



**National Discrimination  
Tribunal**

# National Discrimination Tribunal empowered to prohibit discrimination based on ethnicity

The National Discrimination Tribunal consists of a chairperson together with six members and their personal deputies. The Tribunal also has a rapporteur and secretary. The chairperson and members are part-time elected officials.

The chairperson and members serve four-year terms.

The chairperson of the Tribunal, at least three of the members and their deputies, and the secretary must be eligible to sit as judges. In addition, the members of the Tribunal, their deputies and the rapporteur must be familiar with the work of the Tribunal.

The provisions on the National Discrimination Tribunal are set out in the Non-Discrimination Act (21/2004), the Act on the Ombudsman for Minorities and the National Discrimination Tribunal (660/2001 and 22/2004) and the Government Decree on the consideration of cases by the National Discrimination Tribunal (117/2004).

The Tribunal issues legally binding rulings against discrimination.



The Tribunal is an impartial and independent judicial body appointed by the Government to monitor compliance with the Non-Discrimination Act. Its function is to give legal protection to those who consider they have been discriminated against on the grounds of their ethnic background.

The Tribunal may issue injunctions against ethnic discrimination in cases other than those relating to the world of work. It may impose conditional fines to enforce compliance with its injunctions and order payment of such fines. The Tribunal's decisions may be appealed to the Administrative Court.

The Tribunal may endorse settlements between parties.

The courts, the Ombudsman for Minorities, other public authorities or associations may request an opinion from the Tribunal on the application of the Non-Discrimination Act in cases of ethnic discrimination.

The Tribunal has the right to hear experts, seek opinions, obtain information and arrange inspections.

## Submission of petitions to the National Discrimination Tribunal

Cases may be brought before the National Discrimination Tribunal by any parties who claim to have been discriminated against.

The Ombudsman for Minorities may also petition the Tribunal.

Petitions submitted to the Tribunal may be in hard copy or electronic format. They may be in Finnish, Swedish, Sámi or English.

Anyone who has suffered discrimination must produce concrete evidence from which it may be presumed that they have been a victim of discrimination.

The petition should contain at least the following information:

- the name and contact details of the petitioner
- the name and contact details of the defendant
- an account of the alleged discrimination
- reports by possible witnesses describing what happened
- the grounds on which the petitioner considers that the alleged act of discrimination took place because of his or her ethnic background

In the treatment of claims, the provision on burden of proof in section 17 of the Non-Discrimination Act is applied: If the petitioner provides information from which it may be presumed that the prohibition on discrimination under section 6 of the Act has been infringed, the defendant must demonstrate that this is not the case.

The Tribunal deals with petitions in writing.

The Tribunal may also arrange an oral hearing or inspection if necessary for further clarification.

The Tribunal deals with petitions free of charge.

Petitions should be submitted to the Tribunal at the following address:

NATIONAL DISCRIMINATION  
TRIBUNAL OF FINLAND  
PO Box 26  
FI-00023 Government

E-mail:  
[syrjintalautakunta@intermin.fi](mailto:syrjintalautakunta@intermin.fi)

## Examples of acts of discrimination prohibited by the National Discrimination Tribunal

- Access to a restaurant had been denied on the grounds that the would-be patron was from an ethnic background.
- The division of children into different classes at a comprehensive school was based on the children's immigrant background, although the level of their Finnish skills had not been tested appropriately.
- The local social and health authorities had acted in a prejudiced and discriminatory manner in their dealings with a father from an immigrant background.
- The conduct of an insurance company had been indirectly discriminatory when issuing medical expenses insurance to a foreign citizen; the methods used by the company were not appropriate or necessary, because it would have been able to obtain the required information in a manner more acceptable from an equal treatment perspective.
- Local authorities in a municipality had not provided housing available there to homeless applicants on the grounds of their being from an ethnic background.
- Service in a clothing company had been discriminatory against customers from a certain ethnic group.
- A municipality-owned estate management company had required that those applying for housing who belonged to a certain ethnic group had to meet requirements not demanded of the majority population.
- A city had failed to show that it had taken sufficient measures to meet its statutory duty to arrange appropriate day care services for Sámi children, even though these children were entitled under law to receive day care in their own native language just like Finnish-speaking children.
- A municipality in the Sámi homeland had failed to show that it had taken sufficient measures to arrange health services, care for the elderly and basic education for Sámi-speaking people in their own native language.
- When selecting Roma residents, one city and its estate management company had applied a procedure to applicants with Roma background in which the local Roma liaison was consulted to establish whether the local Roma community would accept the relocation of a particular applicant in the area and whether the applicant might be allocated a certain flat.

Summaries of decisions given by the Tribunal are available on its website at [www.syrjintalautakunta.fi](http://www.syrjintalautakunta.fi)

**National Discrimination Tribunal of Finland, PO Box 26,  
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