



# Finland

## Ratified the European Convention on Human Rights in 1990

### National Judge: Pauliine Koskelo (4 January 2016 - )

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judges: Raimo Pekkanen (1989-1998), Matti Pellonpää (1998-2006), Päivi Hirvelä (2007-2015)

[List of judges of the Court since 1959](#)

The Court dealt with 150 applications concerning Finland in 2022, which were declared inadmissible or struck out. It delivered no judgment.

Applications processed in	2021	2022	2023*
Applications allocated to a judicial formation	91	170	50
Communicated to the Government	3	2	1
Applications decided:	110	150	10
- Declared inadmissible or struck out (Single Judge)	105	145	9
- Declared inadmissible or struck out (Committee)	4	5	0
- Declared inadmissible or struck out (Chamber)	0	0	0
- Decided by judgment	1	0	1

\* January to July 2023

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#). Statistics on interim measures can be found [here](#).

Applications pending before the court on 01/07/2023	
Applications pending before a judicial formation:	76
Single Judge	61
Committee (3 Judges)	9
Chamber (7 Judges)	6
Grand Chamber (17 Judges)	0

## Finland and ...

### The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **643** Registry staff members.

## Noteworthy cases, judgments delivered

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### Grand Chamber

#### **Advisory opinion requested under Protocol No. 16 to the Convention by Finland**

#### **[Advisory opinion requested by the Supreme Court of Finland](#)**

08.11.2022

The European Court of Human Rights has accepted a request (no. P16-2022-001) for an advisory opinion under Protocol No. 16 to the European Convention on Human Rights received from the Supreme Court of Finland on 10 October 2022.

In its request, the Supreme Court of Finland has asked the European Court of Human Rights to provide an advisory opinion on the procedural rights of a biological mother in proceedings concerning the adoption of her adult child.

The request will be dealt with by the Grand Chamber, comprising 17 judges, which will be constituted in accordance with Rule 24 § 2 (g) of the Rules of Court.

The President of the Grand Chamber has also established a time frame for submissions from the parties to the domestic proceedings or any other interested party.

[Protocol No. 16](#) enables member States' highest national courts and tribunals to ask the Court to give advisory opinions on questions of principle relating to the interpretation or application of the rights and freedoms defined in the European Convention or its Protocols. The advisory opinions are not binding. The Court has delivered [five advisory opinions](#) since Protocol No. 16 came into force on 1 August 2018.

For more information see the FAQ.

#### **Cases dealing with Article 6**

#### **[Vilho Eskelinen and Others v. Finland](#)**

19.04.2007

Special allowance for working in a remote area refused to police officers.

The Court said that that Article 6 § 1 (right to a fair hearing) was applicable

Violation of Article 6 § 1 as regards the length of the proceedings

No violation of Article 6 § 1 as regards the lack of an oral hearing

Violation of Article 13 (right to an effective remedy)

No violation of Article 1 of Protocol No. 1 (protection of property) taken alone or in conjunction with Article 14 (prohibition of discrimination)

#### **[Jussila v. Finland](#)**

23.11.2006

The applicant complained that he was not given an oral hearing in proceedings in which a tax surcharge was imposed.

No violation of Article 6 (right to a fair trial)

#### **Cases dealing with the right to respect for private and family life (Article 8)**

#### **[Hämäläinen v. Finland](#)**

16.07.2014

The case concerned the complaint of a male-to-female transsexual that she could only obtain full official recognition of her new gender by having her marriage turned into a civil partnership.

No violation of Article 8

No need to examine the case under Article 12 (right to marry)

No violation of Article 14 (prohibition of discrimination) taken in conjunction with Articles 8 and 12

#### **[K. and T. v. Finland \(no. 25702/94\)](#)**

12.07.2001

Emergency care order and failure to take proper steps to reunite the family.

Violation of Article 8

#### **Cases regarding freedom of expression (Article 10)**

#### **[Satakunnan Markkinapörssi Oy and Satamedia Oy v. Finland](#)**

27.06.2017

After two companies had published the personal tax information of 1.2 million people, the domestic authorities ruled that such wholesale publication of personal data had been unlawful under data protection laws, and barred such mass publications in future. The companies complained to the

European Court that the ban had violated their right to freedom of expression.

[No violation of Article 10](#)

#### [\*\*Pentikäinen v. Finland\*\*](#)

20.10.2015

The case concerned the apprehension of a media photographer during a demonstration and his subsequent detention and conviction for disobeying the police.

[No violation of Article 10](#)

## Noteworthy cases, judgments delivered

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### Chamber

#### **Case concerning the right to life (Article 2)**

##### [\*\*Kotilainen and Others v. Finland\*\*](#)

17.09.2020

The case concerned complaints about failures by the authorities to protect the lives of the victims of the 2008 school shooting in the town of Kauhajoki, in which 10 people were killed.

[Violation of Article 2 \(right to life\) owing to the authorities' failure to observe their duty of diligence and seize the killer's weapon before the attack](#)

[No violation of Article 2 over the investigation after the attack](#)

##### [\*\*N.A. v. Finland \(no. 25244/18\)\*\*](#)

14.11.2019

The case concerns a decision to deport an asylum-seeker who was killed shortly after his return to his country of origin, Iraq.

[Violation of Article 2 and Article 3 \(prohibition of torture\)](#)

##### [\*\*Huohvanainen v. Finland\*\*](#)

13.03.2007

Death of the applicant's brother, shot by the police authorities in a siege situation.

[No violation of Article 2](#)

#### **Case on prohibition of inhuman or degrading treatment (Article 3)**

##### [\*\*Senchishak v. Finland\*\*](#)

18.11.2014

The case concerned the threatened removal from Finland of a 72-year-old Russian national.

[No violation of Article 3 if Ms Senchishak, the applicant, were to be expelled to Russia](#)

#### **Cases concerning Article 6**

##### Right to a fair trial

##### [\*\*Jehovah's Witnesses v. Finland \(no. 31172/19\)\*\*](#)

09.05.2023

The case concerned the obligation for individual Jehovah's Witnesses to obtain consent when collecting personal data during their door-to-door preaching.

[No violation of Article 6](#)

[No violation of Article 9 \(freedom of thought, conscience and religion\)](#)

##### [\*\*D. v. Finland \(no. 30542/04\)\*\*](#)

07.07.2009

Use of a child's videotaped account as essential evidence in the criminal proceedings against a father convicted of aggravated sexual abuse of his daughter.

[Violation of Article 6](#)

##### [\*\*Natunen v. Finland\*\*](#)

31.03.2009

Failure to disclose recorded telephone conversations (destroyed by the police, in accordance with the law, at pre-trial stage) at the applicant's trial for drug trafficking.

[Violation of Article 6](#)

##### [\*\*Muttillainen v. Finland\*\*](#)

22.05.2007

Refusal by the Appeal Court to hold an oral hearing in criminal proceedings.

[Violation of Article 6](#)

#### **Private and family life cases (Article 8)**

##### [\*\*A.-M.V. v. Finland \(no. 53251/13\)\*\*](#)

23.03.2017

The case concerned an intellectually disabled man's complaint about the Finnish courts' refusal to replace his court-appointed mentor, meaning that he has been prevented from deciding where and with whom he would like to live. His

court-appointed mentor had previously decided that it was not in his best interests for him to move from his home town in the south of Finland to live in a remote village in the far north with his former foster parents. In the related court proceedings his request to replace the mentor was refused.

[No violation of Article 8](#)

[No violation of Article 2 of Protocol No. 4 \(freedom of movement\)](#)

**[Röman v. Finland](#)**

29.01.2013

**[Laakso v. Finland](#)**

15.01.2013

**[Grönmark v. Finland and Backlund v. Finland](#)**

06.07.2010

Cases concerning the impossibility for the applicants to have their biological father's paternity legally established because of the automatic time limit imposed on children born before the entry into force of the Paternity Act.

[Violations of Article 8 in all three cases](#)

[In \*Laakso v. Finland\* and \*Röman v. Finland\*, The European Court of Human Rights noted however that the Supreme Court had recently changed its previous line of case-law on this issue.](#)

**[K.U. v. Finland \(no. 2872/02\)](#)**

02.12.2008

Failure to protect a minor subject of an advertisement of a sexual nature on an Internet dating site.

[Violation of Article 8](#)

**[Johansson v. Finland](#)**

06.09.2007

Refusal to register a name chosen for the applicants' son.

[Violation of Article 8](#)

**[Hokkanen v. Finland](#)**

23.09.1994

Transfer of custody to a child's grandparents; father prevented to see her in defiance of court decisions.

[Violation of Article 8](#)

**Cases concerning freedom of expression (Article 10)**

**[M.P. v. Finland \(no. 36487/12\)](#)**

15.12.2016

The case concerned Ms M.P.'s conviction for defamation for expressing concerns to a social worker that her daughter might have been sexually abused by her (the child's) father. This was the second time Ms M.P. had raised such concerns and came after a police investigation into the allegations had concluded that there was no evidence of any crime.

[Violation of Article 10](#)

**[Salumäki v. Finland](#)**

29.04.2014

Journalist convicted of defamation after writing an article concerning the investigation into an homicide, with a reference to a well-known Finnish businessman.

[No violation of Article 10](#)

**[Ojala and Etukeno Oy v. Finland Ruusunen v. Finland](#)**

14.01.2014

Both cases concerned the criminal convictions of Ms Ruusunen and Mr Ojala for writing and publishing an autobiographical work which contained details of the relationship between the former Prime Minister of Finland and his former girlfriend, Ms Ruusunen.

[No violation of Article 10](#)

**[Ristamäki and Korvola v. Finland](#)**

29.10.2013

Editor in a Finnish broadcasting company and his immediate superior condemned for defamation with regards to the reference made to a well-known Finnish businessman -standing trial for economic offences at the time- in a programme broadcasted on national television criticising the lack of co-operation between the authorities concerning the investigation of economic crime.

[Violation of Article 10](#)

**[Saaristo v. Finland](#)**

12.10.2010

Journalist's conviction for an article on private life of presidential candidate's communication manager.

[Violation of Article 10](#)

[\*\*Flinkkilä and Others v. Finland\*\*](#)  
[\*\*Tuomela and Others v. Finland\*\*](#)  
[\*\*Jokitaipale and Others v. Finland\*\*](#)  
[\*\*Iltalehti and Karhuvaara v. Finland\*\*](#)  
[\*\*Soila v. Finland\*\*](#)

06.04.2010

Concerned criminal sanctions for having disclosed the identity of a public figure's partner.

Violations of Article 10 in all five cases

[\*\*Eerikäinen v. Finland\*\*](#)

10.02.2009

Newspaper ordered to pay damages for the publication of an article about ongoing criminal proceedings, disclosing the identity of the accused.

Violation of Article 10

[\*\*Juppala v. Finland\*\*](#)

02.12.2008

Conviction of applicant for defamation of her son-in-law after she had taken her three-year-old grandson to a doctor and voiced a suspicion that he might have been hit by his father.

Violation of Article 10

[\*\*Nikula v. Finland\*\*](#)

21.03.2002

Lawyer convicted for having criticised a prosecutor for decisions taken in his capacity in criminal proceedings.

Violation of Article 10

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## Other noteworthy cases, judgments delivered

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### Chamber

[\*\*Glantz v. Finland\*\*](#)  
[\*\*Häkkä v. Finland\*\*](#)  
[\*\*Nykänen v. Finland\*\*](#)  
[\*\*Pirttimäki v. Finland\*\*](#)

20.05.2014

All cases concerned the applicants' complaints of having been punished twice for the same offence after tax surcharges had been imposed on them and they had then also been convicted of tax fraud or aggravated tax fraud.

Violation of Article 4 of Protocol No.7 (right not to be tried or punished twice) – in the cases of *Glantz* and *Nykänen*

No violation of Article 4 of Protocol No.7 – in the cases of *Häkkä* and *Pirttimäki*

[\*\*X v. Finland \(no. 34806/04\)\*\*](#)

03.07.2012

The case concerned the confinement of a paediatrician to a mental health hospital and her being forcibly administered with drugs, in the context of criminal proceedings against her for aiding and abetting a mother to kidnap her daughter, suspected of being sexually abused by her father.

Violation of Article 5 § 1 (right to liberty and security) and Article 8 (right to protection of private life)

[\*\*Jokela v. Finland\*\*](#)

21.05.2002

Discrepancy between the assessment of the market value of expropriated land and land subject to inheritance tax.

Violation of Article 1 of Protocol No. 1 (protection of property)

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## Noteworthy cases, decisions delivered

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[\*\*Helander v. Finland\*\*](#)

Decision of 03.10.2013

The case concerned a complaint brought by a Finnish prisoner, Mr Helander, that the prison authority had refused to forward legal correspondence to him, which had been sent to the prison's official e-mail address by his lawyer.

Application declared inadmissible

[\*\*A.A.S. v. Finland \(no. 56693/09\)\*\*](#)

Decision of 03.07.2012

The applicant complained that his right to respect for private and family life had been violated as he had not been allowed to visit his daughter, even under supervision (he was found guilty of the attempted murder of the new husband of his child's mother and, while in prison, had threatened her life).

Application declared inadmissible

## Noteworthy pending cases

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### Chamber

#### **E.S. v. Finland (no. 23903/20)**

Case [communicated](#) to the Government in March 2021

#### **Hellgren v. Finland (no. 52977/19)**

Case [communicated](#) to the Government in October 2020

#### **[Tulokas v. Finland](#) (no. 5854/18) and [Taipale v. Finland](#) (no. 5855/18)**

Cases communicated to the Government in July 2018

The cases concern the applicants' complaints about the difference in treatment in taxation.

The applicants complain under Article 14 (prohibition of discrimination) of the Convention and Article 1 of Protocol No. 12 (general prohibition of discrimination) to the Convention that the Income Tax Act discriminates against retired tax-payers without any justification and thus constitutes discrimination on the ground of age. The applicants further complain under Article 13 of the Convention that the existing domestic remedies have proved to be inefficient in the present cases.

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