

Finland's Review in the Working Group
Wednesday 9 April 2008 – 14.30pm to 17.30pm
Analytical Summary

The Troika

The troika is composed of Azerbaijan, Republic of Korea and Bolivia. Only the latter mentioned being a member of the troika.

Presentation by Finland

Composition of the delegation: H.E. Dr. Teija Tiilikainen (Ms), State Secretary (Political), Mrs. Johanna Puro, Ms. Tuula Majuri, Ms. Joni Hitola
Presentation by H.E. Dr. Teija Tiilikainen.

As a member of the first year of the HRC, Finland insists on its real will to take part into the UPR process. The Secretary of State underlines the high participation of the civil society in the elaboration of the national report, considering that the process is transparent. This process is considered by the State as the usual policy-making in Finland. Indeed, the Finnish statement puts forward the achievements that the country has reached, but also the difficulties which should be taken into consideration. It insists on the importance to be aware of the new challenges in the promotion and protection of HR. This task should be done nationally, but also internationally. It's important to note that Finland's statement doesn't take into account the themes of killings, disappearances, torture or conditions of detention. The national actions are the following:

- National Action Plan of Action against Trafficking in Human Beings in Finland, adopted in 2005.
- The Development Programme for Child and Youth Policy.
- An action programme on disability policy is currently being prepared, in order to ensure an equitable position for this persons with disabilities.
- Finland has decided to prepare an action plan for gender equality.
- The Government Migration Policy Programme, adopted in 2006, for the promotion of work-related immigration and the prevention of racism and discrimination.
- The Finnish school system is a cost-free education, regardless of social, gender, ethnic status.
- The Non-discrimination Act, to strengthen the guarantees of non-discrimination and provide uniform legal remedies and sanctions.
- Positive developments have been made for the Roma population, and its culture are growing.
- Child Welfare Act, that took effect in the beginning of 2008, to protect children against family violence and sexual abuses.

Finland's statement points out also the several challenges that should the State face:

- Despite the work of the government, racism and intolerance are maintained.
- Educational issues for the Roma minorities. This population is subject of discrimination and further efforts should be done.
- Violence against women is still a great problem, even if its one of the priorities of the government
- Discussions on the Sami issue should also be started, to allow this population to keep its cultural autonomy.
- Excessive length of proceeding in administrative authorities and courts.
- Will consider if a NHRI is needed in Finland.

Interactive dialogue

Number of countries that took the floor:

21 States took the floor: **16 member States** of the Human Rights Council (Russian Federation, Canada, Bolivia, Brazil, Malaysia, Pakistan, Netherlands, China, Mexico, Japan, Philippines, United Kingdom, Egypt, Cuba, Slovenia, Bangladesh) and **5 Observer States** (Belgium, Algeria, USA, Ecuador, Chile).

Questions and issues raised by States and answered by Finland

Discrimination against ethnic groups:

- Russia recommends Finland to focus on this issue in order to eliminate discrimination.
- Bolivia asks more details on the Sami people.
- Belgium asks Finland to remedy the situation of ethnic discrimination.
- The Netherlands recommends the delegation to make further efforts for ethnic minorities, including the Sami and Roma population.
- Philippines wants Finland to have a bill acceptable for all parties concerned, regarding to the indigenous people.
- UK argues that the State should ratify ILO 169 for indigenous people.
- USA wants to know more on the measures taken to tackle the discrimination against the Roma and Sami population.
- Ecuador wonders how Finland guarantees the right to consultation for Sami.
- Slovenia recommends further efforts for minorities and asks more informations on the measures taken in order to integrate them.
- Bangladesh wants to learn more about the Roma minorities.

The delegation reaffirms that Finland is active for the rights of Sami. In this period, it tries to solve the land's use question. Discussions and negotiations will take place with the Sami Parliament. The essential question in this issue is the right to use their land, and to participate in the debate on this topic. 90 % of the Sami's land is owned by the government: the consultation is in fact very important. Also, the government plans the establishment of a Sami Center, which will be used by the Sami Parliament.

Discrimination against women:

- Russia recommends Finland to take efforts in this way, regarding to the comments of the CEDAW.
- Brazil remarks that the victims of discrimination don't address communications because they think the procedure isn't worthy. In this order, it asks what measures are taken to tackle these attitudes.
- Netherlands recommends Finland to integrate the sexual orientation in the field of HR.
- Mexico recommends to step up the efforts for violence against women.
- Philippines wants to know more of the type of problems which face Finland.
- Slovenia recommends Finland to integrate sexual orientation and to strengthened gender equality.
- Chile wonders, in term of best practice, which elements should be used in order to tackle violence against women. It asks also what role play the media in this regard.

On the issue of violence against women, Finland argues that it is very self-critized, and several Actions programmes are going on, as described. The State recognizes the importance to be aware of this problem. Sexual orientation is taken into account in Finland by the principles of universality and equal treatment: the Constitution stress that everybody is equal under the law.

Racial discrimination:

- Canada, observing that the length for the application of the asylum request is too short, asks which measures is taken to improve this problem. It wonders also how Finland will tackle the issue of racist and xenophobic attitudes.
- Mexico recommends Finland to strengthened efforts for racial discrimination, including on the internet.

The delegation underlines that it tries to take measures: legislative reforms are currently in discussion. Answering to Canada, the government argues that it is aware of the effects produced by this accelerated procedure, insisting on the fact that the principle of non-refoulement is always taken into account. New proposals are been debated in April 2008. For discriminative behaviors, it wants to learn from others countries. In fact, Finland is an homogenous country with a language barrier. There's a need for learning good practice and solving the attitude's problem. In this regard, the role of the mass media is important.

Migrants:

- Bolivia recommends that the State should consider reviewing its reservations, in order to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- Mexico asks Finland to make more efforts in public policy for migrants. It wants also the ratification of the Convention.
- Algeria wants Finland to ratify the Convention.
- Ecuador recommends the State to sign the Convention, arguing that's the most suitable solution for the migrations's issue.
- Egypt asks more informations on the measures taken for the integration of migrants.
- Bangladesh wants to know which measures are taken for migrants.

The delegation explains that the question of the ratification of the Convention is linked with the finnish conception. Finland thinks that the others HR bodies protect already the workers. In fact, migrants shouldn't be seen different as other citizens. Finland doesn't want to make this distinction. That's the reason why the Stat doesn't sign the Convention.

Education:

- China asks more details on the measures taken to integrate the notion of tolerance in the HR education programm.
- Japan wants to know which measures are taken in order to enhance the quality of teaching.

Finland stresses the importance of the education's role in racist attitude.

Recommendations made by States to Finland (as contained in doc A/HRC/WG.6/1/FIN/4)

1. To increase the focus, targeted efforts and effective measures regarding **eliminating discrimination**, and to make further efforts and measures to promote the rights of minorities, inter alia, ethnic minorities. (Netherlands, Russian Federation)
2. To strengthen the efforts **to restrict any outbreaks of racism and xenophobia** particularly manifestations of racism and discrimination on the Internet, as recommended by CERD. (Mexico)
3. To continue to take effective measures **to prevent violence against women** (Mexico, Russian Federation) and to compile information on the violence against children within the family. (Russian Federation)
4. **To consider** ratifying the International **Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families**. (Algeria, Bolivia, Ecuador, Egypt, Mexico)
5. **To consider ratifying ILO Convention No. 169** on Indigenous and Tribal Peoples in Independent Countries. (Bolivia)
6. To continue reviewing the procedures regarding requests for **asylum** in the light of

the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.
(Bolivia)

7. To provide the same coverage in national legislation and anti-discrimination training activities for the grounds of **sexual orientation and disability** as for other grounds of discrimination, for example in areas such as the provision of services and health care (Netherlands, Slovenia) and to consider using the Yogyakarta Principles on the Application of International Human Rights Law in relation to sexual Orientation and Gender Identity as a guide to assist in its policies development. (Slovenia)

8. **To fully integrate a gender perspective** into the follow-up process to the UPR review. (Slovenia)

Speaking Time

Total time of the review: 1h48.

Finland: Presentation: 22 min.

Answering to questions during the interactive dialogue: 11 + 5 + 4

Concluding remarks: 10 min

Disclaimer: this summary is by no means exhaustive as it is just an indication of the discussion that took place during the review and should therefore not be quoted as an official document of the UPR process.