

An update on developments regarding civic space in the EU and an overview of the possibilities for human rights defenders to enter EU territory

Finland

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1. Civic space developments in 2022

1.1. Autonomous and dynamic civil society for all

| | |
|--------|---|
| Area | Participation and cooperation with authorities |
| Topic | Civil dialogue (dialogue/cooperation between authorities and civil society organisations) |
| Impact | Major |

In January 2022, the government appointed a new Advisory Board on Civil Society Policy (*Kansalaisyhteiskuntapolitiikan neuvottelukunta/Delegationen för medborgarsamhällspolitik*) (KANE) for the next four-year term 2022–2026.¹ The Advisory Board, working under the auspices of the Ministry of Justice (*oikeusministeriö/justitieministeriet*), is tasked with promoting dialogue between civil society and public administration and enhancing the operating conditions for civil society. The membership of KANE includes representatives from civil society, researchers, businesses, ministries, and other authorities.²

KANE published its strategy for 2022–2026 in October 2022. The new strategy aims to clarify the areas of change and objectives concerning the state and future of civil society. The strategy's main goals are 1) safeguarding and strengthening the autonomy and dynamism of associations and other civil society actors, 2) developing interaction and partnership between public administration and civil society, and 3) promoting equal participation. The chairs and the secretariat of the Advisory Board are responsible for coordinating the implementation of the strategy. KANE will carry out the mid-term review of the strategy to examine how the implementation work has progressed and

¹ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2022), '[New Advisory Board on Civil Society Policy \(KANE\) appointed](#)', press release, 27 January 2022.

² Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*), '[Advisory Board on Civil Society Policy \(KANE\)](#)' (website).

whether the focus areas of influence and the measures recorded under them are still relevant. Other related evaluations and studies will also be used in the review.³

In Finland, the next parliamentary elections will be held in April 2023. With the parliamentary elections approaching, KANE emphasises the importance of an autonomous and multi-voiced civil society.⁴ KANE encourages the political parties to nominate a variety of candidates to stand for election to parliament: people of different ages (especially younger people) and genders, as well as people from diverse linguistic, cultural, and other minorities. KANE considers it essential that the candidates represent society in various ways. Experience in civic engagement within or outside organisations enables candidates to take responsibility and brings a diverse perspective to people's everyday lives. In its objectives for the next parliamentary term 2023–2027, KANE underlines the need to increase the inclusion of children and young people. KANE considers it vital to improve listening to the vulnerable and marginalised groups of society and stresses the need for civil society to trust in all its diverse voices being heard.⁵

³ Wakeham-Hartonen, M., Männistö, L. (eds) (2022), [Autonomous and dynamic civil society for all: Advisory Board on Civil Society Policy \(KANE\) Strategy 2022–2026](#). Publications of the Ministry of Justice, Operations and administration 2022:5, 3 October 2022.

⁴ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*) (2022), '[An autonomous and dynamic civil society for all](#)', press release, 5 October 2022.

⁵ Finland, Advisory Board on Civil Society Policy (*Kansalaisyhteiskuntapolitiikan neuvottelukunta/Delegationen för medborgarsamhällspolitik*) (2022), [KANEn tavoitteet eduskuntavaaleissa ja hallitusohjelmassa 2023](#) (KANE's objectives in the parliamentary elections and in the government programme 2023), Memorandum, 28 October 2022.

1.2. Facilitating civil society activities by developing the Associations Act

| | |
|--------|--|
| Area | Freedom of association / Freedom of peaceful assembly |
| Topic | Formation and registration of associations / Equal treatment / Transparency / Organisation of assemblies / Participation to assemblies |
| Impact | Major |

An amendment of the Associations Act (*yhdistyslaki/föreningslag*, Act No. 503/1989) entered into force on 11 July 2022.⁶ According to the amended Act, the rules of an association can allow exclusively virtual meetings, via remote connection only. In such cases, the rules of the association may require a binding prior registration for the meeting. Furthermore, the association's executive committee has a right to decide on hybrid meetings, unless explicitly restricted or prohibited in the rules of the association. Remote participation and virtual meetings are expected to encourage participation and provide equal opportunities for members to attend the association meetings. Similar arrangements for remote participation were temporarily in force during the COVID-19 pandemic and expired on 30 June 2022.⁷

Another legislative proposal for amending the Associations Act was submitted to parliament in December 2022 and adopted on 13 January 2023. It came into force on 8 February 2023.⁸ The amendments make it easier to join and resign from an association. The association's executive committee decides on the admission requirements and the procedure for admission or resignation. This offers the possibility to delegate the powers to decide on admission and resignation, for example, to a designated member of the association's staff, and to make use of digital services when handling membership

⁶ Finland, Act amending the Associations Act ([*laki yhdistyslain muuttamisesta/lag om ändring av föreningslagen*](#), Act No. 663/2022), 8 July 2022.

⁷ FRANET, [Coronavirus pandemic in the EU – Fundamental Rights Implications, Finland](#), 2 July 2020.

⁸ Finland, Act amending the Associations Act ([*laki yhdistyslain muuttamisesta/lag om ändring av föreningslagen*](#), Act No. 135/2023), 3 February 2023.

applications or notices of resignation. In addition, the executive committee has the right to hold meetings remotely, for example, per telephone, email or online. In the election of the executive committee members, decision-making by a vote of members, organised by post or by using a data connection or other technical means, is allowed, as an alternative to a physical meeting. The members of an association will thus gain more effective opportunities to directly influence the activities of the association. The amendments also ease the administrative burden for smaller associations by allowing simplified accounting standards for associations, which have an annual income (including grants) less than € 30,000 and which are not engaged in business for profit.

1.3. Enhancing participation in society among immigrants and multilingual Finns

| | |
|--------|--|
| Area | Participation and cooperation with authorities |
| Topic | Public participation (citizen participation) |
| Impact | Minor |

In June 2022, the Ministry of Justice published a working group report which examines barriers to active participation of immigrants and multilingual Finns.⁹ It focuses on electoral participation and direct and participatory democracy, including citizens' initiatives, civic associations, and public protests. In addition, it discusses the role of democracy education in integration training as well as equal participation of young immigrants and multilingual Finns.

⁹ Seikkula, M. and Maury, O. (eds) (2022), [Korjataan maahanmuuttaneiden ja monikielisten suomalaisten demokratiavaje: Työryhmän raportti ja suositukset](#) (Addressing the democratic deficit among immigrants and multilingual Finns: Working group report and recommendations), Helsinki, Ministry of Justice, Memorandums and statements 2022:27.

According to the report, the group of immigrants and multilingual Finns made up over 8 % of the population in 2021, and their numbers are growing.¹⁰ Yet, their voice is not heard in decision-making and public debate. Their turnout in elections and participation in politics is low as compared to the rest of the population, and they are not familiar with the available mechanisms of direct and participatory democracy. As one of the barriers to active participation, the report finds that there is not enough multilingual and multichannel communication, provided by the authorities or political parties and accessible to immigrants and multilingual Finns. The report also suggest that the role of organisations of immigrants and multilingual Finns should be recognized as partners in cooperation with the authorities. Such organisations could be encouraged to engage in democracy education, promoting social inclusion and supporting immigrants and multilingual Finns in exerting influence in society. Among the barriers to active participation is also the fact that immigrants and multilingual Finns are seen as targets of measures, rather than actors. This decreases their possibilities for equal participation. Furthermore, negative attitudes, exclusion and open racism discourage motivation and participation. The report urges the authorities to combat harassment, hate speech and racism and to increase equality-promoting activities.

¹⁰ Seikkula, M. and Maury, O. (eds) (2022), [Korjataan maahanmuuttaneiden ja monikielisten suomalaisten demokratiavaje: Työryhmän raportti ja suositukset](#) (Addressing the democratic deficit among immigrants and multilingual Finns: Working group report and recommendations), Helsinki, Ministry of Justice, Memorandums and statements 2022:27, p. 8.

2. Promising practice in 2022

2.1. Virtual Council — a platform for engaging young people in decision-making

The Ministry of Justice launched a project in May 2022 to develop a Virtual Council (*Digiraati/E-panelen*) online service to support young people's online participation in decision-making in society. The aim is to increase interaction between people of different ages and backgrounds, thereby improving the quality of decision-making and increasing the partnership between central government, non-governmental actors and researchers. The project also responds to the need to reach vulnerable children and young people and to involve them more strongly in society.¹¹

The Virtual Council service is an online platform for consulting children and young people on current topics and for dialogue between youth and decision-makers. The aim is to provide all young people with a motivating and easy-to-use digital channel for expressing their opinions, discussing social issues and gaining positive experiences of participation. In addition, the service provides civil servants with a nationwide channel for hearing young people's views on social issues.¹² The Virtual Councils can be organised, for example, by ministries, municipalities, other authorities or NGOs. Discussions guided and supervised by a trained facilitator occur under pseudonyms in the closed forum. The goal is to create a statement, which will be forwarded to the decision-makers and published in the service. The use of the service is free of charge for both the organisers of the councils and their participants.

The Virtual Council service has been developed in cooperation with the ALL-YOUTH research project, the Ministry of Education and Culture, the National Strategy for

¹¹ Finland, Ministry of Justice (*oikeusministeriö/justitieministeriet*), [Digiraati-toimintamalli lasten ja nuorten verkko-osallistumisen tueksi/Verksamhetsmodellen E-panelen till stöd för barns och ungas deltagande på nätet](#). (project website).

¹² Pietilä, I. (2022), [Studies of Digital Solutions Supporting Societal Participation of Youths](#). Tampere, Tampere University Dissertations 716.

Children, the Centre of Expertise for Youth Inclusion and the Finnish Red Cross.¹³ Since the spring of 2022, the Ministry of Justice has continued the development based on feedback from the service users. In the pilot phase, organisers of virtual councils, such as ministries, municipalities and NGOs are offered support in planning and launching discussions. The development of the Virtual Council service is a part of the reform of Demokratia.fi online participation services aiming to improve the interaction between public administration and civil society. Demokratia.fi service, maintained by the Ministry of Justice, brings together the various online services for societal participation and provides up-to-date information on decision-making and law drafting stages.¹⁴ The Virtual Council service¹⁵ is available to a limited extent during the piloting phase, after which it will be made more widely available as a part of the Demokratia.fi online service.

¹³ For more information on the Virtual Council web-service prototype developed by the ALL-YOUTH research project, see the web page [Virtual Council — Digital Web Councils for Young People](#).

¹⁴ For more information on Demokratia.fi online service, see the web page [Demokratia.fi](#).

¹⁵ For more information on the Virtual Council online service, see the web page [Digiraati](#).

3. Visa for human rights defenders

3.1. Entry and stay for human rights defenders (HRDs) at risk

| | |
|--|-----|
| Dedicated visa scheme for HRDs at risk available in your country | No |
| Other type of visa or alternative legal entitlement or derogation clause applied to HRDs | Yes |

Finland currently has no dedicated visa scheme for the temporary protection of HRDs at risk. However, in August 2022, the government announced its plans to introduce a national, humanitarian visa, which would allow HRDs, activists and journalists at risk to enter the country. The relevant provisions would be added to the Aliens Act (No. 301/2004).¹⁶ The visa would be limited to critical situations and based on a case-by-case assessment.¹⁷ The Ministry for Foreign Affairs (*ulkoministeriö/utrikesministeriet*) jointly with the Ministry of the Interior (*sisäministeriö/inrikesministeriet*) have started to explore the details of the possible new visa scheme. This is expected to be an extensive project, and it is estimated that a draft proposal would be submitted to parliament during the next parliamentary term in the autumn of 2023.¹⁸ Civil society organisations will be consulted throughout the process, and the draft proposal will be open for

¹⁶ Finland, Government (*valtioneuvosto/statsrådet*), [Hallituksen esitys ulkomaalaislain muuttamiseksi \(humanitäärinen viisumi\)](#) (government legislative project). Finland, [Aliens Act \(ulkomaalaislaki/utlänningsslag, Act No. 301/2004\)](#), 30 April 2004.

¹⁷ Finland, Finnish Broadcasting Company (*Yleisradio/Rundradion*) (2022), '[Hallitus suunnittelee uutta humanitaarista viisumia Ukrainan sodan takia – tulisi käyttöön esimerkiksi venäläisten toisinajattelijoiden kohdalla](#)', 30 August 2022.

¹⁸ Etelä-Suomen Sanomat (2022), '[Humanitaarisesta viisumista ei ehditä antaa lakiesitystä tällä hallituskaudella](#)', 19 October 2022.

comments in the online service (lausuntopalvelu.fi) maintained by the Ministry of Justice.¹⁹

The need for a visa scheme for HRDs has most recently been discussed in the context of the war in Ukraine and the entry restrictions imposed on Russian citizens.²⁰ On 29 September 2022, the Finnish Government issued a resolution to restrict the entry of Russian tourists into Finland.²¹ The restrictions are based on Article 6(1)(e) of the Schengen Borders Code and apply to both tourism into Finland and transit to other countries through Finland. They entered into force on 30 September 2022 and will remain in force until further notice. While aimed at reducing tourism, the restrictions make it more difficult also for Russian HRDs to enter Finland, because the main way for them to leave Russia is under a tourist visa.²² However, according to the government resolution, the restrictions do not apply to travel on grounds that are essential with respect to fundamental rights, such as family, health or employment.²³ Furthermore, the resolution does not prevent the possibility of entry when it is necessary for special reasons, based on individual consideration. Such special reasons include humanitarian reasons, persons in need of international protection and other necessary and justified reasons, including representatives of foreign media, for instance.²⁴ According to the government resolution, in such cases it is possible to consider the use of a regionally

¹⁹ Information received from the Ministry for Foreign Affairs of Finland, per email on 20 February 2023.

²⁰ Finland, Finnish Broadcasting Company (*Yleisradio/Rundradion*) (2022), '[Finland probes offering humanitarian visas to Russian dissidents](#)', 30 August 2022. Written questions [KK 429/2022](#) (19 August 2022) and [KK 477/2022](#) (21 September 2022) submitted by MPs, and the responses by the Minister for Foreign Affairs [KKV 429/2022](#) (9 September 2022) and [KKV 477/2022](#) (12 October 2022).

²¹ Finland, [Valtioneuvoston periaatepäätös](#) (Government resolution), 29 September 2022. Finland, Government (*valtioneuvosto/statsrådet*) (2022), '[Finnish Government issues a resolution to strongly restrict entry of Russian tourist into Finland](#)', press release, 29 September 2022.

²² Finland, written question [KK 477/2022](#) (21 September 2022) submitted by an MP and the response by the Minister for Foreign Affairs [KKV 477/2022](#) (12 October 2022). Finland, Ministry for Foreign Affairs (*ulkoministeriö/utrikesministeriet*), [Q&A about the Government resolution](#).

²³ Finland, [Valtioneuvoston periaatepäätös](#) (Government resolution), 29 September 2022. Finnish Border Guard website, [Restrictions on the entry of Russian citizens](#).

²⁴ Finnish Border Guard website, [Restrictions on the entry of Russian citizens](#).

restricted visa referred to in Article 25 of the Visa Code.²⁵ A regionally restricted visa permits entry to Finland for a maximum period of 90 days. After that, the person needs to leave the country or apply for a residence permit. A regionally restricted visa can also be issued to the applicant's family members.²⁶

In November 2022, the Ministry for Foreign Affairs published new guidelines for protecting and supporting HRDs.²⁷ The guidelines are intended specially for Foreign Service employees in the ministry and in Finland's missions abroad. They do not, as such, address the issue of visas for HRDs at risk, but mention that a visa with limited territorial validity can be issued, pursuant to Article 25 of the Visa Code, when it is necessary on humanitarian grounds, and in situations where the regular entry conditions laid down in the Schengen Borders Code are not fulfilled. Furthermore, the guidelines refer to the recently initiated legislative project to introduce a new humanitarian visa.

Temporary protection for HRDs at risk can also be offered by various safe residency projects maintained, for example, by cities and civil society organisations, often in collaboration. For example, Artists at Risk is a non-profit organisation to assist, relocate and support artists and writers at risk, in cooperation with local partners. Artists at Risk was initiated in 2013 by an association (Perpetuum Mobile ry) registered in Finland and has since developed into a wider network in Europe and beyond.²⁸ In Finland, Artists at Risk is supported by cities, associations and private foundations, among others, and has also received funding by the Ministry of Education and the Ministry for Foreign Affairs.²⁹

²⁵ Finland, [Valtioneuvoston periaatepäätös](#) (Government resolution), 29 September 2022. Finland, Ministry for Foreign Affairs (*ulkoministeriö/utrikesministeriet*), [Q&A about the Government resolution](#).

²⁶ Information received from the Ministry for Foreign Affairs of Finland, per email on 20 February 2023.

²⁷ Finland, Ministry for Foreign Affairs (*ulkoministeriö/utrikesministeriet*) (2022), [Tuemme yhdessä ihmisoikeuspuolustajia: Suomen ulkoasiainhallinnon ohjeet](#) (Supporting human rights defenders together: Guidelines of the Finnish Foreign Service). Helsinki, Publications of the Ministry for Foreign Affairs 2022:6.

²⁸ Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*) (2022), ["Vainotut taiteilijat ovat residensseissä nimenomaan taiteilijoina, eivät pakolaisina"](#), news release, 23 November 2022. For more information, see also the organisation's webpage, Artists at Risk, [Assisting artists whose freedom and lives are at risk](#).

²⁹ Villa, S. (2017), [Human rights defenders are facing increasing intimidation — How should Finland's support for human rights defenders be developed?](#), Helsinki, Ministry for Foreign Affairs of Finland, p. 118; Artists at Risk, [AR — Safe Haven Helsinki Residency](#), website; Finland, Finnish National Agency for Education (*opetushallitus/utbildningsstyrelsen*) (2022),

In 2022, two Finnish private foundations, with a mission to support quality journalism and promote freedom of speech, awarded funds for Artists at Risk to offer safe residence for journalists, particularly from Ukraine, Russia and Belarus.³⁰

The city of Helsinki has been one of the main sponsors of Artists at Risk in Finland within the Safe Haven Helsinki project since 2014 and as a participant of the International Cities of Refuge Network (ICORN) since 2018.³¹ At the start, Safe Haven Helsinki offered short-term residences, and the participants came to Finland on a Schengen visa for three months. Later, also longer-term (one year) residences have been offered, where the stay is enabled by an employment-based residence permit.³² The Safe Haven Helsinki residency includes a monthly grant, travel, lodging, and health services, if necessary. The residency can host a family.³³

["Vainotut taiteilijat ovat residensseissä nimenomaan taiteilijoina, eivät pakolaisina"](#), news release, 23 November 2022.

³⁰ Finland, Journalistisen kulttuurin edistämissäätiö (JOKES) (2022), ["Jokes tukemaan journalistien turvaresidenssitoimintaa"](#), news release, 3 May 2022; Helsingin Sanomain Säätiö (2022), ["Helsingin Sanomain Säätiöltä 30 000 euroa venäläistoimittajien turvaresidenssitoimintaan"](#), news release, 3 May 2022.

³¹ Villa, S. (2017), [Human rights defenders are facing increasing intimidation — How should Finland's support for human rights defenders be developed?](#), Helsinki, Ministry for Foreign Affairs of Finland, p. 116–118; Helsingin Sanomat (2022), ["Vaarassa olevia taiteilijoita auttavasta järjestöstä kasvoi kansainvälinen menestystarina: Valtion-palkinnot 15:lle"](#), 13 December 2022. For more information, see also the organisation's webpage: Artists at Risk, [AR — Safe Haven Helsinki Residency](#).

³² Villa, S. (2017), [Human rights defenders are facing increasing intimidation — How should Finland's support for human rights defenders be developed?](#), Helsinki, Ministry for Foreign Affairs of Finland, p. 117; International Cities of Refuge Network (ICORN) (2019), ["Helsinki welcomes Saddam Jumaily as their first ICORN artist-in-residence"](#), news release, 26 March 2019; Artists at Risk (2021), ["Welcoming Andrei Kureichik as the 2021 Artists at Risk \(AR\)-ICORN Resident at AR-Safe Haven Helsinki!"](#), news release, 2 July 2021.

³³ Villa, S. (2017), [Human rights defenders are facing increasing intimidation — How should Finland's support for human rights defenders be developed?](#), Helsinki, Ministry for Foreign Affairs of Finland, p. 117; Artists at Risk, [AR — Safe Haven Helsinki Residency](#), website.