

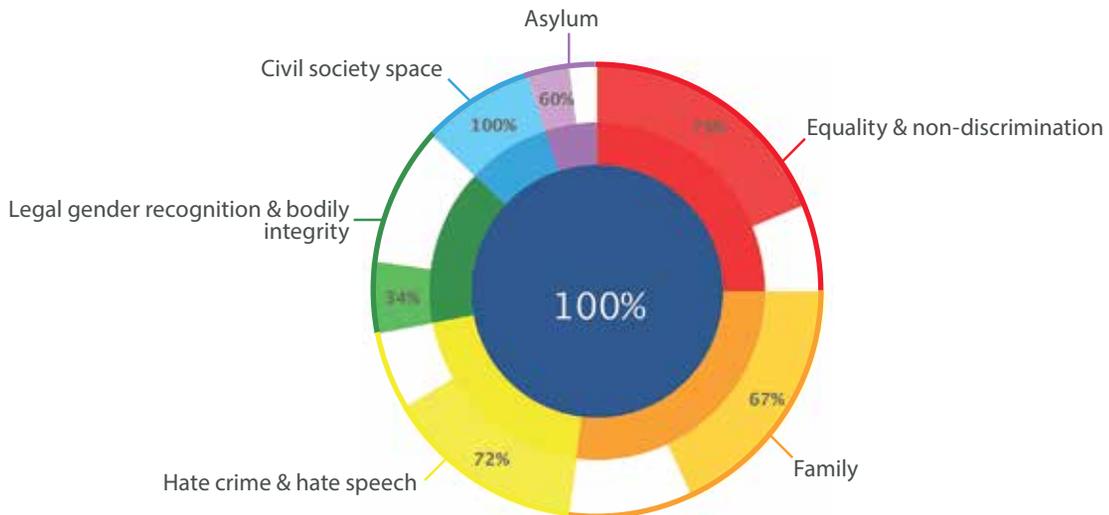
# Finland



In advance of the introduction of equal marriage, there were a series of public deliberations on the issue. There was disagreement between the church hierarchy and individual pastors over whether to officiate for same-sex couples. While politicians discussed a citizens' initiative asking for the law to be abolished, the final annexes were ultimately approved in December. An amendment was also passed allowing for the conversion of existing civil partnerships into civil marriages in 2017 if same-sex couples opt for that. LGBTI NGOs also utilised the impending review before the UN Committee against Torture to draw attention to one of the less developed areas in Finnish law – protection for trans and intersex people. The fact that sterilisation remains a feature of the legal gender recognition system was highlighted. NGOs also demanded an end to surgeries carried out on intersex babies.

For more information on developments in 2016, visit [www.rainbow-europe.org](http://www.rainbow-europe.org) where you can read the full country chapter.

# Legal and policy situation in **Finland** as of 31 December 2016



In order to improve the legal and policy situation of LGBTI people, ILGA-Europe recommend:



Allowing for automatic co-parent recognition, so that children born to couples (regardless of the partners' sexual orientation and/or gender identity) do not face any barriers in order to be recognised legally from birth to their parents.



Updating the existing legal framework for legal gender recognition, to ensure the process is based on self-determination, and is free from abusive requirements (such as GID/medical diagnosis, or surgical/medical intervention).



Adopting a comprehensive national action plan on LGBTI equality that expressly mentions all SOGISC (sexual orientation, gender identity, sex characteristics) grounds.

## Asylum

- Together – a series of five support groups for LGBTI asylum seekers and refugees in Helsinki – continued to provide social support to recently arrived asylum seekers throughout 2016. The group was originally set up by NGO HeSeta (a local branch of the larger LGBTI NGO Setä) in 2015 and more activities planned for 2017.

## Bias-motivated speech

- In February, the youth section of the Finns Party/True Finns (PS; nationalist) launched a social media campaign against what the party referred to as ‘gender neutrality’. The *#tyttö\_poika* campaign stated that there are only two sexes and that gender quotas should be abolished. President of the Union of General Upper Secondary Schools Students, Elli Luukkainen, criticised the PS campaign, saying it was “likely to cause a lot of resentment”.

## Bias-motivated violence

- National Police Commissioner Seppo Kolehmainen announced that the National Police Board intends to seek a court order against the Finnish branch of the Nordic Resistance Movement. The Commissioner stated this intention on 22 December, citing the neo-Nazi group’s violent attacks against migrants, Pride events and minority groups. The police plan to ask the courts to shut down the Finnish Resistance Movement, under the Associations Act, early in 2017.

## Bodily integrity

- In advance of Finland’s appearance before the UN Committee against Torture in November, LGBTI NGOs Setä and Trasek issued a joint demand that Finland end the practice of performing so-called ‘normalising’ surgeries on intersex children (see also **Legal gender recognition**).

## Family

- On 12 May, a citizens’ initiative supporting a draft Maternity Act reached the required minimum limit of 50 000 signatures. The proposed law would allow for both parents in a female same-sex couple to obtain automatic legal parenthood when a child is born to the couple

following infertility treatment. Currently, these couples need to undergo second-parent adoption; the law had not been passed by parliament by the end of the year.

- Same-sex couples who have previously entered registered partnerships will be able to convert those unions into marriages when equal marriage becomes an option in March 2017, under changes passed by parliament on 17 February. The legislation was approved by 106 MPs (42 voted to oppose the change). Registered partnerships will also cease to be an option for couples when marriage equality enters into force in 2017.

- Bishops from the Evangelical Lutheran Church announced that they will only officiate at marriage ceremonies between different-sex male/female couples. This statement was made at a synod meeting on 31 August. In early September, Liinamaria Roos and Toni Fagerholm, two Helsinki-based Lutheran pastors, said they intended to ignore the synod and marry same-sex couples at their churches when marriage equality is introduced in 2017.

- A citizen’s initiative (signed by an estimated 100,000 people) that called for the repeal of the gender-neutral marriage legislation before it comes into effect was the subject of a parliamentary debate on 9 September. On 13 December, the final annexes to the equal marriage law (originally voted on in 2014 and signed by the president in 2015) were approved by parliament. The law will become effective from 1 March 2017.

## Foreign policy

- On 13 July, during the Montevideo Global LGBTI Human Rights Conference, Finland, together with 30 other states, joined the Equal Rights Coalition, a coalition committed to work towards equal rights and the eradication of discrimination and violence against LGBTI people.

## Legal gender recognition

- The legal change introduced by parliament on 17 February in relation to marriage and registered partnerships (see **Family**) also means that trans people no longer have to be single in order to obtain legal gender

recognition. This change will be effective at the same time as marriage equality is in force in March 2017.

- In advance of Finland's appearance before the UN Committee Against Torture in November, LGBTI NGOs Seta and Trasek launched a campaign calling on the government to implement a full reform of the legal gender recognition legislation. The NGOs called the current process (which includes sterilisation as a requirement) "cruel and inhuman".

## **Participation in public, cultural and political life**

- On 18 August, the Helsinki District Court overturned a request submitted by local police to close down alternative news website *MV-Lehti*. The website, set up in 2014, had been the subject of several criminal complaints for inflammatory language about minority groups, including refugees and LGBTI people. The court did not publish the arguments used to reach its decision.