit do not belong to coronavirus risk groups (due to age or long-term illness). Instead of a prohibition, the focus should be on taking all necessary safety precautions in order to make visits possible.⁵²

The Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*) published a report on the effects of COVID-19 pandemic on service needs, the service system and the economy in Finland.⁵³ Among the vulnerable population groups studied are persons with disabilities and their service needs. The report raises issues such as concerns regarding access to disability services and the continuation of already granted services, the impact of social distancing on the well-being of persons with disabilities, and the challenges faced by families of children with disabilities when support services have been reduced because of the pandemic.

Homeless people

In **Finland**, there are an estimated 4,600 homeless people. Over one-half of them live in the capital region of Helsinki.⁵⁴ Municipalities are responsible for organising social- and health services for their homeless residents. The Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö / social- och hälsovårdsministeriet*) has issued guidelines for municipalities on basic health and social services during the COVID-19 pandemic.⁵⁵ In addition to municipal services, there are a number of charity organisations which provide help for the homeless.

In March, the COVID-19 pandemic and the measures taken to hinder the spread of virus created major challenges for the homeless. Shelters and day centres were closed or access to them was restricted. The availability for services providing meals for the homeless was also restricted. Public places, such as libraries, were closed, so there were less places available where the homeless could stay during daytime. For the homeless it is difficult to abide by instructions concerning hygiene or safe distance to other people.⁵⁶

⁵² Kumpuviuri, J., '[Valtioneuvoston linjaama vammaisten henkilöiden asumispalveluyksikköjen yleinen vierailukiello ei ole välttämättä laillinen](#)', Perustuslakiblogi, blog post, 6 May 2020.

⁵³ Rissanen, P., Parhiala, K., Kestilä, L., Härmä, V., Honkatukia, J., Jormanainen, V. (2020), [COVID-19-epidemian vaikutukset väestön palvelutarpeisiin ja palvelujärjestelmään – nopea vaikutusarvio](#) [Effects of COVID-19 epidemic on the population's service needs, the service system and the economy - rapid impact assessment], Helsinki, Finnish Institute for Health and Welfare.

⁵⁴ Finland, No Fixed Abode (NGO) (*Vailla vakinaista asuntoa ry*), website [Asunnottomuus](#).

⁵⁵ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö / social- och hälsovårdsministeriet*), [Guidance from the Ministry of Social Affairs and Health: Taking account of the emergency conditions caused by COVID-19 when arranging the activities of primary health and social services](#), 20 March 2020.

⁵⁶ Rissanen, P., Parhiala, K., Kestilä, L., Härmä, V., Honkatukia, J., Jormanainen, V. (2020), [COVID-19-epidemian vaikutukset väestön palvelutarpeisiin ja palvelujärjestelmään – nopea vaikutusarvio](#) [Effects of

In Helsinki, some of the shelters and food distribution points have been functioning throughout the period and the city has arranged emergency accommodation for the homeless. However, information about the services available has not always reached those in the target group, who do not have access to internet or a mobile phone.⁵⁷ Volunteers from charity organisations and social service professionals in Helsinki have got out to the streets to find homeless persons, distribute food packages and disseminate information about available services.⁵⁸ Also, in the city of Jyväskylä, service centres have taken their services to the street, offering meals, guidance and support to clients.⁵⁹ Since March, the availability of services for the homeless has gradually increased. For example, in April, a housing unit in Helsinki offered a possibility for isolation for homeless persons with symptoms of corona infection.⁶⁰ As from 24 April, a daily warm meal is offered to the homeless population in Helsinki. The distribution of meals is carried out in cooperation with municipal day centres and charity organisations.⁶¹ In May, a day centre in Helsinki began to allow access to a few homeless persons at a time, providing them with the possibility to shower and change of clothes.⁶²

Detainees

In Finland, the Criminal Sanctions Agency (*rikosseuraamuslaitos / brottspåföldsmynndigheten*) informs that the restrictions imposed in the prisons as a result of the coronavirus pandemic will be lifted, in a controlled and gradual manner, as from 1 June 2020.⁶³ The dismantling of restrictions will start from the internal activities of the prisons. Access to the gyms, sports halls, saunas, and libraries will be possible. Work activities in prisons will be gradually expanded. Decisions on allowing family visits, which have been suspended since 13 March 2020, will be made later in June. However, the current practice of granting prison leaves only for a particularly important reason (such as a funeral or a serious illness of a close relative) will continue. This practice has been applied since 13 March 2020 and is likely to continue over the summer.⁶⁴ The Criminal Sanctions Agency estimates that decisions on gradually lifting the restrictions concerning prison leave will be made in the late summer. It is possible that after the dismantling of the restrictions on freedom of movement in the country as of 1 June, the epidemic may accelerate again. Therefore, it is important to monitor the general trend in the coronavirus epidemic during the coming weeks, before making decisions on lifting the restrictions on

COVID-19 epidemic on the population's service needs, the service system and the economy - rapid impact assessment], Helsinki, Finnish Institute for Health and Welfare, p. 31.

⁵⁷ Rissanen, P., Parhiala, K., Kestilä, L., Härmä, V., Honkatukia, J., Jormanainen, V. (2020), [COVID-19-epidemian vaikutukset väestön palvelutarpeisiin ja palvelujärjestelmään – nopea vaikutusarvio](#) [Effects of COVID-19 epidemic on the population's service needs, the service system and the economy - rapid impact assessment], Helsinki, Finnish Institute for Health and Welfare, p. 31. Helsingin Sanomat, '[Helsingin keskustassa on vaeltanut tänä keväänä nälkäisiä ja toimettomia ihmisiä, ja yksi heistä on asunnoton Aarno Miettinen](#)', 28 May 2020.

⁵⁸ Helsingin Sanomat, '[Kaduilla kiertävät sosiaaliohjaajat: Helsingissä näkyy nyt hyvin väsyneitä ihmisiä, joilla on kova nälkä](#)', 20 April 2020. Finland, city of Helsinki, '[Helsinki to start warm meal service for the homeless](#)', press release, 23 April 2020.

⁵⁹ Salovaara, U., '[Coronavirus on the streets](#)', blog post (University of Jyväskylä), 16 April 2020.

⁶⁰ Helsingin Sanomat, '[Kaduilla kiertävät sosiaaliohjaajat: Helsingissä näkyy nyt hyvin väsyneitä ihmisiä, joilla on kova nälkä](#)', 20 April 2020.

⁶¹ Finland, city of Helsinki, '[Helsinki to start warm meal service for the homeless](#)', press release, 23 April 2020.

⁶² Helsingin Sanomat, '[Helsingin keskustassa on vaeltanut tänä keväänä nälkäisiä ja toimettomia ihmisiä, ja yksi heistä on asunnoton Aarno Miettinen](#)', 28 May 2020.

⁶³ Finland, Criminal Sanctions Agency (*rikosseuraamuslaitos / brottspåföldsmynndigheten*), '[Lifting coronavirus restrictions with careful consideration in prisons as from 1 June](#)', 27 May 2020.

⁶⁴ Finland, Criminal Sanctions Agency (*rikosseuraamuslaitos / brottspåföldsmynndigheten*), '[Rikosseuraamuslaitoksen toimet koronaviruksen levämisen estämiseksi – harkinnassa tapaamisten ja toimintojen rajaaminen väliaikaisesti](#)', 13 March 2020.

prison leave, carefully and gradually.⁶⁵ As of 27 May 2020, there are no cases of coronavirus infections in the prisons. So far, only prisoners with symptoms consistent with a coronavirus infection have been tested, by decision of a physician responsible for infectious diseases in a hospital district.⁶⁶

⁶⁵ Finland, Criminal Sanctions Agency (*rikosseuraamuslaitos / brottspåföljdsmyndigheten*), e-mail message 8 June 2020.

⁶⁶ Finland, Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), Health Care Services for Prisoners (*vankiterveydenhuollon yksikkö / enheten för hälso- och sjukvård för fångar*), e-mail 8 June 2020. Finland, the Finnish Institute for Health and Welfare, website [Frequently asked questions about coronavirus](#), Testing.

2 Impact on fundamental rights of older people

Please provide information under each title / sub-title; and indicate n/a when no information available.

2.1 Data/statistics

Where available, data should be disaggregated by age groups and sex.

In **Finland**, official data on corona cases is compiled by the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*).⁶⁷

2.1.1 Share of persons 60+ in the total number of persons in the community infected, recovered and died in relation to COVID-19.

- Infected by COVID-19 Of those infected with COVID-19 (6,859 as of 31 May 2020), 631 are in the age group 60-69 and 336 in the age group 70-79 whereas 495 are 80 years of age or more.⁶⁸ The data is not disaggregated by living arrangements (home/institutional care). Of those infected, 50.6 % are women, 49.4 % men.⁶⁹ The data is not disaggregated by age or living arrangements.
- Recovered from COVID-19 As of 31 May 2020, an estimated 5,500 people have recovered from COVID-19.⁷⁰ The data is not disaggregated by sex, age or living arrangements.
- Died in relation to COVID-19 As of 31 May 2020, a total of 320 deaths associated with COVID-19 have been reported. More detailed information is available on 303 of the fatalities. Of them, 48 % are men and 52 % men. A total of 24 are in the age group 60-69, 60 in the age group 70-79, 126 in the age group 80-89 and 77 are 90 years of age or more.⁷¹ Of the deceased, 2 % were at home or elsewhere (not in an institution).⁷² The data on treatment immediately prior to death is not disaggregated by age or sex.

2.1.2 Share of persons 60+ in the total number of persons in institutional settings infected, recovered and died in relation to COVID-19.

- Infected by COVID-19 Of those infected with COVID-19 (6,859 as of 31 May 2020), 631 are in the age group 60-69 and 336 in the age group 70-79 whereas 495 are 80 years of age or more.⁷³ The data is not disaggregated by living arrangements (home/institutional care). Of

⁶⁷ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Situation update on coronavirus](#).

⁶⁸ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Varmistetut koronatapaukset Suomessa \(COVID-19\)](#).

⁶⁹ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Varmistetut koronatapaukset Suomessa \(COVID-19\)](#).

⁷⁰ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Situation update on coronavirus](#).

⁷¹ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Situation update on coronavirus](#).

⁷² Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Situation update on coronavirus](#).

⁷³ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Varmistetut koronatapaukset Suomessa \(COVID-19\)](#).

those infected, 50.6 % are women, 49.4 % men.⁷⁴ The data is not disaggregated by age or living arrangements.

- Recovered from COVID-19 As of 31 May 2020, an estimated 5,500 people have recovered from COVID-19.⁷⁵ The data is not disaggregated by sex, age or living arrangements.
- Died in relation to COVID-19 As of 31 May 2020, a total of 320 deaths associated with COVID-19 have been reported. More detailed information is available on 303 of the fatalities. Of them, 48 % are men and 52 % men. A total of 24 are in the age group 60-69, 60 in the age group 70-79, 126 in the age group 80-89 and 77 are 90 years of age or more.⁷⁶ Of the deceased, 19 % were in specialised medical care, 34 % in primary health care units, 45 % in social welfare 24-hour units.⁷⁷ The data on treatment immediately prior to death is not disaggregated by age or sex.

2.1.3 Number and type of institutions affected

In **Finland**, official data on COVID-19 infections and deaths is compiled by the Finnish Institute for Health and Welfare. There is data available on the number of persons hospitalised due to COVID-19 and the number of deaths associated with the disease. The data is reported by hospital catchment area. It is not disaggregated by sex, age or institution.⁷⁸ According to the Finnish Institute for Health and Welfare, there is no official data available on COVID-19 infections and deaths in care homes for the elderly.⁷⁹

2.1.4 Do official statistics on mortality rates from COVID-19 include deaths of older persons in care homes? Has there been any critique of data collection with respect to care homes?

In **Finland**, official data on deaths associated with COVID-19 is compiled by the Finnish Institute for Health and Welfare. The data is disaggregated by age but not by living arrangements (home/institutional care).⁸⁰

The Finnish Institute for Health and Welfare collects the national data on mortality rates from hospital districts. The hospital districts again compile the data from hospitals and municipalities in the district. In April, the media reported that there were dozens of coronavirus deaths in care homes in the hospital district of Helsinki and Uusimaa that had not been included in the national data. The municipalities, who monitor the situation in the care homes, had collected data on deaths associated

⁷⁴ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Varmistetut koronatapaukset Suomessa \(COVID-19\)](#).

⁷⁵ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Situation update on coronavirus](#).

⁷⁶ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Situation update on coronavirus](#).

⁷⁷ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Situation update on coronavirus](#).

⁷⁸ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Situation update on coronavirus](#).

⁷⁹ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), e-mail message 5 June 2020.

⁸⁰ Finland, the Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos / institutet för hälsa och välfärd*), website [Situation update on coronavirus](#) and e-mail message 5 June 2020.

with COVID-19 in care homes but had not submitted it further to the hospital district.⁸¹ On 24 April 2020, the Finnish Institute for Health and Welfare issued instructions on reporting of coronavirus fatalities.⁸² The municipalities are requested to report to the hospital district on a daily basis all deaths associated with COVID-19 which have occurred in primary health care units, social welfare units and at home.

2.1.5 Independent studies published on the situation of older persons with respect to the impact of and responses to COVID-19

Please reference up to three studies and provide brief information on their focus.

Rissanen, P., Parhiala, K., Kestilä, L., Härmä, V., Honkatukia, J., Jormanainen, V. (2020), [COVID-19-epidemian vaikutukset väestön palvelutarpeisiin ja palvelujärjestelmään – nopea vaikutusarvio](#) [Effects of COVID-19 epidemic on the population's service needs, the service system and the economy - rapid impact assessment], Helsinki, Finnish Institute for Health and Welfare.

The report reviews the impacts that the policy measures taken to curb the spread of the coronavirus in Finland have had on peoples' living conditions, service needs, use of services and state of mind. It also includes predictions on the impacts of the measures on economic development. Among the vulnerable population groups studied are elderly people and their service needs. Regarding the elderly, the report raises issues such as the impact of social distancing on physical, mental and social abilities among the elderly and the positive and negative effects of the increasing use of e-services in care for the elderly.

2.2 COVID-19 measures targeting older people

Please indicate the age group/s concerned; e.g. 60+, 65+, 70+ etc.

Please consult and refer in particular to measures related to existing or planned national exit strategies (policies/measures).

Please report on developments for the reference period 1 May – 31 May (inclusive) and on any changes/revisions of measures reported in the 1st and 2nd bulletin regarding older people.

2.2.1 National guidelines/protocols in response to COVID-19 addressing older people

- **in residential care homes (including protective equipment, visits etc.)**

On 13 May 2020, the Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*) issued municipalities and service providers a decision ordering those working in close contact with clients to wear a mask in social welfare units providing 24-hour care and in home

⁸¹ YLE Finnish Broadcasting Company (*Yleisradio / Rundradion*), '[Finland's coronavirus fatalities likely under-reported by dozens](#)', 17 April 2020.

⁸² Finland, the Finnish Institute for Health and Welfare, [Covid19-infektioon menehtyneiden henkilöiden kuoleman raportointi](#), 24 April 2020.

care services.⁸³ The order was issued as a decision based on Section 86 of the Emergency Powers Act (*valmiuslaki/beredskapslagen*, Act No. 1552/2011)⁸⁴ and it will remain in force until 30 June 2020. Violations of the orders issued on the basis of Section 86 of the Emergency Powers Act are sanctioned with fines in accordance with Section 133 of the same Act. The order was warranted mainly due to reports of greatly varying application of earlier instructions leading to regionally and locally differing practices in the protection of institutionalised peoples' life and health.

On 15 May, the decision was followed with updated instructions on how to prevent coronavirus infections in units providing 24-hour care and treatment, replacing earlier instructions that were issued on 9 April 2020.⁸⁵ Besides older people's care units, the instructions apply to home care services and all housing units for people with disabilities which accommodate clients belonging to at-risk groups. The updates concern particularly the use of masks by staff members and include guidance for cleaning and disinfection in care and treatment units, stressing also that the units are responsible for ensuring that their staff has the necessary knowledge and skills to prevent and combat the spread of infections.

Visits to care homes continue to be prohibited on the basis of Section 17 of the Act on Communicable Diseases (*tartuntatautilaki/lag om smittosamma sjukdomar*, Act No. 1227/2016) and in line with the government's decision of 16 March and its extensions (please see below), but the updated instructions suggest measures to support the functional capacity of clients, and refer to possibilities to improve residents' communication with family members or other people close to them (please see below).⁸⁶ Separate instructions have been issued on protective measures when working with patients suffering from respiratory infections or infected by the coronavirus.⁸⁷

- **in the community in general**

On 6 May, the government adopted a resolution on a plan for a hybrid strategy to manage the COVID-19 crisis including a recommendation for people aged over 70 years to continue to avoid physical contacts as far as possible.⁸⁸ The Government noted that the need to protect risk groups persists, but the guidelines need to be updated to better recognise the need to respect people's other fundamental and human rights as well as to ensure their functional capacities and to respond to their social and economic needs.

⁸³ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), Decision on taking guidance measures in social welfare under section 86 of the Emergency Powers Act: Protection of social welfare clients from the coronavirus (COVID-19) ([Päätös valmiuslain 86 §:n mukaisiin sosiaalihuollon ohjaustoimiin ryhtymisestä: Sosiaalihuollon asiakkaiden suojaaminen koronavirustaudilta \(covid-19\)](#)), Decision of 13 May 2020.

⁸⁴ Finland, Emergency Powers Act (*valmiuslaki/beredskapslagen*), Act No. 1552/2011.

⁸⁵ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), [Ohje_kunnille_ ja_ palveluntuottajille_ koronavirustartuntojen_ ehkäisystä_ ympärikuorokautisen_ hoidon_ ja_ huolenpidon_ toimintayksiköissä](#)), 15 May 2020 and Ministry of Social Affairs and Health '[Ministry of Social Affairs and Health has updated instructions on prevention of coronavirus infections in units providing 24-hour care and treatment, Functional capacity and communication with family members or close friends supported even under emergency conditions](#)', press release, 15 May 2020.

⁸⁶ Finland, Finnish Institute for Health and Welfare (THL), '[Elderly people – instructions for persons over 70 years of age](#)', and Ministry of Social Affairs and Health, '[Elderly people should avoid exposure to coronavirus – attention should be paid to wellbeing and functional capacity](#)', press release, 20 May 2020.

⁸⁷ Finland, Finnish Institute for Health and Welfare (THL), [Toimenpideohje epäältäässä koronaviruksen COVID-19 aiheuttamaa infektiota](#), updated on 1 June 2020.

⁸⁸ Finland, Government (*valtioneuvosto/statsrådet*), '[Government decides on plan for hybrid strategy to manage coronavirus crisis and for gradual lifting of restrictions](#)', press release, 4 May 2020 and government decision VNK/2020/57, 6 May 2020.

The Finnish Institute for Health and Welfare (*Tervyden ja hyvinvoinnin laitos*/Institutet för hälsa och välfärd, THL) updated its guidelines for people over 70 years of age on 20 May 2020.⁸⁹ The main message in line with the government resolution is that older people should continue to avoid exposure to coronavirus, but increased attention should be paid to their wellbeing and functional capacity. A need to clarify the earlier guidelines adopted in March had emerged also as there was uncertainty among older people concerning their obligatory nature.⁹⁰ The Finnish Institute for Health and Welfare now confirmed the non-binding nature of the guidelines and the underlying government's recommendations.

According to the updated guidelines, people over 70 years of age should follow the same general guidelines to reduce the risk of infection as anyone else.⁹¹ These include avoiding close contacts, keeping a distance from other people, and maintaining good hand hygiene. Older people may, e.g., go shopping, go to the pharmacy or visit the health centre, but they are requested to maintain good hand hygiene and keep a safe distance of at least 1–2 metres from other people. Older people are also recommended not to run errands during busy hours.

On the other hand, the guidelines stress it to be important that older people stay in touch with friends and family by telephone or other remote communication devices. If meeting someone face-to-face, however, a safe distance of two metres is recommended to be ensured.⁹²

2.2.2 National guidelines/protocols on patient triage that apply age as the main and decisive criterion

No guidelines or protocols applying age as the decisive criterion of patient triage exist in Finland. Emergency departments use an assessment based on ESI (Emergency Severity Index) triage index. ESI index is composed of four decision points on the basis of which patients are classified into five categories. ESI triage is based on the acuity of patients' health care problems and the number of resources their care is anticipated to require.⁹³ The grounds for patient triage are regulated in the Government decree on grounds for emergency care and requirements set on emergency clinics according to medical specialty (*Valtioneuvoston asetus kiireellisen hoidon perusteista ja päivystykseen erikoisalakohtaisista edellytyksistä*/Statsrådets förordning om grunderna för brådskande vård och förutsättningarna för jour inom olika medicinska verksamhetsområden, Decree No. 583/2017).⁹⁴

⁸⁹ Finland, Finnish Institute for Health and Welfare (THL), '[Elderly people – instructions for persons over 70 years of age](#)', and Ministry of Social Affairs and Health, '[Elderly people should avoid exposure to coronavirus – attention should be paid to wellbeing and functional capacity](#)', press release, 20 May 2020.

⁹⁰ See, e.g. Kuosma, T. (2020), '[Uusi koronavirus – COVID-19: Toimintaohjeita yli 70-vuotiaille](#)', Blog post, *Perustuslakiblogi*, 23 May 2020.

⁹¹ Finland, Finnish Institute for Health and Welfare (THL), '[Elderly people – instructions for persons over 70 years of age](#)', and Ministry of Social Affairs and Health, '[Elderly people should avoid exposure to coronavirus – attention should be paid to wellbeing and functional capacity](#)', press release, 20 May 2020.

⁹² Finland, Finnish Institute for Health and Welfare (THL), '[Elderly people – instructions for persons over 70 years of age](#)', and Ministry of Social Affairs and Health, '[Elderly people should avoid exposure to coronavirus – attention should be paid to wellbeing and functional capacity](#)', press release, 20 May 2020.

⁹³ [Emergency Severity Index \(ESI\) home page](#).

⁹⁴ Finland, Government decree No. 583/2017: [Valtioneuvoston asetus kiireellisen hoidon perusteista ja päivystykseen erikoisalakohtaisista edellytyksistä](#).

2.2.3 Targeted testing of residents and staff in residential care homes

- Is this laid down in a targeted policy/measure or done on an ad-hoc basis when a case has been detected?

Instructions on testing are included in the above updated instructions issued by the Ministry of Social Affairs and Health on 15 May 2020.⁹⁵ Testing is done when suspected cases are detected. In such cases everyone, the staff, the residents and potential visitors will be tested.

- Data/statistics on testing & frequency of testing – institutions, residents, staff

[According to the statistical unit of the Finnish Institute for Health and Welfare, this information is not available.⁹⁶]

2.2.4 Restrictions/bans on visits to residential care settings, and any (conditional) lifting of these restrictions

Please report on the conditions applied.

Visits to housing services for the elderly and other at-risk groups continue to be prohibited in line with the government's decision of 16 March 2020⁹⁷ and its extensions issued on 9 April 2020 and again on 12 May 2020⁹⁸ and respective orders issued at the municipal level on the basis of section 17 of the Act on Communicable Diseases (*tartuntatautilaki/lag om smittosamma sjukdomar*, Act No. 1227/2016). Exceptions may be allowed only in cases where the patients are in critical condition or in palliative care. The Finnish Institute for Health and Welfare, however, encourages care units to come up with creative practices in arranging safe meetings for the residents with their families and close ones. According to the Finnish Institute for Health and Welfare such practices could be e.g. arranging places or rooms for the clients where they can meet and communicate with their family members in a safe way, or moveable modules that could be placed in a safe place inside the premises, for example in the lobby, or outside. The Finnish Institute for Health and Welfare collects good practices and publishes information on them on its website at thl.fi.⁹⁹

2.2.5 Restrictive measures for older people living in the community

Please report on any restrictions for older people after gradual lifting of confinement measures (e.g. use of public services, work, and participation in voluntary and social activities).

Older people are recommended to continue to avoid physical contacts, as explained above under 2.2.1.

⁹⁵ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), [Ohje_kunnille_ ja_ palveluntuottajille_koronavirustartuntojen_ehkäisystä_ympäri vuorokautisen_hoidon_ ja_huolenpidon_toimintayksiköissä](#), 15 May 2020.

⁹⁶ Finland, information obtained from the Finnish Institute for Health and Welfare by email on 29 may 2020.

⁹⁷ Finland, Government, '[Government, in cooperation with the President of the Republic, declares a state of emergency in Finland over coronavirus outbreak](#)', press release, 16 March 2020.

⁹⁸ Finland, Government decisions of 12 May 2020 ([Valtioneuvoston yleisistunto 12.5.2020 VN 55/2020](#)).

⁹⁹ Finland, Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos/institutet för hälsa och välfärd, THL*), webpage [Yli 70-vuotiaiden toimintakyvyn tukeminen koronavirusepidemian aikana](#).

2.2.6. Access to healthcare for older people for conditions unrelated to COVID-19

Please report on measures targeted at older people living in the community and in institutional care settings (e.g. home-based visits, mobile health care, other hospital treatment).

Instructions for the care of acute conditions that are unrelated to COVID-19 are included in the above mentioned instructions issued by the Ministry of Social Affairs and Health on 15 May 2020.¹⁰⁰ According to them, patients in institutional care are not to be moved from their care homes unless necessary in cases where e.g. imaging or surgery is needed. Their care should be arranged primarily in their care units, that is, and supported with home care or mobile clinics, if needed.

As for older people living in the community they are allowed to visit the health care centres, and their care can be arranged-supported e.g. in the framework of home care. The authorities have urged people not to cancel their regular appointments, but to keep them always where their illnesses necessitate it.

Municipalities have been given the right to deviate from the time limits for non-urgent healthcare and for initiating the assessment of the need for social welfare services under the Emergency Powers Act which application was extended until 30 June 2020 on the basis of a decree issued on 12 May 2020.¹⁰¹

2.2.7 Support measures and promising practices targeting older people, including access to goods and services online and offline, social/psychological support, and use of digital tools and technology

Please also report on any targeted measures for people with dementia.

As reported earlier many municipalities, religious communities, civil society organisations and neighbours are offering help to assist older people in shopping and other daily chores outside the home. The Age institute, e.g., has challenged housing companies, residents' associations and detached associations to join a campaign to identify voluntary 'quarantine couriers' to assist older neighbors.¹⁰²

Concerned over the severe effects on dementia patients mental and physical well-being, the Alzheimer Society of Finland (*Muistiliitto/Minnesförbundet*) issued a statement demanding the continuance of the services that have been disrupted or curtailed due to the coronavirus outbreak.¹⁰³

¹⁰⁰ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), [Ohje kunnille ja palveluntuottajille koronavirustartuntojen ehkäisystä ympärikuorokautisen hoidon ja huolenpidon toimintayksiköissä](#), 15 May 2020 and Ministry of Social Affairs and Health '[Ministry of Social Affairs and Health has updated instructions on prevention of coronavirus infections in units providing 24-hour care and treatment, Functional capacity and communication with family members or close friends supported even under emergency conditions](#)', press release, 15 May 2020.

¹⁰¹ Finland, Ministry of Social Affairs and Health (*sosiaali- ja terveysministeriö/social- och hälsovårdsministeriet*), '[Municipalities have the right to deviate from the time limits for initiating an assessment of the need for non-urgent care](#)', press release, 12 May 2020.

¹⁰² Age institute (*Ikäinsituutti*), '[Joko olet karanteenikuriiri naapurille?](#)', Blog post, 19 March 2020.

¹⁰³ Alzheimer Society of Finland (*Muistiliitto/Minnesförbundet*), [Kannanotto: Muistisairaiden peruspalvelujen karsiminen heikentää toimintakykyä](#), Statement, 18 May 2020.

2.2.8 Consultation of older people's organisations and/or other civil society organisations in the design, implementation and review of COVID-19-related measures

The Finnish Institute for Health and Welfare (*Terveyden ja hyvinvoinnin laitos/Institutet för hälsa och välfärd, THL*) invited representatives of the main older peoples' organisations (Vanhustyön keskusliitto, Valli, Ikäinstituutti and Muistiliitto) to a meeting before issuing the updates of the instructions for care homes on 15 May 2020.¹⁰⁴ The Finnish Institute for Health and Welfare has also invited organisations to submit and share good practices on solutions for how the care home residents could meet their family members and close ones in a safe way.¹⁰⁵

¹⁰⁴ Finland, information obtained from the Alzheimer Society of Finland (*Muistiliitto/Minnesförbundet*), via phone on 29 May 2020.

¹⁰⁵ Finland, Finnish Institute for Health and Welfare (*terveyden ja hyvinvoinnin laitos/institutet för hälsa och välfärd, THL*), webpage [Yli 70-vuotiaiden toimintakyvyn tukeminen koronavirusepidemian aikana](#), and [Innokylä website](#).