

Submission to the Committee on Economic, Social and Cultural Rights

Follow-up to the Concluding observations of the CESCR on Finland's 7th periodic report, 74th Session of the CESCR, September-October 2023

Finnish League for Human Rights

1. This report is submitted by the Finnish League for Human Rights (hereafter FLHR) to the Committee on Economic, Social and Cultural Rights (CESCR) in advance of its 74th session, on the follow-up to the Committee's Concluding Observations on Finland's 7th periodic report on the implementation of the International Covenant on Economic, Social and Cultural Rights (the ICESCR). The FLHR is a religiously and politically independent human rights organisation. Our principal objective is to monitor the human rights situation in Finland. The FLHR was founded in 1979 and pursues the work of the League for Human Rights, established in 1935. We are a member of the International Federation for Human Rights (FIDH).
2. In this report, FLHR focuses on providing up-to-date information related to the CESCR recommendations, included in the concluding observations (E/C.12/FIN/CO/7), that concern the right to social security.

Right to social security

3. As described by the Government of Finland in its follow-up report, submitted to the CESCR in March 2023, several improvements of the social security benefits have taken place in recent years. However, the FLHR wants to call the attention of the CESCR to the significant changes that have taken place since the submission of said Government report. The new government of Prime Minister Petteri Orpo, appointed in late June 2023, has announced diverse cuts to the social security benefits that, if implemented, will have a dramatic combined effect on the economic, social and cultural rights of the most vulnerable members of the Finnish society.
4. A commitment to promoting economic, social and cultural rights is absent from the government programme of the new government¹. Instead, the programme includes numerous **cuts that would disproportionately affect the rights of the poorest households**

¹ Government of Finland (2023) A Strong and committed Finland. Government Programme of Prime Minister Petteri Orpo. <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/165044/Programme-of-Prime-Minister-Petteri-Orpos-Government-20062023.pdf?sequence=1&isAllowed=y>



and other people facing discrimination and marginalization. The most worrying reductions are described in more detail below.

5. The government programme announces the increase of **conditionality**, both of the basic social security benefits and of the last-resort social assistance. Without a thorough human rights impact assessment, there is a risk that these conditions will result discriminatory or punitive in practice, if sufficient services are not equally available and accessible for all those who are required to participate in them (considering place, language or possible problems related to health and capacity).
6. The level of several social security benefits has increased since 2020, due to index adjustments and index increases made to benefits linked to the National Pensions Index. Yet, these improvements were not sufficient to make up for the reductions made under the previous government period 2015-19, and the impacts of the rising consumer prices and living costs in the context of record-high inflation of the recent years. Furthermore, according to the new government's programme, these index adjustments will be reversed in the coming years by the **index freezes** affecting most benefits linked to the National Pension Index/consumer price index.
7. Several of the advancements related to social security benefits budgeted for 2023, mentioned in follow-up information provided by the Government to the CESCR in March 2023, **have been rejected by the new government**. For example, instead of an increase of the child supplement for beneficiaries of unemployment security by 20 per cent, the new government has announced a complete removal of said supplement².
8. The new government has announced a reform of the **social assistance**, and the FLHR supports the aim of clarifying its role as a last-resort discretionary cash benefit included in basic social security and of reducing the need of this particular benefit. However, it seems probable that this effort will be reverted by the numerous cuts and reductions of basic social security and housing benefits, also announced in the government program, that would rather increase the need for social assistance in order to ensure an adequate standard of living for the people affected by these cuts.
9. Of particular concern is the announcement by the new government of increasing the **conditionality of last-resort social assistance**, and the possibility of reducing or even denying it. According to the government, the procedure of reduction will be amplified, and in the future, last-resort social assistance can be reduced by up to 40 per cent without

² Government of Finland (2003), p. 80.



assessing the client's actual service needs³. Furthermore, a person could be obligated to work in tasks assigned by a public institution⁴. The government programme does not detail whether this work would constitute an employment relationship and be guaranteed the enjoyment of just and favourable conditions of work, including fair wages.

10. The FLHR is particularly worried about the Government's announcement of considering the enabling of **denying last-resort social assistance** altogether in case the person has refused offered employment, training, services or other obligations⁵. This would risk violating the ICCESCR, the European Social Charter and the Constitution of Finland regarding the right to an adequate standard of living, particularly in the case of people in the most vulnerable situations.
11. Further reductions are foreseen to the **housing benefits** that form an essential part of the social security of the poorest households, such as the elimination of the earned income allowance of EUR 300, a rise of the basic deductible⁶. Similarly, the government has announced reductions in the **unemployment benefits**, including stricter selectivity conditions, longer waiting periods as well as the abolishment of the increments to beneficiaries with children as well as the exempt amounts of unemployment security⁷.
12. In its follow-up information submitted in March 2023, the State of Finland highlighted the universal residence-based nature of the Finnish social security. It is highly concerning that the new Government has announced that it will "**differentiate the social security system and social benefits of immigrants and permanent residents** of Finland from each other"⁸ and seek other ways to tighten the provisions of the Act on Residence-Based Social Security in Cross-Border Situations (16/2019). In the case of unemployment security, the government has announced the lowering of the labour market support for those who cannot verify sufficient knowledge of the national languages⁹, which in practice might lead to discrimination towards immigrants, aggravated by the lack of sufficient, equally available and accessible language training.
13. The FLHR is particularly worried about the **combined effect** of the diverse cuts and reductions on the households that currently receive several benefits, such as poor families

³ Ibid, p. 78.

⁴ Ibid, p. 78.

⁵ Ibid, p. 78.

⁶ Ibid, p. 81.

⁷ Ibid, p. 80.

⁸ Ibid, p. 224.

⁹ Ibid, p. 80.



with children. Their financial situation will also be weakened by the increases of client fees in the public healthcare as well as the weakening of sick leave benefits announced by the new government. It is urgent that the government thoroughly assesses the planned combined effects of the diverse cuts and reductions to social security and follows the principles set in the letter of the Chairperson of the CESCR on austerity measures (E/2013/22-E/C.12/2012/3). So far we have seen no sign of this, and instead, the government has consistently attempted to justify the planned cuts by Finland's difficult economic situation, disregarding the fact that Finland is one of the world's wealthier states.

The FLHR recommends that the Government of Finland

- Ensures that, in all social security reforms, priority is given to fulfilling the right to social security and to an adequate standard of living of the groups at most risk of poverty, marginalization and discrimination. To ensure this, thorough human rights impact assessments are conducted.
- Refrains from taking budgetary and legislative measures that would violate the principles set in the letter of the Chairperson of the CESCR on austerity measures (E/2013/22-E/C.12/2012/3).
- In the reform of social assistance, eliminates the reduction procedure of the last resort social assistance. The government ensures that everyone has access to a level of support that enables the enjoyment of an adequate standard of living without discrimination.

