

## Delegation of the Republic of Finland

### *Position Paper for the Human Rights Council*

The topics before the United Nations (UN) Human Rights Council (HRC) are: Combating Racism, Racial Discrimination, Xenophobia, and Related Intolerance; and Business and Human Rights. The Republic of Finland strongly believes that respect for universal human rights is the best guarantee for peace, security, and sustainable development. Therefore, the Republic of Finland promotes all solutions and resolutions to the above-mentioned topics.

#### **I. Combating Racism, Racial Discrimination, Xenophobia, and Related Intolerance**

The Republic of Finland considers combating racism, racial discrimination, xenophobia, and related intolerances to be of utmost importance, as all these phenomena fundamentally endanger the enjoyment of all human rights. Populist ideologies, nationalism and right-wing extremism are on the rise, as is the number of reported hate crimes. Especially on online platforms racism, racial discrimination, and xenophobia manifest themselves in the form of hate speech on the internet. The Republic of Finland emphasizes the need to address these problems as Pekka Haavisto, Minister for Foreign Affairs of Finland stated in January 2020: "Racist hate speech is becoming normalized. We all need to step up our efforts against it".

The Republic of Finland highly appreciates the efforts already undertaken by the HRC together with the Office of the High Commissioner for Human Rights (OHCHR) and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia, and related intolerances in combating the various forms of racism and discrimination that exist in our world. The Republic of Finland welcomes the *International Convention on the Elimination of All Forms of Racial Discrimination* and refers to the obligatory reports of the signatory parties on their measures to combat racism as an important instrument. The Republic of Finland has actively participated in the examination of the *Durban Declaration and Programme of Action* and welcomes its victim-centered approach. Recognizing the operational recommendations and principles, the Republic of Finland has put many efforts in the implementation of these, especially through creating Victim Support Finland, a public service to support victims of hate crimes. In reaction to the global rise of right-wing extremism, fueled by the aftermaths of the Covid-19 pandemic, the Republic of Finland strongly supports Resolution A/RES/75/169 *Combating glorification of Nazism, neo-Nazism and other practices that contribute to fueling contemporary forms of racism, racial discrimination, xenophobia, and related intolerance*. The Republic of Finland acknowledges the importance of regional and non-governmental frameworks to combat all forms of racial discriminations and, as a member of the European Union, looks forward to continue cooperation with the European Commission against Racism and Intolerance. Considering the importance of national legislation in penalizing racist crimes and cybercrime, the Republic of Finland welcomes the *Council Framework Decision on Combating Certain Forms and Expressions of racism and xenophobia by means of criminal law* and the *Convention on Cybercrime*, by the Council of Europe. In order to identify effective measures against online hate speech and cybercrime, the Republic of Finland has developed 13 recommendations for more effective measures in the paper *Words Are Actions. More Efficient Measures against Hate Speech and Cyberbullying*. To strengthen its efforts already undertaken to combat racism and racial discrimination and in response to Resolution A/RES/68/237 and the *International Decade for People of African Descent*, which highlights the issues of racial profiling and equal access to quality education, the Republic of Finland has this year published the *An Equal Finland: Government Action Plan for Combating Racism and Promoting Good Relations between Population Groups* to address these problems.

Hate speech on social media platforms spreads racism and uses the internet to recruit new members for right-wing ideologies. To gain a more comprehensive understanding of these structures, the Republic of Finland proposes, to strengthen research and data collections on the dynamics of racist hate speech and its impact on society. The Republic of Finland underlines the need to work together with social media platform providers to identify and register racist hate speech. In preventing the emergence of racism and racist online speech, the Republic of Finland recommends, to increase media education about the dangers of hate speech. Therefore, the Republic of Finland urges all Member States to implement this important education field in their education programs. Considering the problem of anonymity and cross-borders use of the internet, the Republic of Finland recommends working closely with the providers of social media platform, so that the perpetrators of cybercrimes can be identified, and their racist extremist content can be quickly removed from the platforms. In this context, the Republic of Finland highlights the need to establishing regulatory community guidelines on social

media platforms. Furthermore, the Republic of Finland encourages all Member States to support and establish organizations, that support victims of racist hate crimes and hate speech.

## II. Business and Human Rights

The Republic of Finland firmly believes that it is important to reconcile business with universal respect for human rights to achieve sustainable development, peace and combat the climate crisis. Many human rights violations are linked to business activities as child labor and modern forms of slavery, pollution of water and agriculture land, gender discrimination in the workplace, failure to ensure safe and healthy working conditions or denial of the right to form workers associations to bargain collectively for fair wages. In addition, the victims of these violations often lack access to remedy while the companies that violate human rights are not held accountable. The Republic of Finland points out, that women are disproportionately affected by human rights violations in business context.

The Republic of Finland is fully committed to the *UN Guiding Principles on Business and Human Rights* (UNGPs) and bases its human rights and business policies on their three main pillars: States' obligation to protect human rights; business responsibility to respect human rights; the importance of ensuring access to remedy. To fulfill its obligation to protect human rights, the Government of the Republic of Finland adopted the *National Action Plan for the implementation of the UN Guiding Principles on Business and Human Rights* in 2014. In 2019, the Finnish government has commissioned the report *Aligning Finland's State Financing for Private Sector Activity Abroad with the UN Guiding Principles on Business and Human Rights* to evaluate the progress already made. In line with Resolution A/HRC/RES/47/23 and referring to the business responsibility to respect human rights, the Republic of Finland has advanced its due diligence efforts in its public financing instruments for private actors. To control how Finnish businesses are fulfilling their human rights responsibility, the Republic of Finland has published the report *Status of Human Rights Performance of Finnish Companies (SIHTI) Project* in 2021. The report *Judicial Analysis on the Corporate Social Responsibility Act*, published 2020, examines the legal framework of the Republic of Finland that can impose due diligence efforts on Finnish companies. The Republic of Finland believes that violation of human rights in business context is a multidimensional, transnational problem that requires international cooperation among states, non-governmental organizations, civil society, and businesses to work together to find solutions. Therefore, the Republic of Finland highly supports the UN Global Compact and encourages all businesses to commit themselves to the principles of the non-binding treaty. The Republic of Finland welcomes the online courses offered under the treaty and itself provides training for businesses and public officials on business and human rights. The Republic of Finland is convinced that cooperation and exchange between states and governments is important to address the issues of business and human rights. Therefore, the Republic of Finland has organized, under its presidency of the Council of Europe, the EU conference *Business and Human Rights - Towards a Common Agenda for Action* in 2019. The Republic of Finland supports the Accountability and Remedy Project of the OCHCR and commits to consider the recommendations of the project for its own national remedy framework. The rights of women are one of the priorities of the Republic's of Finland international human rights policy, and the Republic of Finland actively supports women. Therefore, the Republic of Finland welcomes the *Women's Empowerment Principles* and strongly supports the call in Resolution A/HRC/RES/S-28/1 for all Member States to adopt legislation prohibiting all forms of gender discrimination in the workplace.

The Republic of Finland urges alle stakeholders to pay more attention to the differential impacts of business-related human rights violations on women, persons with disabilities and persons in vulnerable situations. To gain a more comprehensive understanding of the difficulties and obstacles faced by these groups, the Republic of Finland stresses to collect specific disaggregated data on the impacts of business-related human rights abuses for these groups. Therefore, the Republic of Finland proposes that the knowledge of civil society organizations (CSOs) be taken more into account in the implementation of the UNGPs, as they provide local, accurate and comprehensive information about different groups. To strengthen their capacity, the Republic of Kenya calls for more support and funding from the international community for CSOs working on human rights in the business context. As the implementation of the UNGPs varies across companies and countries, the Republic of Finland proposes to conduct a systematic global review of the implementation of the UNGPs, involving next to governments as well trade unions, the private sector and CSOs in the review process. To create comparability, the Republic of Finland emphasizes the need to create uniform international methods for monitoring the implementation of the UNGPs. Finally, the Republic of Finland encourages all Member States, to stay strongly committed to the binding nature of human rights, as they are the basis for sustainable development, peace, and the implementation of the UNGPs.