The right to political participation of persons with disabilities ahead of the 2024 European Parliament elections

Finland

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1. Data on persons with disabilities exercising their right to political participation

Table 1

| Indicator | Answer  (Choose one of the answers provided below) | Source and brief description/assessment |
| --- | --- | --- |
| Do national disability strategies include political participation? | National disability strategies address political participation indirectly | In **Finland**, the National Action Plan on the UN Convention on the Rights of Persons with Disabilities (CRPD) (*Oikeus osallisuuteen ja yhdenvertaisuuteen: YK:n vammaisten henkilöiden oikeuksien yleissopimuksen kansallinen toimintaohjelma 2020−2023*) does not include objectives or measures directly pertaining to the right to political participation.[[1]](#footnote-2) In this regard, the Action Plan refers to the objective of increasing and targeting election information to the groups that voted the least, included in the National Democracy Program 2025 of the Ministry of Justice (*oikeusministeriö*/j*ustitieministeriet*).[[2]](#footnote-3) The National Action Plan on the CRPD, however, does have a strong focus on social inclusion of persons with disabilities (art. 4[3] CRPD). In this context the Action Plan notes that even though individual disability organizations and umbrella organizations are regularly consulted on most major legislative and non-legislative reform projects, their inclusion is still somewhat arbitrary and varies across administrative sectors, and therefore, should be developed from individual hearings towards systematic and structural inclusion and co-operation.[[3]](#footnote-4) |
| Can persons deprived of legal capacity vote? | Full Participation | In **Finland**, lack of legal capacity does not limit the right to vote. According to section 14 of the Constitution (*Suomen perustuslaki*/*Finlands grundlag*) (Act No. 731/1999)[[4]](#footnote-5) and section 2 of the Election Act (*vaalilaki*/*vallag*) (Act No. 714/1998)[[5]](#footnote-6) every Finnish citizen who has reached the age of 18 is equally entitled to vote in parliamentary elections, in presidential elections and in the elections to the European Parliament. According to section 15 of the Local Government Act (*kuntalaki*/*kommunallag*) (Act No. 410/2015)[[6]](#footnote-7) and section 28 of the Act on Wellbeing Services Counties (*laki hyvinvointialueesta*/*lag om välfärdsområden*) (Act No. 611/2021)[[7]](#footnote-8) every Finnish citizen and every foreigner permanently residing in Finland has the right to vote in municipal elections and in well-being county elections, respectively. Section 23 of the Act on Wellbeing Services Counties further confirms that all persons entitled to vote have an equal right to vote. |
| Is there a requirement under law to register to vote? | Yes, for non-nationals | In **Finland**, there is no requirement under law to register to vote, except for non-nationals in European Parliament elections. The Digital and Population Data Services Agency (The Finnish Digital Agency, *Digi- ja väestötieto­virasto*/*Myndig­heten för digitalisering och befolkningsdata*) extracts voter lists from the Population Information System (*Väestötieto­järjestelmä*/*Befolk­nings­data­systemet*) and posts notification of eligibility (notification cards) directly to each voter no later than 24 days before the day of the election.[[8]](#footnote-9) The notification card specifies the advance polling stations and the person’s election day polling station and tells which municipality’s or election district’s candidates the person is entitled to vote. Homeless citizens can collect notification cards in district offices and vote at specified polling stations.[[9]](#footnote-10)  Section 18 of the Finnish Election Act (*vaalilaki*/*vallag*) (Act No. 714/1998) provides that citizens of other Member States of the European Union who are entitled to vote in European Parliament elections in Finland are entered in the voting register for European Parliament elections, if they have notified in writing that they wish to exercise their right to vote in European Parliament elections in Finland.[[10]](#footnote-11) The notification and its cancellation must be submitted to the Digital and Population Data Services Agency (*Digi- ja väestötieto­virasto*/*Myndig­heten för digitalisering och befolkningsdata*) no later than on the 80th day before the election day. |
| Are alternative ways of voting available to persons with disabilities? | Yes, available to all voters | In **Finland**, persons entitled to vote whose ability to move, and function is so limited that they cannot access the advance voting and election day polling stations without unreasonable difficulties, may vote at home, in accordance with sections 46 and 55 of the Election Act (*vaalilaki/vallag*) (Act No. 714/1998).[[11]](#footnote-12) In this case, an election official appointed by the municipal central election committee receives the vote. A family carer living in the same household is also entitled to vote during the home voting.[[12]](#footnote-13) |
| Is there legislation regulating how people living in long-term institutions may vote? | Yes, specific legislative provisions | In **Finland**, Section 9 of the Election Act (*[vaalilaki](https://www.finlex.fi/fi/laki/ajantasa/1998/19980714)*/*[vallag](https://www.finlex.fi/sv/laki/ajantasa/1998/19980714)*) (Act No. 714/1998) stipulates that hospitals, social welfare units providing round-the-clock care and other social welfare units determined by decision of the municipal board are among special advance polling stations.[[13]](#footnote-14) Following section 46 of the same Election Act persons entitled to vote who are being treated in such institutions may vote there in advance. According to the Ministry of Justice (*oikeusministeriö/justitieministeriet*), an election committee appointed by the municipal board arrives at each institution in the municipality to conduct voting on at least one and at most two days falling within the advance voting period.[[14]](#footnote-15) |
| Is there a legal duty to provide assistance in voting to persons with disabilities? | Yes, for all persons with disabilities | In **Finland**, sections 58 (advance voting) and 73 (election day) of the Election Act (*[vaalilaki](https://www.finlex.fi/fi/laki/ajantasa/1998/19980714)*/*[vallag](https://www.finlex.fi/sv/laki/ajantasa/1998/19980714)*) (Act No. 714/1998) provide that a person whose ability to mark a ballot is essentially impaired may use the help of an assistant of his/her choice.[[15]](#footnote-16) A candidate or a candidate’s spouse, children, siblings or parents may not act as an election assistant or as an assistant chosen by the voter. The assistant is obliged to conscientiously fulfil the voter’s instructions and to keep secret the information received during the voting process.  The assistant can also be an election official. For election day voting, polling stations are required to have special election assistants (Election Act, section 73). In addition, voters may also be assisted by a member of the election committee, provided this does not cause delays in the election process. In advance voting, voters are assisted by election officials and in institutional voting by members of the election committee.[[16]](#footnote-17)  Furthermore, section 190 of the Election Act (*vaalilaki*/*vallag*) (Act No. 714/1998) provides that transportation costs of disabled voters to and from polling stations can be covered by the state in accordance with the Disability Services Act (*Laki vammaisuuden perusteella järjestettävistä palveluista ja tukitoimista*/*Lag om service och stöd på grund av handikapp*) (Act No. 380/1987).[[17]](#footnote-18) |
| Are all persons with disabilities legally able to access complaints mechanisms if they have not been able to exercise the right to political participation? | Yes, all persons with disabilities | In **Finland**, all persons with disabilities, including those who have been deprived of their legal capacity, are legally able to access complaint mechanisms, although the right to speak before the courts is subject to certain limitations.  The Election Act (*[vaalilaki](https://www.finlex.fi/fi/laki/ajantasa/1998/19980714)*/*[vallag](https://www.finlex.fi/sv/laki/ajantasa/1998/19980714)*) (Act No. 714/1998) provides recourse mechanisms pertaining to voter registration (as well as to election results and decisions regarding delimitation of voting districts).[[18]](#footnote-19) According to section 24 of the Election Act anyone who considers that they have been wrongfully excluded from the voting register or that the entry concerning them in it is incorrect, may submit a written request for rectification to the Digital and Population Data Services Agency (*The Finnish Digital Agency, Digi- ja väestötieto­virasto/Myndig­heten för digitalisering och befolkningsdata*). A decision not to enter in the voting register may be appealed to the Administrative Court (*hallinto-oikeus/förvaltnings­domstol)*, and further to the Supreme Administrative Court (korkein hallinto-oikeus/högsta förvaltningsdomstolen). According to section 27 of the Administrative Judicial Procedure Act (*laki oikeudenkäynnistä hallintoasioissa/lag om rättegång i förvaltningsären­den*) (Act No. 808/2019) the right of an incompetent person to speak in an administrative court in a matter concerning him or her depends on his or her ability to understand the significance of the matter.[[19]](#footnote-20) If a representative has the right to speak, the incompetent person must be heard if this is necessary for the incompetent person’s interest or to clarify the matter.  The principal mechanism for a voter with disability to complain about the conduct of election authorities or election officials is lodging a complaint with the Parliamentary Ombudsman (*oikeusasiamies/justitieombudsman­nen*), in accordance with section 2 of the the Parliament­ary Ombudsman Act (*laki eduskunnan oikeusasia­miehestä/lag om riks­dagens justitie­ombuds­man*) (Act No. 197/2002),[[20]](#footnote-21) and section 3 of the Act on the division of the obligations between the Chancellor of Justice of the Government and the Parliamentary Ombudsman (*laki valtioneuvoston oikeuskanslerin ja eduskunnan oikeusasiamiehen tehtävien jaosta/lag om fördelningen av åligganden mellan justitie­kans­lern i statsrådet och riksdagens justitieombudsman*) (Act No. 330/2022).[[21]](#footnote-22) There are no restrictions regarding the standing to file a complaint with the Parliamentary Ombudsman.  A voter can also submit an application to the National Non-Discrimination and Equality Tribunal (*yhdenvertaisuus- ja tasa-arvolautakunta/diskrimi­ne­­rings- och jämställdhetsnämnden*) if she/he considers that the authorities acts have been contrary to the Non-Discrimination Act (*yhdenvertaisuuslaki/diskrimineringslag*)(Act No. 1325/2014) or the Equality Act (laki naisten ja miesten välisestä tasa-arvosta/lag om jämnställdhet mellan kvinnor och män).[[22]](#footnote-23) In accordance with section 12 of the Act on the Non-Discrimination and Equality Tribunal (*laki yhdenvertai­suus- ja tasa-arvolautakunnasta/lag om diskriminerings- och jämställd­hets­nämnden*)(Act No. 1327/2014),[[23]](#footnote-24) the procedure before the Non-Discrimination and Equality Tribunal is governed by the Administrative Procedure Act (*hallintolaki/förvaltningslag*),[[24]](#footnote-25) the relevant provisions of which correspond to the provisions of the Administrative Judicial Procedure Act described above.  Representatives of the electoral authorities carry out their duties under official responsibility. If a voter suspects criminal conduct in an election, she/he can file a report with the police in accordance with section 185 of the Election Act (*vaalilaki/vallag*) (Act No. 714/1998). |
| Is information on complaints mechanisms regarding political participation accessible to persons with disabilities? | Yes - Website is EN 301 549 v3.2.1 (2021-03) compliant and/or materials are available in alternative formats | In **Finland**, the election website [Vaalit.fi](https://vaalit.fi/apua-ongelmatilanteissa)/[Val.fi](https://vaalit.fi/sv/allman-hjalpsida) maintained by the Ministry of Justice (*oikeusministeriö/justitieministeriet*) offers information also on political participation related complaints mechanisms. The website meets the accessibility requirements for the most part, according to its accessibility statement and information obtained from the Ministry of Justice.[[25]](#footnote-26) The website of the Parliamentary Ombudsman (*oikeusasia­mies/justitie­ombudsmannen*) provides information on how to complain to the Ombudsman.[[26]](#footnote-27) The decisions and inspection records published on the Ombudsman's website are entirely accessible as of 1 August 2021.[[27]](#footnote-28) According to an external evaluator, the website of the National Non-Discrimination and Equality Tribunal (*yhdenvertaisuus- ja tasa-arvo­lautakunta/diskrimi­ne­­rings- och jämställdhetsnämnden*) meets the accessibility requirements for the most part.[[28]](#footnote-29) In addition, all the above mentioned authorities also provide materials and information in alternative formats, such as in print and per telephone. |
| Have national courts considered cases related to the right to political participation of persons with disabilities? | Yes, cases considered | In **Finland**, there have been very few court cases relating to political participation on the whole, as also observed by ODIHR.[[29]](#footnote-30) The National Non-Discrimination and Equality Tribunal (*yhdenvertaisuus- ja tasa-arvolautakunta/diskriminerings- och jämställd­hets­nämnden*) handled a few cases concerning the political participation of persons with disabilities in 2017–2018.[[30]](#footnote-31) One of these cases concerned the use of one’s own assistant when voting,[[31]](#footnote-32) and the others accessibility of election events organized by political associations.[[32]](#footnote-33) One of the latter cases proceeded all the way to the Supreme Administrative Court.[[33]](#footnote-34) In all but one case, the prohibition of discrimi­nation was found to have been violated. No such cases were handled by the Non-Discrimination and Equality Tribunal in 2019–2022. |
| Have non-judicial complaints mechanisms considered cases related to the right to political participation of persons with disabilities? | Yes, cases considered | In **Finland**, the Parliamentary Ombudsman (*oikeusasiamies/justitie­ombudsmannen*) has handled several complaints related to the right to political participation of persons with disabilities. Recent complaints have concerned e.g. accessibility and equality,[[34]](#footnote-35) as well as lighting of polling stations and safeguarding the secrecy of elections.[[35]](#footnote-36) In the context of the 2023 parliamentary elections two cases were filed concerning voting arrangements in a psychiatric hospital [these are most likely being decided before the end of the year and this report will be updated accordingly].[[36]](#footnote-37) In addition to handling complaints, the Parliamentary Ombudsman has since 2015 regularly inspected polling stations, paying particular attention to accessibility but also other aspects relevant for the realization of dis­abled persons’ voting rights (see further below under “positive develop­ments”).[[37]](#footnote-38) |
| Are persons with disabilities members of the current national parliament? | No data identified | In **Finland,** there is no data being collected on potential disabilities of the members of Parliament, according to the information service of the Library of Parliament. The information service reports, regardless, that none of the current MPs have indicated that they would need assistive devices, which would seem to suggest that no persons with disabilities are among the current members of Parliament.[[38]](#footnote-39) |
| Is data available on the number of members of municipal/regional governments who have a disability? | No data available | In **Finland**, Statistics Finland (*Tilastokeskus/Statistikcentralen*) and the Finnish Association of Municipalities (*Kuntaliitto/Kommunförbundet*) inform that they do not collect any data on the number of members of municipal or regional councils who have a disability.[[39]](#footnote-40) Nor is such data collected by the Ministry of Justice (*oikeusministeriö/justitieministeriet*).[[40]](#footnote-41) |
| Is training for election authorities and officials on non-discrimination on the grounds of disability, accessibility and accommodation required by law? | Training not required by law, but some relevant training or guidance available | In **Finland**, the Election Act (*vaalilaki/vallag*) (Act No. 714/1998) does not contain any provisions on training of election authorities and officials. The Ministry of Justice (*oikeusministeriö/justitieministeriet*) as the supreme election authority has overall responsibility for the conduct of elections in accordance with section 10 of the Election Act. It coordinates the preparations for the elections and is responsible for providing instructions to other authorities.[[41]](#footnote-42) Before each election, it sends a guidance letter to the municipal central election boards, which usually includes sections on both accessibility and election assistants, as well as separate guidance letters on institutional voting and home voting. The election instructions issued by the Ministry of Justice are publicly available on the Elections website.[[42]](#footnote-43)  The Ministry of Justice also provides online training on elections to the municipal central election boards. In addition to this, it organizes online election training clinics where municipalities can ask questions about the election training materials and election instructions.[[43]](#footnote-44) The central election board of the municipality is responsible for training, guiding, and advising other municipal election authorities, such as election committees, and election officials. The central election boards can use, for example, the Ministry of Justice's online training and election instructions as training material.[[44]](#footnote-45)  The training materials include a checklist for the accessibility of polling sta­tions of the Finnish Association of People with Physical Disabilities (*Invalidi­liitto/Invalidförbundet*) (see also below under “Promising prac­tice”).[[45]](#footnote-46) |
| Are there mechanisms in place to ensure consultation and involvement of DPOs in the development of laws and policies which affect them? | Yes, mechanisms established by law | In **Finland**, there are several statutory mechanisms in place to ensure involvement of DPOs in the development of laws and policies.  At the national level DPOs propose representatives for persons with disabilities or their relatives to the Advisory Board for the Rights of Persons with Disabilities (*Vammaisten henkilöiden oikeuksien neuvottelu­kunta/Dele­­ga­­tionen för rättigheter för personer med funktionsned­sättning*, VANE), in accordance with section 3 of the Government Decree on the Advisory Board for the Rights of Persons with Disabilities (*Valtio­neuvoston asetus vammaisten henkilöiden oikeuksien neuvottelu­kunnas­ta/Statsrådets förordning om delegationen för rättigheter för personer* *med funktionsnedsättning*) (Decree No. 908/2016).[[46]](#footnote-47) The Advisory Board for the Rights of Persons with Disabilities is the national coordinating mechanism for CRPD and responsible for drafting the national action plan on CRPD.  DPOs are also represented in the permanent Sub-Committee on the Rights of Persons with Disabilities (*Vammaisten ihmisoikeuskomitea/Människo­rätts­kommittén för personer med funktionsnedsättning*) set up under the Human Rights Delegation (*Ihmisoikeusvaltuuskunta/Människo­rätts­dele­ga­tionen*) at the Human Rights Centre (*Ihmisoikeus­kes­kus/Människo­rätts­centret*). The Centre and its Delegation together with the Parliamentary Ombudsman (*oikeusasiamies/justitieombuds­mannen*) form the Finnish NHRI and serve as an independent national mechanism tasked to promote, protect and monitor the implementation of the CRPD in accordance with Article 33(2) of the CRDP, as stipulated in section 19(f) of the Act on the Parliamentary Ombudsman (*laki eduskunnan oikeusasia­miehestä/lag om riksdagens justitieombudsman*) (Act No. 197/2002).[[47]](#footnote-48)  The Disability Forum (*Vammaisfoorumi/Handikappforum*) which is an umbrella organization for 27 Finnish DPOs is quite regularly consulted when preparing legislation related to disabled persons rights.[[48]](#footnote-49) The Ministry of Justice maintained e-service *Lausuntopalvelu.fi/Utlåtande.fi* offers every citizen the opportunity to give opinions on legislative drafts and other government plans. In 2022, for example, many DPOs made use of this service to comment the proposal for a new act on disability services.[[49]](#footnote-50) Also, Parlia­men­tary committees hear representatives of DPOs, especial­ly when it comes to legislation that directly affects the rights of persons with disabilities.  At local and regional level section 28 of the Local Government Act (*kunta­laki/kommunallag*)(Act No. 410/2015)[[50]](#footnote-51) and section 32 of the Act on Wellbeing Services Counties (*laki hyvinvointialueista/lag om välfärds­om­råd­en*) (Act No. 611/2021),[[51]](#footnote-52) respectively, require setting up disability councils to guarantee adequate representation of disabled persons and their organizations. The task of the disability councils is to influence the planning, decision-making and monitoring of the municipalities and wellbeing services counties across all administrative branches in matters pertaining to disabled persons. Disability councils can take initiatives, and issue statements and position papers. They can, however, not participate directly in decision-making.  Despite these statutory mechanisms being in place, disabled persons and their organizations consultation as a systematic policy still needs strengthening, as also pointed out by DPOsin the national action plan follow-up report of 2023.[[52]](#footnote-53) |
| Do national authorities provide guidelines on how to make polling stations accessible? | Yes, detailed guidance available | In **Finland**, the Ministry of Justice election instructions to the central elec­tion boards include accessibility instructions and the Finnish Association of People with Physic­al Disabilities’ (*Invalidiliitto/Invalidför­bundet*) accessibility checklist.[[53]](#footnote-54)  General guidelines on accessibility of buildings are provided by the Minist­ry of the Environment (*ympäristöministeriö/miljöministeriet*).[[54]](#footnote-55) These con­tain the provisions of the Government regulation on accessibility of build­­ings (*valtioneuvos­ton asetus rakennuksen esteettömyy­destä*/*stats­rådets förordning om byggna­d­ers tillgänglighet*), (*Decree* No. 241/2017)*[[55]](#footnote-56)* and recommendations related to their application. In addition, the Ministry of the Environment has published an extensive and detailed guidebook on accessible buildings and their surroundings.[[56]](#footnote-57)  The Finnish Association of People with Physic­al Disabilities (*Invalidi­liitto/Invalidförbundet*) collected feedback­ on the implementation of accessible polling stations in the spring 2023 parliamentary elections.[[57]](#footnote-58) The majority (78%) of the respondents had voted in advance and one third of all respondents had experienced shortcomings in the accessibility of polling stations. Deficiencies were found in the accessibility of both indoor and outdoor spaces. (Please see below under “Promising practice”). |
| Does the website which provides instructions for voting and information on candidates meet accessibility standards? | Yes - Website is EN 301 549 v3.2.1 (2021-03) compliant | In **Finland** the official website providing information on voting is the elections website (Vaalit.fi/Val.fi) maintained by the Ministry of Justice (*oikeusministeriö/justitieministeriet*). The elections website meets most of the accessibility requirements of the law, even though some minorshortcomings remain, according to the website’s accessibility statementand information obtained from the Ministry of Justice *(oikeus­ministeriö/justitieministeriet)*.[[58]](#footnote-59)  In Finland, many voters use election applications maintained by various media to facilitate candidate selection. In connection with the regional elections held in 2022, the Finnish Federation of the Visually Impaired (*Näkövammaisten liitto*) tested the accessibility of four key election applications and found several shortcomings in them. These related among other things to graphics, navigation and the use of colours.[[59]](#footnote-60) |
| Are some television programmes providing instructions for voting and information on candidates subtitled? | Yes, some key programmes are subtitled | In **Finland**, an amendment to theAct on Electronic Communications Services (*laki sähköisen viestinnän palveluista/lag om tjänster inom elek­tro­n­isk* *kommunikation*) (Act No. 917/2014)[[60]](#footnote-61) that entered into force 1 January 2021*,* requires that Finnish or Swedish-language television programmes and programmes of subscrip­tion programme services must be subtitled, and other programmes must be accompanied by commentary or a service in which the text of a subtitled programme is converted into audio (section 211). This concerns public service programmes provided by the Finnish Broadcasting Company (*Yleisradio/Rundradion*) as well as programmes of general interest and those serving several different audience groups of other broadcasting services operating at the national level. In addition, the subtitles must be of high quality. The Finnish Broadcasting Company’s direct subtitling and audio conversion obligation is 100% and that of other programme services 75%. Live music performances, live music programmes and first broadcasts of regional TV news are excluded from this requirement. The Finnish Broadcasting Company also broadcasts live subtitles of all programmes sent from Parliament, such as Parliamentary question time.*[[61]](#footnote-62)* |
| Do some television programmes providing instructions for voting and information on candidates have national sign language interpretation? | Yes, some key programmes have sign language interpretation | In **Finland**, the Ministry of Justice (*oikeusministeriö/justitieministeriet*) produces materials with voter information in Braille, sign language and easy-to-understand language to facilitate voting for persons with disabilities.[[62]](#footnote-63)  The Finnish Broadcasting Company (*Yleisradio*/*Rundradion*) provides news in sign language daily. It usually broadcasts all election discussions with interpretation into Finnish sign language.[[63]](#footnote-64) In the context of the Parliamentary elections of 2023 the Finnish Broadcasting Company broadcasted a total of seven election discussions interpreted into Finnish Sign Languageand several programmes interpreted into Swedish sign language.[[64]](#footnote-65) It also produced an election discussion in easy Finnish and election videos in easy Swedish. |
| Are some television programmes providing instructions for voting and information on candidates audio described? | No, key programmes do not have audio description | In **Finland**, some of the Finnish Broadcasting Company’s programmes have audio description, but no election related programmes currently appear on their list of those programmes.[[65]](#footnote-66)  In addition, at the election website Vaalit.fi it is possible to listen to the texts on the site with a text reader.[[66]](#footnote-67) |
| Were some political party manifestos provided in accessible formats during the most recent elections? | Some political parties provided accessible manifestos | In **Finland**, three of the main parties provided an easy-to-read version of their parliamentary election programs 2023. One election program was also available in sign language and spoken versions.[[67]](#footnote-68) |
| Are there legal accessibility standards for public and private providers of internet and web-based public information? | Yes, covering public and private | In **Finland**, the Act on the Provision of Digital Services (*laki digitaalisten palvelujen tarjoamisesta*/*lag om tillhandahållande av digitala tjänster*) (Act No. 306/2019), trans­posing the European Accessibility Act into national legis­lation, entered into force on 1 April 2019.[[68]](#footnote-69) The Act obliges the public sector and some private and third sector organizations to comply with accessibility requirements in their digital services. |
| Are there legal accessibility standards for public and private providers of media? | Yes, covering public and private | In **Finland**, the provisions on audiovisual content services and the accessibility of audiovisual content services are contained in section 211 of the Act on Electronic Communications Services (*laki sähköisen viestinnän palveluista*/*lag om tjänster inom elektronisk kommunikation*) (Act No. 917/2014)[[69]](#footnote-70) implementing the Audiovisual Media Services Directive (Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010). They apply to both public and private service providers.  Provisions on accessibility of information society services are laid down in Chapter 22a (Sections 194c and 194d) of the Act on Electronic Communications Services, which will apply to services providing access to audiovisual content services provided to consumers in accordance with the provisions of the Accessibility Directive (EU) 2019/882, from 28 June 2025.  Digital media services are subject to the Digital Services Act (*laki digitaalisten palvelujen tarjoamisesta*/*lag om tillhandahållande av digitala tjänster*) implementing the Web Accessibility Directive, which primarily concerns public service providers. However, the Digital Act does not apply to the digital services of public service broadcasters (section 3[3]). |
| Are there mandatory accessibility standards for national and local authority buildings in the election context? | Partially | In **Finland**, there are no mandatory accessibility standards specifically con­cerning authority buildings or authority buildings in the election context. However, the Government Premises Strategy (*valtion toimitilastrategia*), adopted as a Government Resolution in 2021, requires that state premises are accessible.[[70]](#footnote-71)  Accessibility of buildings is currently mainly regulated by the Land Use and Building Act (*maankäyttö- ja rakennuslaki*/*markanvändings- och bygglag*) (Act No. 132/1999),[[71]](#footnote-72) which requires builders to take accessibility into account especially from the perspective of children, the elderly and persons with disabilities (section 117[e]). This obligation is specified in the Government Decree on the Accessibility of Buildings (*valtioneuvoston asetus rakennuksen esteettömyydestä*/*statsrådets förordning om byggnaders tillgänglighet*) (Decree No. 241/2017),[[72]](#footnote-73) which contains detailed provisions concern­ing, for example, building entrances, doors, passageways inside the build­ing, lifts, toilets and washing facilities. In addition, the Ministry of the Environment (*ympäristöministeriö*/*miljö­ministeriet*) has published guide­lines that specify the contents of the decree and include recommendations on them.[[73]](#footnote-74)  These regulations, however, apply only to new buildings and renovation of buildings that are subject to licence. There is no obligation to start making the building more accessible if no alteration or repair project is being undertaken otherwise.[[74]](#footnote-75)  The Land Use and Building Act will be replaced by new legislation, including an Act on Building (*[rakentamislaki](https://finlex.fi/fi/laki/alkup/2023/20230751" \l "Pidm46434447537680)*/*[bygglag](https://finlex.fi/sv/laki/alkup/2023/20230751)*) (Act No. 751/2023), which Parliament approved on 21 April 2023, and which will enter into force on 1 January 2025. Provisions on accessibility are laid down in section 35 of the Act. Compared to before, the scope of the groups of persons to be considered in terms of accessibility has been expanded to cover not only children, the elderly, and people with disabilities, but also persons with reduced mobility and functional impairments. The second subsection includes the power to issue decrees, the purpose of which is to enable the further development of accessibility regulation. In this respect, the provisions correspond to the current content of the Government Decree on Accessibility of Buildings referred to above.[[75]](#footnote-76) According to the Ministry of the Environment, a review of the Decree on Accessibility of Buildings is scheduled for spring 2024, and potential measures to reform the legislation will be assessed in that context.[[76]](#footnote-77)  A working group on accessibility of buildings set up by the Ministry of the Environment published its end report in April 2023.[[77]](#footnote-78) The working group identified a need to strengthen a human rights based approach to accessibility and to undertake a comprehensive constitutional law based analysis of the needs for legislative reform that covers all administrative sectors.[[78]](#footnote-79) |
| Are there legal accessibility standards for polling stations in place? | No legal standards | In **Finland**, there are no polling stations specific legal accessibility standards. The Ministry of Justice’s above-mentioned instructions sent to the central election boards on the accessibility of polling stations are not legally binding.  On 23 November 2023, the Government appointed a parliamentary working group to develop practices in elections and voting. The task of the working group is to prepare legislation to ensure the accessibility of polling stations and council chambers.[[79]](#footnote-80) The mandate period of the working group ends on 31 December 2025. |
| Is data available on the proportion of polling stations that are accessible to persons with disabilities? | No data identified | In **Finland**, there is no data available on the proportion of polling stations that are accessible to persons with disabilities.[[80]](#footnote-81) |
| Is data available on the proportion of public buildings that are accessible for persons with disabilities? | Some official data available | In **Finland**, there is no data available on the proportion of public buildings that are accessible for persons with disabilities. However, the Prime Minister’s Office *(valtioneuvoston kanslia/statsrådets kansli*) and/or Senate Properties *(Senaattikiinteistöt/Senatfastigheter*), which manages the state owned buildings, maintain information on the accessibility of the premises in the service portal Senaattila.fi*.[[81]](#footnote-82)*  A relatively recent research report that was commissioned by the Government, draws attention to the fact that data on accessibility of built environment is scattered and not comprehensive, and that data collected in municipalities, for example, is not presented in a statistically processable format.[[82]](#footnote-83) The need to collect data is recognised also in the recommendations issued by the working group on accessibility.[[83]](#footnote-84) |

1. Political participation of persons with disabilities in practice
   1. Positive and negative key development as regards political participation of persons with disabilities

**Positive key development**: As regards the promotion of the political participatory rights of persons with disabilities, the Parliamentary Ombudsman’s complaint-based decisions and active role in carrying out regular inspections of polling stations and undertaking so-called own-initiative investigations should be highlighted. The Parliamentary Ombudsman is part of the national structure referred to in Article 33(2) of the UN Convention on the Rights of Persons with Disabilities (CRPD), which is tasked with promoting, protecting and monitoring the realisation of the rights of persons with disabilities.[[84]](#footnote-85) The Ombudsman has carried out inspections of polling stations in connection with elections since 2015, when the rights of persons with disabilities had been selected as the Ombudsman’s Office’s theme of the year.[[85]](#footnote-86) During the first inspections several deficiencies were found at the polling stations in three different cities, which prompted the Ombudsman to conduct an own-initiative investigation into these cities’ voting arrange­ments. With inspections the Ombudsman has sought to draw attention to accessibility and the general order of the premises and the functionality of the voting event from the perspective of the realisation of the rights of persons with disabilities.

A positive finding of the Ombudsman’s inspections carried out in connection with the 2021 municipal elections was that advance polling stations are increasingly becoming accessible.[[86]](#footnote-87) Also accessible polling booths or spaces, where voters using wheelchairs or other mobility aids can make their voting entries while maintaining the secrecy of the election, and as independently as possible, were found at polling stations more than before. However, the general observation was that there was still room for improvement as regards informing about advance polling stations and their signage. During the unannounced inspections carried out ahead of the 2023 parliamentary elections, it was found that some of the inspected general polling stations could not be accessed independently by wheelchair.[[87]](#footnote-88) The arrangements at advance polling stations were mainly in order, however.

In the context of the 2023 Parliamentary elections, further, the office of the Parliamentary Ombudsman visited voting facilities at institutions for the first time.[[88]](#footnote-89) The aim was to inspect the functioning of voting arrangements and events and the safeguarding of election secrecy in institutional voting in social welfare units. Following the inspections, the Deputy Parliamentary Ombudsman decided to investigate municipal institutional voting practices as an own-initiative, and at the same time, to look into the procedures for determining the voter’s situation-specific capacity to vote. [The consideration of this own-initiative investigation is still pending..][[89]](#footnote-90) Several unannounced inspections were made to special advance voting facilities at institutions also in the context of the 2024 presidential election.[[90]](#footnote-91)

In the decisions undertaken due to complaints, inspections and own-initiative investigation, the Parliamentary Ombudsman often gives guiding opinions for better implementation of fundamental and human rights to the authorities.[[91]](#footnote-92) Concerning electoral practices, the Ombudsman has recommended, for example, that municipal election authorities should consult municipal disability councils and disability organisations on accessibility issues.[[92]](#footnote-93) In a recent decision on a complaint, the Ombudsman noted with satisfaction that the City of Helsinki central election board had involved the City’s Accessibility Ombudsman and disability organisations in designing an accessible polling booth.[[93]](#footnote-94) The Ombudsman has several times also shared its decisions with the Ministry of Justice, the supreme electoral authority in Finland. In a decision concerning advance voting at a psychiatric hospital, the Ombudsman offered the Ministry to consider adoption of legislative measures to regulate the tasks and obligations of institutions in institutional voting.[[94]](#footnote-95) Although the Ombudsman’s decision are not legally binding, Finnish authorities generally comply with them very well.[[95]](#footnote-96) The decisions of the Ombudsman as well as the inspection records are published on the Ombudsman’s website, which gives them broad visibility, further contributing to the authorities’ compliance with them. A selection of the Ombudsman’s elections related decisions is also available on the elections website of the Ministry of Justice.[[96]](#footnote-97) The positive developments observed by the Ombudsman during the latest years, especially regarding accessibility of polling stations, can thus be assessed to be to a great part attributable to the activities of the office of the Ombudsman itself.

**Negative key development**: In **Finland**, attention is drawn to the under-representation of persons with disabilities in Parliament and in local and regional councils, and at the same time the lack of systematic data collection on disabled persons’ political participation (see Table 1 above). Despite this, political participatory rights of persons with disabilities have received rather limited attention in key policy documents. Since Finland’s ratification of the CRPD in 2016, two national action plans on the implementation of the Convention have been adopted. The first of these, which concerned the years 2018−2019, recognised disabled persons’ political participation by making reference to the Ministry of Justice’s actions to ensure the accessibility of polling stations and to provide accessible election information for persons with disabilities.[[97]](#footnote-98) However, the action plan did not include a situational analysis or set goals or define specific measures to further strengthen disabled persons’ political participation. As regards the second national action plan adopted in 2020 for the years 2021−2023, it merely refers to the National Programme for Democracy, which recognises the need to pay attention to the promotion of the right to vote for minority groups, including persons with disabilities.[[98]](#footnote-99) The National Action Plan on Fundamental and Human Rights 2020−2023 includes accessibility of polling stations as an indicator for participation in political life.[[99]](#footnote-100) The Ministry of Social Affairs and Health has started preparing the third national action plan on the CRPD, which will be published in late spring of 2024.[[100]](#footnote-101)

* 1. Political participation: Promising practices

As a promising practice in **Finland**, reference can be made to elections specific information and accessibility instructions provided by the Finnish Association of Physical Disabilities (*Invalidiliitto*/*Invalid­för­bundet*). In addition to general elections related information provision and advocacy work, the Finnish Association of People with Physical Disabilities has drawn up a checklist on the accessibility of polling stations, which is available on the organisation’s website in Finnish, Swedish and English.[[101]](#footnote-102) The Ministry of Justice (*oikeusministeriö*/*justitieministeriet*) also uses this checklist as an appendix in its instructions sent to the municipal boards before elections.[[102]](#footnote-103) In addition, the Finnish Association of People with Disabilities offers training for election officials on accessibility of polling stations. On its website, further, it provides an online course and videos on accessibility.[[103]](#footnote-104)

In connection with the 2023 Parliamentary elections the Finnish Association of People with Disabilities collected feedback on the implementation of accessibility at the polling stations. 78 % of the respondents had voted in advance, and one third of them had experienced shortcomings in the accessibility of polling stations.[[104]](#footnote-105) Feedback was given, for example, on poorly ploughed parking spaces and slippery walkways, as well as on missing or insufficient guidance, which made it difficult to find accessible routes and entrances. In addition, some entrances to polling stations had had heavy doors and high thresholds that prevented independent access to the polling station. In terms of interior spaces, feedback was given on poor perceivability of the premises and insufficient guidance. Lack of accessible polling booths or their incorrect placement that had made voting more difficult and jeopardised the secrecy of the election, were also mentioned, as well as poor placement of the list of candidates placed in the voting booth.

According to the Finnish Association of People with Physical Disabilities, the popularity of advance voting may also indicate shortcomings in the accessibility of polling stations on the actual election day, if prior experiences of problems with accessibility of polling stations on the actual election day, or limited availability of information in advance about the accessibility of polling stations contributes to a voter’s decision to vote in advance.[[105]](#footnote-106) According to the Finnish Association of People with Physical Disabilities, some of the respondents were not aware of the possibility to vote at home, even if they were entitled to do so. Thus, only two of the respondents had used the option to vote at home. The Finnish Association of People with Disabilities forwarded a summary of the survey feedback to the Democracy and Elections Unit of the Department for Democracy and Public Law of the Ministry of Justice and polling station-specific feedback to the central election committees of the municipalities in question.

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