



Gemma Project - Context Analysis: Finland 2016¹

1. Introduction

Gender-based violence (GBV) is regrettably common in Finland. The percentage of women who have experienced physical, psychological, and/or sexual violence is among the highest in the EU, while reporting rates are among the lowest. Finland is also among the top five EU countries in terms of the percentage of women who have experienced sexual harassment. While documented rates of GBV in different countries across the EU may differ based on, for instance, how openly violence against women is discussed, it is widely recognized that the rates in Finland are alarmingly high. According to the Institute of Criminology and Legal Policy, 20% of all homicides in Finland are attributed to a woman's death at the hands of a current or former partner. Immigrant women appear to be at a higher risk of GBV than indigenous Finnish women. However, little specific data exists on the prevalence of GBV directed at migrant and/or ethnic minority women in Finland.

2. Statistics and Quantification

Data on GBV in migrant/ethnic minority groups in Finland is scant. In particular, data relating to Finland's ethnic minorities such as the Roma or Sami is as good as inexistent, in large part due to that compilation of statistics based on ethnicity is not allowed and/or the statistics fall under data protection acts. The best source for recent data on GBV in immigrant groups comes from a 2014 report by the Institute of Criminology and Legal Policy at the University of Helsinki, on which the below heavily relies. However, because most cases of violence against women go unreported, and violence against women belonging to migrant and/or minority groups in particular goes unreported², the statistics can be considered indicative at best.

The recent EU-wide survey on violence against women conducted by the EU Agency for Fundamental Rights (FRA) paints a bleak picture of GBV in Finland.³ According to the study, 47% of women over 15 in Finland have experienced physical and/or sexual violence. 71% of respondents stated they have experienced sexual harassment, while 53% stated they had experienced emotional violence in the past year. While the survey does not detail experiences of violence by, for instance, ethnic belonging, other studies have shown that immigrants are generally at higher risk of becoming victim to a crime than non-immigrant Finns. For example, according to the aforementioned report by the Institute of Criminology and Legal Policy, immigrants are 2.5 times more likely to become victims of assault than the general population. The figure varies across immigrant groups, with the risk for individuals from the Middle East and Africa being 5.5 times higher.⁴

¹ DISCALIMER: GEMMA Against violence! has received the financial support of the Rights, Equality and Citizenship Programme (2014-2020) of the European Union. The contents of this document and project related publications are the sole responsibility of EPAPSY and can in no way be taken to reflect the views of the European Commission

² Korhonen & Ellonen 2007: 163

³ European Union Agency For Fundamental Rights 2014

⁴ Lehti 2014: 52



Overall, immigrant women are at a higher risk of GBV than ethnic Finnish women. For example, immigrant women are twice as likely to become victims of rape as women in the general population. This however varies by origin - among African-born women the risk is sevenfold compared to women in the general population, while the risk for Vietnamese-born women is fivefold.⁵ Immigrant women are also over-represented in local shelters in Greater Helsinki - their numbers exceed their share in the population by three-to-four times⁶, suggesting high exposure to GBV.

In terms of specific groups of women who appear particularly at risk of violence, women either born in, or with the citizenship of, Russia, Estonia, Sweden, and Somalia stand out.⁷ This must however be put in proportion based on the large size of these groups in Finland generally. Nevertheless, research suggests women in these groups are at high risk with much of the violence experienced being invisible in official statistics: According to a 2003 study by Pohjanpää et.al., focusing in particular on Russian-, Estonian-, and Somali-heritage women in Finland, 75%, 65%, and 71% respectively had experienced violence but did not report it to the police.⁸

There is a correlation between the level of crime conducted by members of an immigrant group and the level victimhood in the same group. This is particularly the case when it comes to violent crime.⁹ A significant amount of violence by immigrants is directed at other immigrant groups.¹⁰ This is reflected in cases of rape. 75% of rape cases affecting ethnic Finns are committed by ethnic Finns, while 60% of perpetrators of rape of immigrant women are committed by immigrant men. This statistic mimics that of statistics on assault – rape is usually committed by someone with whom the victim has social interaction. This is the case particularly when it comes to immigrant women.¹¹

The risk of becoming victim to domestic violence is higher among immigrant women than among ethnic Finns. The risk of becoming victim to domestic violence is the highest for women from Latin America – sevenfold compared to ethnic Finnish women. The risk is also very high for women from Africa and the Middle East – six-fold.¹²

There are significant differences between immigrant groups in terms of who the perpetrator of domestic violence is. For example, 44% of assaults (as a form of domestic violence) on women born in Middle and South Asian are perpetrated by immigrant men from the same group. The correlating figure is only 4% among women born in East Asia. Similarly, while 73% of assaults on women from Iraq are perpetrated by immigrant men from the same group, the correlating figure for Southeast Asian-born women is only 18%.

The risk of domestic violence is particularly high among groups of women born in Latin America, Africa, and the Middle East. Violence targeting African and Middle Eastern women is

⁵ Lehti 2014: 55-56

⁶ Bimbi (ed.) 2013: 105

⁷ Ellonen & Korhonen 2007: 178

⁸ Pohjanpää et.al. 2003

⁹ Lehti 2014: 62

¹⁰ Lehti 2014: 65

¹¹ Lehti 2014: 68

¹² Lehti 2014: 68



predominantly committed by men from the same groups, while violence against Latin American women is usually perpetrated by ethnic Finnish men (in mixed marriages). The latter is similar to the situation of East and Southeast Asian women, although the risk of violence for them is significantly lower.

The below table shows the most common combinations in terms of origin of victim to, and perpetrator of, domestic violence as reported by the Institute of Criminology and Legal Policy in 2014:

Victim origin	Perpetrator origin
Europe, North America	50/50 ethnic Finns and own group
East Asia, Southeast Asia, Latin America	Mostly ethnic Finns
Africa, Middle East, Middle- and South Asia	Own group

Overall, women belonging to migrant groups can be said to be at a higher risk of GBV than ethnic Finnish women. However, women of different immigrant groups are very differently at risk from and subjected to violence – there are large differences vis-à-vis the risk of becoming a victim of violence, as well as structural differences in the violence itself. These statistics should also be considered in light of the low likelihood that crimes are reported, and also the fact that some groups may be more likely or ready to report crimes than others.

Significantly, however, the above deals almost exclusively with immigrant women, defined as women born outside of Finland. As noted, statistics based on ethnicity are not available, meaning data on Finland's Roma or Sami minorities, or indeed second generation immigrants, is not widely available. The lack of data on Roma women in particular is noted as a concern in the CEDAW's 2014 concluding observations on Finland's seventh periodic report to the body.¹³

It should also be noted that data on e.g. unregistered EU citizens or paperless women is not available. By and large they do not have access to (and/or do not seek access to) public services, as a result of which they are rarely included in available statistics. In cases where they are included, their vulnerable status due to being outside of public services is usually not specified.

Some data exists on victims of human trafficking, however it is assumed that most cases of trafficking go unreported and undiscovered. Victims of human trafficking can access an assistance system specifically for them. In June 2014, the system had 77 customers from 29 different states, most of whom came from Sub-Saharan Africa or Asia.¹⁴

According to the Finnish Immigration Service, most victims of human trafficking in Finland are victims of work-related trafficking. However, in 2013 and 2014, the number of officially identified victims of sexual exploitation was particularly high. During the first half of 2014 more than half of the persons (54%) proposed to be accepted into the assistance system for victims of human trafficking had an African background and were suspected of having been subjected to sexual exploitation before arriving in Finland. Among victims of human trafficking in Finland, the majority of those exposed to sexual exploitation come from Sub-Saharan Africa, while victims from North

¹³ United Nations 2014: 34

¹⁴ The Finnish Immigration Services (2014)



Africa, Asia and the Middle East more commonly are victims of work-related exploitation.¹⁵ In 2015, Pro-tukipiste, an NGO assisting current and former sex workers, assisted 19 women suspected of being victims of sexual exploitation.¹⁶

3. The Legal Framework

Overall, Finland is considered to have a reasonable legal framework with regards to the prevention, protection, and punishment of GBV, following international norms and policies. At the national level, a number of laws are of significance in relation to GBV, while a further set of laws are of relevance for migrants and minority groups. No specific legislation exists pertaining to migrant or minority women who have experienced GBV, although amendments to existing legislation have recently been made that somewhat improve the situation for immigrant women exposed to GBV. Amendments have also been made to key legislation, following the adoption of the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence in August 2015. Concerns have however been raised with regards to the implementation of existing legislation, both at the policy and on the institutional level.¹⁷

Domestic violence

Domestic violence has been a public prosecution crime since 1995. The intention is to ensure that crimes in the home are considered as seriously as other violent crimes. The Penal Code divides violence in the private sphere, including in the home and when the perpetrator is a family member, into three categories: petty assault, assault and grievous bodily injury. While petty assault is a plaintiff crime, the latter two are public prosecution crimes, meaning they are always investigated by the police when brought to their attention. Since 2011, petty assault is also a public prosecution crime in certain circumstances, e.g. if the victim is a child (under 18) or a current or former spouse.

Victims of intimate partner or domestic violence can report the crime to the police either in person or e.g. by phone or e-mail. Reports can also be made on behalf of someone else. Victims are recommended to see a doctor at earliest convenience in order to get a medical certificate that can be used as evidence in any case brought against the perpetrator. Victims of sexual assault are also recommended not to wash themselves or change their clothes before being examined by a doctor. The importance given to the physical marks of sexual violence has been criticized by activists, as has need for victims of sexual violence to undergo intrusive and possibly embarrassing physical exams following abuse. Activists see the approach as too clinical.

Since 2005, victims of domestic violence can apply for a restraining order applicable within the family and/or household. A person placed under an inside-the-family restraining order has to leave the common residence and may not return there, otherwise meet or contact the person protected by the restraining order. It is forbidden to follow and observe the person protected. This type of restraining order can also be made to apply in the vicinity of the common residence.

¹⁵ The Finnish Immigration Services (2014)

¹⁶ Pro-tukipiste 2016

¹⁷ Bimbi/Daphne. 118



Generally, a restraining order can be applied for by anyone who justifiably feels himself/herself threatened or harassed by another person. In terms of GBV, a typical case in which a restraining order may be used includes the harassment of a former spouse or partner.

A restraining order can be applied for orally or in writing either from the police or directly from the District Court. A prosecuting, police or social service authority may also apply for the order if the person threatened is too afraid or unable to do it herself. Breach of a restraining order is a public prosecution crime punishable by a fine or imprisonment not exceeding one year.

Restraining orders have been criticized for being little more than “pieces of paper”. Only those at high risk can get a security plan made and, moreover, the police lacks resources for 24/7 surveillance. The alternative – going to a shelter – often comes at a high cost in terms of a family’s everyday life and activities. In addition, there is only one shelter with a secret address in Finland (see more below). It is also the only shelter specifically targeting immigrant women.

Sex Offences

The renewed sex offence code came into force in 1999. Since then, various amendments have been made and now all sex offences except for sexual harassment are subject to public prosecution (sexual harassment is a plaintiff crime). As such, rape and aggravated rape are public prosecution crimes. Rape is characterized as involving violence or the threat of violence. Since 2011, situations where the victim is unable to defend herself or express her own will can also be considered rape. Rape within a marriage/partnership was criminalized in 1994. A new provision that prohibits stalking entered into force at the beginning of 2014. Any sex-related crimes involving children are always public prosecution crimes and rape of a minor is always considered aggravated rape.

The definition of rape has been criticized by CEDAW in its 2014 concluding observations on Finland’s seventh periodic report to the body. According to the report, the following steps are necessary to bring Finnish legislation on sex offences to international standard:

“Review the legislation on rape so as to remove any requirement that sexual assault be committed by force or threat and place the lack of consent at the centre of its definition; amend the Penal Code Chapter 20 section 1.2 on rape and section 5.1 containing provisions on sexual abuse to ensure that the definition of rape also covers cases of non-consensual sexual acts where there is an abuse of position, such as in cases of rape committed against women who are residents in closed institutions, and align the sanctions for such acts from a fine to the minimum sentence of imprisonment as is the case for the commission of such acts.”¹⁸

Honour-related violence

Honour-related violence takes many forms, including controlling girls/women, limiting movement, study opportunities, and manner of dress. Forced marriages and FGM can also be seen as a form of honour-related violence. Honour killings are an extreme form of honour-related violence.

¹⁸ United Nations 2014: 18



There is no specific Finnish legislation related to honour-related violence. However, murder carries a hefty sentence in Finland, and honour killings are likely to be prosecuted as such.

Overall, as in-migration to Finland from countries where honour-related violence is prevalent has increased, so have cases and concerns regarding honour-violence.

Forced marriages

There is no specific legislation on forced marriages and they are not criminalized in Finland. Instead, forced marriages are usually dealt with under legislation pertaining to human trafficking, although in cases involving minors, child protection legislation is also pertinent. This set-up has been criticised for not giving the authorities enough opportunities to intervene in all situations where girls are sent abroad for marriage. Activists have therefore called for forced marriages in themselves to be classified as public prosecution crimes, and for victims of forced marriages to be able to nullify the marriage without seeking a divorce.¹⁹ Indeed, the Istanbul Convention calls for the criminalization of forced marriages.

There are no reliable statistics on the extent of forced marriages occurring in Finland, or, more accurately, to Finnish residents. Second-generation immigrant girls and young women are particularly at risk, as parents try to control them and make them conform to traditional cultural norms, as opposed to engage in more liberal behavior common among girls and women in Finland.²⁰ Parents' desires for their daughters to gain the respect that being married often carries in patriarchal cultures in particular can also play a role.

Usually, the marriages are entered into abroad, and there is evidence of cases where girls under 18 have been abducted and forced into marriage in their parents' home country. No cases of forced marriage have however been brought to trial in Finland. Bringing cases to court is made more challenging by the fact that girls have often turned 18 by the time they are allowed to return to Finland, or when the forced marriage is brought to light. As such, child protection legislation can no longer be applied.

There is a general sense that the problem is on the increase, as second-generation immigrant girls are reaching puberty in increasing numbers.

FGM

There is no specific provision banning female genital mutilation (FGM) in Finnish legislation. Although there have been no legal cases relating to FGM, FGM can be considered as grievous bodily injury under the Penal Code (chapter 21 section 5). Three bills to have specific legislation on FGM made have been brought forward, however all of them have been rejected.²¹ This is however likely to change, as the Istanbul Convention requires all state parties to introduce FGM as a criminal offence.

¹⁹ Eduskunta 2016

²⁰ Grekula and Kourros 2010: 31

²¹ Sosiaali- ja terveysministeriö 2012: 19



According to existing legislation, in addition to the person circumcising a woman, others party to the event can also be considered party to the crime. This can e.g. include the person who ordered the circumcision to take place. FGM conducted abroad can also be punishable, if it targets a Finnish citizen or permanent resident, or is perpetrated by a Finnish citizen.

Following the Child Protection Law, all authorities are required to bring potential cases of child abuse to the municipality's relevant social services. This requirement supersedes their professional confidentiality code, and covers a variety of actors, including staff at asylum seekers' reception centres. Suspicions regarding plans for FGM or already conducted FGM all warrant notification of Child Protection Services if a minor is involved.

Concerns have nevertheless been raised regarding how seriously FGM is taken in Finland. In its 2014 concluding observations on Finland's seventh periodic report to the body, CEDAW noted that "the Committee is concerned about the lack of an explicit provision in national legislation criminalizing the practice of female genital mutilation. The Committee notes the lack of identified cases of FGM practices within the State party and the lack of refugee claims accepted based on FGM, which may indicate that low priority is accorded to this issue."²²

Abolition of Dual Criminality

Following adoption of the Istanbul Convention, the Penal Code was amended to abolish the requirement of dual criminality in certain offences referred to in the Convention, such as sexual violence, female genital mutilation, forced abortion, forced sterilisation and forced marriage. This means that Finland assumes jurisdiction of these types of crimes committed in a third country by or against a Finnish national or resident, even if what occurred is not a criminal offence in the country in which it was committed. This is of significance for example in cases of FGM, where e.g. a Finnish woman of Somali heritage is taken to Somalia to undergo FGM and subsequently brought back to Finland.

The Aliens Act

Following adoption of the Istanbul Convention, the Aliens Act was amended to improve the situation of victims of GBV in a relationship. Following the amendment, a foreigner who has moved to Finland as a result of marriage may, under certain conditions, be granted a residence permit after these family ties are broken, if this person or his or her children have been subjected to violence or abuse by the spouse during the relationship. This is significant as women whose existing residency permit is based on family ties were previously unlikely to report e.g. domestic violence as they risked their residence permit being discontinued. However, the Finnish League for Human Rights has criticised the amendment for considering the length of the relationship and the length of time spent in Finland in granting women independent residency permits. The organisation has called for survivors domestic abuse to be granted residency regardless of relationship length or amount of time spent in Finland.²³

Human Trafficking

²² United Nations 2014: 16

²³ Ihmisoikeusliitto 2014



Statutes regarding human trafficking entered into force as part of the Finnish Penal Code in 2004. Under the law, the following counts as human trafficking:

- the sexual abuse of another person in a manner similar to the crime of prostitution
- subjecting a person to forced labour or other demeaning circumstances
- the removal of bodily organs for financial benefit.

A key element of fulfilling the statutory definition of human trafficking is that the victim has been forced into, for example, prostitution, resulting from misleading information or the abuse of their dependent status or vulnerable state. The victim is usually dependent on the perpetrator of the crime, who maintains this dependent status through illegal means, such as threats, violence or restricting liberty.²⁴

Aggravated prostitution can be considered human trafficking if the victim has been misled into prostitution by, for example, being promised a well-paying job abroad or by being forced to continue against their will.

In its 2014 concluding observations on Finland's seventh periodic report to the body, CEDAW expressed its concern that "victims of trafficking and exploitation of prostitution may be reluctant to report such exploitation to the authorities for fear of being deported under the State party's Aliens Act."²⁵ Other reasons for human trafficking going unreported are barriers similar to those encountered by immigrants in reporting GBV generally (lack of rights awareness, lack of language skills etc.). Cases of human trafficking may also not be classified as such due to challenges related to applying legal definitions to practical cases, and because trafficking is confused with other, similar phenomena such as illegal immigration or prostitution.

4. Types of GBV experienced

The following section outlines the nature of GBV experienced by migrant and minority women in general, as well as more specifically by key groups.

Immigrant and minority women and children are exposed to similar types of GBV as ethnic Finnish women, namely physical, emotional, economic, cultural, and sexual violence. Indeed, research from 2007 finds that violence against immigrant women largely takes similar forms to violence against ethnic Finnish women.²⁶ However, violence directed at migrant and/or minority women can also take forms not usually encountered among ethnic Finnish women. These include honour-related violence, forced marriages, polygamy and female genital mutilation (FGM). Isolating victims and preventing free movement have also taken on extreme forms particularly among immigrant women, in some documented cases women have been forced to live in complete isolation and at total mercy of the perpetrator, without being able to access help or move freely.²⁷

²⁴ lhmiskauppa.fi

²⁵ United Nations 2014: 20

²⁶ Ellonen & Korhonen 2007

²⁷ Kyllönen-Saarnio and Nurmi 2007: 28



Immigrant women are often also more financially reliant on their husbands, exposing them to economic violence.

Ellonen and Korhonen highlight that the barriers to reporting these forms of GBV may be higher than their more 'common' counterparts, and that immigrant women are discouraged from reporting these types of crimes in particular.²⁸ Given the relative rarity of these types of crimes, Finnish authorities – such as police, social workers or health care professionals – may also not be culturally competent to recognise less common forms of abuse. As a result, statistics on the most common forms of GBV faced by migrant and/or ethnic minority women may be distorted.

There are also other specificities that must be taken into account when discussing GBV among migrant and minority groups, which impact what we know about GBV in these groups, the forms and consequences of GBV, and the kind of support survivors can access.

When discussing particularly asylumseeker and refugee women, violence targeting women and girls during war and conflict, including torture, must be recognised. Women are exposed and vulnerable to abuse not only during the conflict itself, but also during refugeehood. Experiences of violence prior to coming to Finland or during the journey to Finland may have long-lasting impacts requiring treatment once settled. Previous experiences of extreme violence may also impact on how domestic violence for example is perceived, with women belittling their more recent experiences.²⁹ Previous experiences of violence may also affect intergration in Finland.

Violence against migrant/minority women often also has cultural meanings and expressions. These can be hard to discern by outsiders, leaving them with the impression that a cultural specificities justify violence.³⁰ On the other hand, immigrant women may hail from countries where legislation does not condemn certain types of violence against women, and violence against women is common. This can directly impact if and how these women seek help once in Finland.

Human trafficking, particularly for purposes of sex work, as well as racism, discrimination, and structural violence are also relevant aspects to take into account when discussing GBV facing migrant and/or minority women in Finland.

In its 2014 concluding observations on Finland's seventh periodic report to the body, CEDAW highlights the double vulnerability suffered by migrant women in Finland. The Committee highlights limitations in accessing employment and health services, and expresses concern regarding exposure to domestic violence, FGM, and honour-related violence. In addition, it notes that migrant women may "encounter difficulties in accessing social and protection services against these forms of violence due to legal illiteracy or fear of losing their residence permit or of being deported in case they are in an irregular situation."³¹

Other challenges facing many immigrant women is lack of awareness of their rights (which may be significantly different from those in their home country) and lack of awareness of the help and services that are available. Many may lack confidence in the authorities (possibly also as a result of

²⁸ Ellonen & Korhonen 2007: 185

²⁹ Kyllönen-Saarnio and Nurmi 2007: 47

³⁰ Ellonen & Korhonen 2007: 163

³¹ United Nations 2014: 30



previous experiences elsewhere), and experience a sense of shame, betrayal, and/or fear for seeking help from public services outside the immediate community. With regards to sexual violence, it is not uncommon for women not to recognise sexual violence within a marriage or partnership as a crime. Feelings of shame and of being ‘tainted’ may also discourage women from reporting and seeking assistance following sexual violence in particular.³²

Lack of language skills forms a particular barrier to both accessing information about rights and help available. The situation can be further complicated by immigrant women often being both financially and socially dependent on their husbands.³³

Some efforts have been made to increase rights awareness among immigrant women. According to 1999 legislation on the integration of immigrants and reception of asylumseekers, municipalities are required to organise integration courses which aim to introduce migrants to Finnish society and the rights and obligations of those residing on Finland.

As noted previously, immigrant women are overrepresented among women accessing shelter services. In 2005, immigrant women formed 30% of all clients in shelters in the Helsinki metropolitan area, significantly more than their share of the total population in the area.³⁴ This figure has changed little since, although it should be born in mind that because immigrant women’s support networks may be more limited than ethnic Finns’, they may have less recourse to help in their immediate environment. Cultural attitudes towards violence against women may also discourage immigrant women from seeking help in their own community. This can also apply to ethnic minority women, such as the Roma (see more on this below).

Mail-order-brides (Vaimonvälitys)

Some immigrant women have come to Finland as mail order brides. In most of the cases, an ethnic Finnish man has paid for a foreign woman he may have briefly met or been in contact with online to move to Finland and marry him. While some mail-order-brides may go on to become happy wives, these women are often in very vulnerable situations. Although the payment made by the man is generally for facilitation of the match, some men perceive their new wife as a commodity, and treat her as such. With no or limited contacts and support networks, and often lack of language skills and knowledge of Finnish legislation and services, mail-order-brides are easily subjected to abuse. Many also enter the country on tourist visas, which technically means they are in breach of the Aliens Act, a situation which is likely to discourage them from turning to the authorities in situations of need.

Research conducted among Thai wives of Finnish men, who married shortly after becoming acquainted either due to pregnancy or to gain residency permits, exemplifies the vulnerable position these women often are in. Of the eight women included in the study, all had experienced domestic violence and repression, including threats of violence and limitations on the freedom of movement. Leaving the abusive relationship would have had an array of negative impacts on the women, including possible deportation.³⁵

³² Ellonen & Korhonen 2007: 166

³³ Ellonen & Korhonen 2007: 166

³⁴ Ellonen & Korhonen 2007: 170

³⁵ Ellonen & Korhonen 2007: 167



Finnish Roma

The Roma form one of Finland's minorities and are currently estimated to number some 10,000 in Finland. They have lived in the country for centuries. Nevertheless, they have to a large extent managed to maintain key aspects of their own culture.

Finnish Roma culture is largely patriarchal and imposes traditional gender roles. "Roma Law" has strict moral rules, which members of the community are expected to follow. The DAPHNE-funded Speak Out! project's final report outlines the following common aspects of Roma culture vis-à-vis GBV:

- Concealment of violence, especially in close relationships
- Women are considered to provoke violence, even rape, with their behavior. As one interviewee puts it: *"The (Roma) law does not condemn rape, it does not condemn incest, suffering of the woman, the woman deserves it."*³⁶
- Lack of trust in authorities due to historical violence against the Roma keeps victims from seeking help
- Seeking help, e.g. going to a shelter, is considered "bad publicity"
- Available services do not have cultural competence to help Roma women
- Communality of the culture pushes aside individual rights

The report claims to be the first to map out Finnish Roma women's experiences of GBV, and paints a bleak picture. As one interviewee says:

"Roma women must in the end come to attention. They fall through the net: as born Finnish citizens, they do not approach the services for migrant units; in the units for majority women, their cultural ties are not understood and /or respected. Not to forget that the only shelter with a secret address (in Greater Helsinki at least) is dedicated to migrant women."³⁷

Gender inequality in the Roma community is acknowledged by members of the community itself. In a study conducted by the Ombudsman for Minorities, 37.7% of Roma respondents indicated that there is a special problematic related to the position of women in Roma culture.³⁸ Out of these respondents, 62.8% highlighted gender inequality and the submissive position of Roma women with regard to men as the cause of such problems.³⁹ Nevertheless, GBV, and especially sexual violence, is very much taboo and not to be discussed.

One aspect highlighted in the study is the 'expectation' that Roma women wear traditional dress. For many women, wearing the dress is a question of pride, however, it can also be restrictive for women in work life and lead to health problems, particularly in the back. Not wearing the dress, and in particular first opting to wear the dress and later removing it can lead to ostracisation from the community.

³⁶ Bimbi 2013: 107

³⁷ Bimbi 2013: 121

³⁸ Vähemmistövaltuutettu 2014

³⁹ Vähemmistövaltuutettu 2014



Roma women are often also in a weak position in situations where they wish to leave their husband. Traditionally, divorces are frowned upon within Roma culture, and although they have become more common, mothers can risk losing their children to their father or the father's family in case of separation as children are considered to belong to the father.

Somalis

The majority of Somalis in Finland arrived in the country as refugees, starting in the 1990s. Today, some 14,000 speak Somali in Finland, although only about half are Somali citizens.

Honour-related violence such as FGM and forced marriages are of particular concern among female Somali migrants, as well as second-generation Somali girls and women. Girls and women also experience pressures from within their community to dress a certain way (e.g. wear a headscarf), while outward expressions of cultural/religious identity may result in discrimination and abuse by the majority population. Second-generation immigrants often also feel as though they are stuck between two cultures, one in the home and one outside, each expecting them to behave in a different way.

Amongst Somali women, the Finnish welfare system is seen as a form of protection from economic violence by the family or partner. However, a sense of loss of power over the woman/family, can also lead to increased domestic violence by the man.

According to Bimbi (ed.) discussion of domestic violence is largely taboo in the community. As stated by a participant in activities implemented during the DAPHNE-funded Speak Out! project: "For us the shame is most important of all. I think that admit that it is difficult now and I go the shelter. There is much talk about it if somebody has gone to the shelter (little laugh). It is a quite shameful thing. It is talked here and there, pondered upon, what are the motives." ⁴⁰

5. Rights and Services available

All permanent residents in Finland have the same rights and are able to access to the same public services. Within these services, clients who do not speak Finnish can request an interpreter. Because these services are aimed at permanent residents, irregular migrants, such as unregistered EU-citizens or paperless women are usually unable to access them. One third sector actor, Monika-Naiset, targets migrant women in particular. Irregular migrants are also able to access the services provided by the organization.

The following provides an overview of help and support mechanisms relevant to female survivors of GBV.

Victims' Rights

Victims of a crime, i.e. plaintiffs, are entitled to legal assistance both when reporting a crime and at hearing and the trial. Whether the attorney fee is paid in full or in part depends on the income

⁴⁰ Bimbi 2013: 115



of the victim. In cases of sexual crimes or violence committed by someone close to the victim, the court can grant the victim an attorney paid for by state funds regardless of income level.

While the fact that most cases of domestic violence and sex offenses are now public prosecution crimes has been hailed as a positive development by many, it can also make situations more challenging for migrant and minority women in particular. Bimbi (ed.) notes that “[i]t is common that at some point women wish that the charge would not be taken further to avoid making the situation worse. The recent law reform makes recalling public prosecution impossible.”⁴¹ Cases where an intensification of violence has followed divorce as the man is no longer in control ‘his’ woman/family anymore have been documented particularly among Finnish Roma.

Right to interpretation

When dealing with Finnish authorities, people who do not speak Finnish or Swedish, and do not have another language in common with the authorities, are entitled to interpretation in cases initiated by the authorities. Nevertheless, interpreters are not used in all situations, due to a combination of attitudes, protocols, and lack of resources that discourage their use. This weakens the situation of many migrant women who do not master Finnish, and may also put them at increased risk.⁴²

According to administrative law, certain individuals are disbarred from acting as interpreters. It has been noted that use of a family member or an acquaintance does not guarantee equal and unbiased service for women in particular. Women belonging to small ethnic/linguistic groups in Finland also tend to avoid speaking openly about their situation in the presence of an interpreter, as it is often likely the interpreter is linked to the same community as she is. Experience also shows most women are more comfortable with female interpreters when discussing personal and intimate issues.⁴³

The need for immigrant women to access to services in their own language is well recognized, particularly in the event of emergencies. As noted by Bimbi (ed.) “[l]anguage problems and the non-availability of interpretation facilities are reflected in the handling of residence permits, custody and visitation rights issues and criminal justice cases, putting the victim’s legal safeguards at risk.”⁴⁴

Support person

The Service for Crime Victims provides trained support persons free of charge during the different phases of the proceedings. In connection to sexual crimes or violence committed by a person close to the victim, the court can appoint a support person even if the victim does not need an attorney. In such cases the fee and other expenses of the support person will be paid for by the state.

Shelter Services

⁴¹ Bimbi (ed.) 2013: 117

⁴² Kyllönen-Saarnio and Nurmi 2007: 48

⁴³ Kyllönen-Saarnio and Nurmi 2007: 83

⁴⁴ Kyllönen-Saarnio and Nurmi 2007: 83



Following adoption of the Istanbul Convention, improvements have also been made in Finnish shelter services to ensure compliance. The State now funds the shelter services, ensuring equal and free access to all victims of domestic violence. However, additional funding is needed to ensure services are able to address special needs groups, including ethnic minority and immigrant groups.

At the moment, there are 21 shelters in Finland, of which one is specifically aimed at immigrant women. The shelter targeting immigrant women is managed by the NGO Monika-Naiset Liitto, and is also the only secret shelter in the entire country. It is located in Helsinki and usually oversubscribed. In general, there are not enough shelters in the Helsinki metropolitan area to respond to the existing need. In northern Finland both lack of shelters and the distance to nearest available shelter limit women's ability to access shelter. Out of minority groups prevalent in northern Finland, this affects particularly Sami women.⁴⁵

Other services

There are no specific services for women who have experienced honour-related violence.

There is no free national phone service for victims of GBV that operates 24/7, as required by the Istanbul Convention. Various third sector actors operate helplines but these are open only at certain hours during the day/week, and most do not have capacity or resources to provide advice in several languages.

The national assistance system for victims of trafficking has been in place since 2005.

6. Challenges migrant and minority women face in getting help

It is generally considered that many immigrant women are unaware of the opportunities to access help in violent situations. Few know what services are available and what their legal rights are, and some may not be aware that e.g. domestic violence is a crime. In the Speak Out! study, "the women felt that there is not enough information available in different languages on the different support mechanisms in place for victims of domestic violence".⁴⁶ Controlling or dominating behavior by the perpetrator can make accessing information as well as services more challenging.

Limited, or lack of, language skills also pose a challenge even when women seek help. This may affect not only how a woman is able to articulate her situation, but also how she is met by service-providers. According to the Speak Out! study, "many professionals did not seem to admit that in the Finnish society migrant women are often in a disadvantaged position. Alarming, this was especially common within authorities working with migrants and refugees."⁴⁷

Experiences of GBV among migrant women may also seem so foreign and 'unbelievable' to Finnish authorities (include social workers and health care professionals) that women's stories are simply not believed. This indicates a lack of cultural competence among these actors.⁴⁸

⁴⁵ United Nations 2014: 37

⁴⁶ Bimbi (ed.) 2013: 338

⁴⁷ Bimbi (ed.) 2013: 101

⁴⁸ Kyllönen-Saarnio and Nurmi 2007: 37



Limited understanding of the service provision system may also lead to women seeking help “in the wrong place”. Without previous experiences of e.g. social work, a woman may presume that a social worker’s role is limited to e.g. completing income support applications.⁴⁹ As a result, she may not realise the social worker could help.

Authorities, particularly staff in asylum seekers’ reception centres, have also been accused of having limited interest and/or ability to recognize experiences of violence among asylum seeker/refugee women.⁵⁰ Furthermore, “even though migrants seem to be more at risk of gendered violence, the authorities working with them have rarely received any training on violence against women.”⁵¹

Cultural conceptions about the position of men and women in the family as well as cultural stigma attached to addressing violence within a relationship can also act as hindrances for women to women seek help through therapeutic or legal means.⁵²

Fears of deportation may also prevent some women from seeking help. Although positive amendments to the Aliens Act have recently been made, sex workers from third countries (non-EU) continue to face deportation if they are suspected of selling sex in Finland. This discourages them from seeking help by contacting authorities, particularly the police, when faced with violence and abuse.⁵³ Even women who have permanent residency in Finland may stay in abusive relationships either because they are unaware of their legal rights and/or their partner has threatened them with complicating their migration status. In some cases women stay on in abusive relationships because they are afraid that reporting abuse may lead to deportation of their partner, who may e.g. be the father of her children.⁵⁴

7. Conclusion

Gender-based violence is a significant and wide-ranging problem in Finland, affecting women of all backgrounds. Available statistics however indicate that migrant women in particular are especially vulnerable to GBV. Given extensive under-reporting of GBV, it is possible that these statistics underestimate the problem, particularly when it comes to forms of violence less common among the ethnic Finnish population. Migrant women do however not form a homogenous group, and the types and rates of violence faced by women of different ethnic background can vary significantly.

Data on GBV experienced by women belonging to non-migrant, ethnic minority groups is scant, largely due that data by ethnicity is not gathered. As a result, GBV experienced by e.g. Finnish Roma and second-generation immigrants is hard to quantify. Experiences of unregistered EU

⁴⁹ Kyllönen-Saarnio and Nurmi 2007: 48

⁵⁰ Bimbi (ed.) 2013: 105

⁵¹ Bimbi (ed.) 2013: 119

⁵² Bimbi (ed.) 2013: 338

⁵³ Amnesty International Suomi

⁵⁴ Kyllönen-Saarnio and Nurmi 2007: 50



citizens and other irregular migrants who fall outside of public services and are likely to avoid contact with the authorities are also largely inexistent.

Available statistics indicate that the types of GBV experienced by migrant and/or minority women is largely similar that those faced by ethnic Finnish women. However, as noted above, these statistics may be misleading. So-called honour-related violence, including female genital mutilation and forced marriages, are increasingly on the agenda in Finland, but given their nature may be severely underreported.

Migrant and minority women face higher barriers to seeking help than ethnic Finnish women. This is usually because they are unaware of their rights and the challenges discouraging seeking help when experiencing GBV are myriad. These include lack of cultural competence among, particularly, public services providers, lack of language skills and knowledge of Finnish laws and support systems, and cultural conventions that discourage seeking help. Fear of authorities and the consequences following seeking help, such as the threat of deportation (whether real or not), may also discourage women. Finnish Roma women may feel out of place among public services aimed at ethnic Finns as these are not culturally competent, but as indigenous Finns they may not identify with seeking assistance from potentially more culturally sensitive services geared towards immigrants.

Ratification of the Istanbul Convention has led to some improvements in the Finnish legal framework particularly in terms issues relevant to migrant women. Nevertheless, some key amendments and actual implementation of legislation remain lacking, and activists have questioned particularly the current government's political will to address the issue. Overall, there is a need to strengthen understanding of the double vulnerability experienced by migrant and minority women in Finland.

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