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HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE
ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1

Finland

The present report is a compilation of the information contained in the reports of treaty bodies, special procedure, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR) other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. The information included herein has been systematically referenced in endnotes. The periodicity of the review for the first cycle being four years, most of the documents used as reference are dated after 1 January 2004. In the absence of recent information, the latest available reports and documents have also been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty, and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations/ reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	14 July 1970	None	Individual complaints (art. 14): Yes
ICESCR	19 Aug. 1975	None	
ICCPR	19 Aug. 1975	Arts. 10 (2) (b), 10 (3), 14 (7) and 20 (1)	Inter-State complaints (art. 41): Yes
ICCPR-OP 1	19 Aug. 1975	None	-
ICCPR-OP 2	4 Apr. 1991	None	-
CEDAW	4 Sept. 1986	None	-
OP-CEDAW	29 Dec. 2000	None	Inquiry procedure (arts. 8 and 9): Yes
CAT	30 Aug. 1989	None	Inter-State complaints (art. 21): Yes Individual complaints (art. 22): Yes Inquiry procedure (art. 20): Yes
CRC	20 June 1991	None	-
CRC-OP-AC	10 Apr. 2002	None	-
<i>Core treaties to which Finland is not a party: OP-CAT (signature only, 2003), CRC-OP-SC (signature only, 2000), ICRMW, CED (signature only, 2007), CPD (signature only, 2007) and OP-CPD (signature only, 2007).</i>			
<i>Other main relevant international instruments³</i>		<i>Ratification, accession or succession</i>	
Convention on the Prevention and Punishment of the Crime of Genocide			Yes
Rome Statute of the International Criminal Court			Yes
Palermo Protocol ⁴			Yes
Refugee and stateless persons ⁵			Yes, except Convention on the Reduction of Statelessness
Geneva Conventions of 12 August and Additional Protocols ⁶			Yes, except Protocol III
ILO fundamental conventions ⁷			Yes
UNESCO Convention against Discrimination in Education			Yes

1. The Committee against Torture (CAT) noted many positive developments, in particular that measures are being taken by Finland for the ratification of OP-CAT.⁸ The Committee on the Rights of the Child (CRC) welcomed the assurances given about the forthcoming ratification of CRC-OP-SC.⁹

2. Both CRC and the Committee on Economic, Social and Cultural Rights (CESCR) encouraged Finland to consider ratifying ICRMW¹⁰ and CESCR also encouraged it to ratify CPD and its Optional Protocol.¹¹ The Committee on the Elimination of Racial Discrimination (CERD) recommended that Finland adhere to ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.¹² Finland's intention had been to submit a bill to Parliament in 2006 proposing the amendments needed for the ratification of this Convention, but this was prevented by, inter alia, the parliamentary election in March 2007.¹³

3. It was recommended that Finland consider withdrawing its reservations to ICCPR. Finland stated that these reservations are under constant review and that the possibility of removing the reservation to article 10 will be examined in particular.¹⁴

B. Constitutional and legislative framework

4. Five treaty bodies welcomed recent legislative and other measures taken by Finland, including the adoption of the Non-Discrimination Act, which bans all direct or indirect discrimination based on age, ethnic or national origin, nationality, language, religion, beliefs, opinions, health, disability and sexual orientation and places the burden of proof before the courts on the defendant; the amendments to the Penal Code, which include “racist motives” as aggravating circumstances of a crime;¹⁵ the amendments to the Penal Code punishing trafficking in human beings;¹⁶ the adoption of the Act on Support for Victims of Trafficking as well as amendments to the Act on Equality between Men and Women;¹⁷ and the adoption of the Act on the Integration of Immigrants and Reception of Asylum-Seekers 2001 and its 2002 amendment to accommodate the needs of minors and victims of torture, rape or other physical or sexual violence.¹⁸ CAT expressed concern about the absence of a specific definition of torture in criminal law as defined in article 1 of the Convention¹⁹ and recommended the adoption of legislation in this regard.²⁰

C. Institutional and human rights structure

5. Human rights are monitored by a number of institutions, including the Ombudsmen system in Finland, such as the Parliamentary Ombudsman.²¹ The establishment of the new Office of Minority Ombudsman, with wider powers to act for asylum-seekers and deportees, was welcomed by CERD, CAT and CESCR.²² CRC also welcomed the establishment of the Office of the Ombudsman for Children and recommended, inter alia, that its mandate be expanded and that it be provided with sufficient resources to effectively monitor the implementation of the Convention.²³ CESCR requested information on whether such Ombudsman institutions have been established in accordance with the Paris Principles.²⁴ Finland pledged not only to assess the adequacy of its institutional framework but also to consider the establishment of a new national human rights institution to complement existing mechanisms, if there are gaps in the current protection system.²⁵

D. Policy measures

6. Policy measures welcomed by treaty bodies include the adoption, in 2001, of a Plan of Action to combat ethnic discrimination and racism,²⁶ the completion of the Plan of Action against Trafficking in Human Beings in 2005 and the adoption of the National Plan of Action “A Finland Fit for Children”.²⁷ CRC was concerned that the plans for children are not well coordinated and recommended that Finland, inter alia, place all other plans and programmes under the coordination of the National Plan of Action and give the Ombudsman for Children a mandate to monitor the Plan and progress made.²⁸

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body²⁹</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2001	Aug. 2003	-	Seventeenth to nineteenth reports received in 2007, and scheduled for consideration in 2009
CESCR	2005	May 2007	-	Sixth report due in 2010
HR Committee	2003	Oct. 2004	Overdue since 2005	Sixth report due in 2009
CAT	2002	May 2005	May 2006	Fifth and sixth reports due in 2010
CEDAW	1997 and 1999	Feb. 2001	-	Fifth report received in 2003 and scheduled for consideration in 2008
CRC	2003	Sept. 2005	-	Fourth report due in 2008
CRC-OP-AC	2004	Sept. 2005	-	To be included in CRC fourth report

7. Six Committees commented positively on Finland's cooperation with them and proposed, inter alia, further measures for the dissemination of their concluding observations.³⁰ CESCR noted Finland's support of an optional protocol to ICESCR.³¹ Finland also pledged to cooperate fully with the United Nations treaty bodies and to ensure systematic follow-up to treaty body recommendations.³²

2. Cooperation with special procedures

<i>Standing invitation issued</i>	Yes
<i>Latest visits or mission reports</i>	None
<i>Visits agreed upon in principle</i>	None
<i>Visits requested and not yet agreed upon</i>	None
<i>Facilitation/cooperation during missions</i>	-
<i>Responses to letters of allegation and urgent appeals</i>	Between 1 January 2004 and 31 December 2007, a total of two communications (letters of allegation) were sent to the Government of Finland. Four individuals (all men) were covered by these communications. During the same period, Finland responded to both communications (100 per cent).
<i>Follow-up to visits</i>	-
<i>Responses to questionnaires on thematic issues³³</i>	Finland responded to 7 of the 12 questionnaires sent by special procedures mandate holders ³⁴ between 1 January 2004 and 31 December 2007, within the deadlines. ³⁵

8. Finland has stated its strong support for the special procedures and its full commitment to cooperating with them.³⁶

3. Cooperation with the Office of the High Commissioner for Human Rights

9. Finland has made regular financial contributions to the work of OHCHR.³⁷ At the invitation of Finland, OHCHR participated in a meeting on 16 February 2005 to advise Finland on the possible establishment of a national human rights institution.³⁸

B. Implementation of international human rights obligations

1. Equality and non-discrimination

10. Five treaty bodies expressed concern about discrimination and racism, while noting the measures taken by Finland to address these issues. The HR Committee expressed its concern that negative attitudes and de facto discrimination against immigrants are still to be found in certain strata of the Finnish population.³⁹ CRC expressed concern at the continuing discrimination against immigrants and minority groups, particularly Roma;⁴⁰ CEDAW about Roma and Sami women;⁴¹ and CERD and CRC about discriminatory and xenophobic attitudes, notably among young people.⁴² Recommendations addressed to Finland include stepping up efforts to promote tolerance and combat prejudice, particularly through public awareness campaigns;⁴³ paying special attention to the education of young people with respect to discriminatory attitudes;⁴⁴ undertaking studies on the participation of minority women in society;⁴⁵ eliminating discrimination against minority women;⁴⁶ continuing to strengthen mechanisms aimed at combating discrimination;⁴⁷ increasing awareness of the remedies available against racism and discrimination;⁴⁸ continuing to monitor all tendencies which may give rise to racist and xenophobic behaviour and putting into practice effective measures to facilitate the integration of minority groups in Finnish society;⁴⁹ and ensuring follow-up to the Durban Declaration and Programme of Action.⁵⁰

11. CERD, the HR Committee, CESCR and CEDAW expressed concern about the situation of Roma in Finland. Particular attention was drawn to the discrimination Roma face in the fields of housing, education, employment and access to public places. CESCR also noted that Roma women wearing traditional costumes are particularly vulnerable to such forms of discrimination.⁵¹ Additionally, CRC and CESCR raised concerns about the situation of Roma children, particularly in relation to the right to education.⁵² Further measures to combat social exclusion and discrimination against the Roma in Finland were recommended, with CERD drawing attention to its general recommendation XXVII for addressing discrimination against the Roma and CESCR to intensified efforts required to improve access to inclusive education for Roma children, inter alia, by facilitating the recruitment of Roma teachers, by increasing the availability of schoolbooks in the Romani language, and by organizing special training for teachers to increase their knowledge about the culture and traditions of Roma and to raise their sensitivity to the needs of Roma children.⁵³

12. Finland stated that incidents of discrimination and racist attitudes pose a human rights challenge and indicated measures to be taken including the preparation of a comprehensive programme on migration, continuing human rights education of the police and the regular analysis of racist crimes. Finland pledged to give priority to preventing discrimination towards various ethnic minorities.⁵⁴

2. Right to life, liberty and security of the person

13. In 2004, the HR Committee expressed concern about the situation of persons held in pretrial detention at police stations and the lack of clarity regarding detainees' right to a lawyer while in custody and the involvement and role of a doctor during that period, and invited Finland to provide clarifications in that regard. It recommended that the bill on pretrial detention, which calls for suspects to be kept separate from convicts except in exceptional circumstances, be compatible with article 10 (2) of ICCPR.⁵⁵ CAT recommended in 2005 that Finland accelerate the prison renovation programme and complete the implementation measures to improve the situation and welfare of Roma prisoners.⁵⁶ In its follow-up report to CAT, the Government provided detailed information relating to the prison renovation programmes and the situation of Roma in prisons. The Government reported that the Prison Administration is preparing an equality plan for prisons and that the Non-Discrimination Act requires the Finnish authorities to prepare such plans to enhance ethnic equality.⁵⁷

14. While acknowledging action taken to prevent violence against children, CRC expressed the concern that violence against children and sexual abuse within families is one of the most serious obstacles to the full implementation of child rights in Finland and recommended the strengthening of measures to prevent, combat and report on child abuse and protect every child from violence.⁵⁸

15. Concerns were expressed that violence within the family, and in particular violence against women, is still a widespread problem, despite the efforts undertaken by Finland to combat domestic violence.⁵⁹ In 2001 CEDAW also expressed its concern about a high level of sexual harassment in the workplace.⁶⁰ Recommendations addressed to Finland included: CESCR encouraging it to consider enacting specific legislation to criminalize domestic violence⁶¹ and CEDAW urging it, inter alia, to increase its efforts to implement effectively policies aimed at combating violence, to pay more attention to prevention efforts and to take steps to turn the "zero tolerance" campaign into legally binding State policy.⁶²

16. Finland pledged, inter alia, to further intensify its efforts to eliminate violence against women, including through the preparation of a comprehensive national programme for the reduction of violence, emphasizing the prevention of domestic violence in the education of police and addressing the specific needs of immigrant women.⁶³

17. Trafficking of women and exploitation of the prostitution of women is a concern that was raised by CEDAW, which urged Finland, inter alia, to intensify its efforts to increase cooperation between national and international authorities, particularly from the Russian Federation and Baltic States.⁶⁴ In 2005 CRC also expressed concern at information that persons, including children, continue to be trafficked to and through the country and recommended that Finland further strengthen its efforts to identify, prevent and combat trafficking in children for sexual and other exploitative purposes.⁶⁵

18. Finland pledged to further intensify its fight against trafficking by implementing the Plan of Action against Trafficking, facilitating the granting of a residence permit and continuing cooperation against trafficking at the regional and international levels.⁶⁶

3. Administration of justice and the rule of law

19. The HR Committee recommended in 2004 that Finland take action at the highest level to uphold the independence of the judiciary and maintain trust in the independence of the courts.⁶⁷ CRC recommended that Finland ensure that the principle of the best interests of the child is understood, appropriately integrated and implemented, including in all legal provisions as well as in judicial and administrative decisions, and that legislative and other measures be taken to ensure that article 12 of the Convention is fully implemented, in particular that the child has the right to express his or her views directly to the judge when decisions in judicial and/or administrative proceedings affecting the child have to be taken.⁶⁸

20. CAT and CRC welcomed Finland's ratification of the Rome Statute of the International Criminal Court.⁶⁹ Finland expressed strong support for the work of the Court and its role in eliminating impunity for gross human rights violations, and also stated that, with respect to Finland's own past and violent civil war in 1918, the right to the truth is still an issue.⁷⁰

4. Freedom of religion and belief and freedom of opinion and expression

21. The HR Committee stated that Finland should fully acknowledge the right to conscientious objection and should end the discrimination inherent in the duration of alternative civilian service and the categories that can benefit from it.⁷¹

22. As regards issues of access to appropriate information, CRC expressed concern about the exposure of children to violence, racism and pornography, especially through the Internet, and recommended the strengthening of measures for the protection of children from information and material injurious to their well-being.⁷² Similar concerns with respect to racist, discriminatory and xenophobic material on the Internet were expressed by CERD.⁷³

5. Right to family life

23. With reference to the increasing or high number of children placed in alternative care, Finland was requested by CRC to address the root causes of the removal of children from their families, including through adequate support to parents.⁷⁴

6. Right to work and to just and favourable conditions of work

24. Concerns were expressed by CEDAW, the HR Committee and CESCR about persistent salary differences between men and women and the low percentage of women in high-ranking positions, such as university teaching posts, and calls were made for the strengthening of programmes to address these issues.⁷⁵ CESCR expressed concern that the extensive use of temporary employment contracts may de facto limit the capacity of part-time workers, stand-by workers and foreigners to enjoy labour rights and recommended that Finland ensure that such contracts are only concluded in those cases provided for by the legislation in force.⁷⁶ CEDAW urged Finland, inter alia, to increase incentives for men to exercise their rights to parental leave.⁷⁷

7. Right to social security and to an adequate standard of living

25. CESCR noted the absence of disaggregated data on the extent of poverty, particularly among refugees and the immigrant population, and that Finland had yet to adopt an official poverty line, which would enable it to define the incidence and depth of poverty and monitor and evaluate progress in alleviating poverty. The Committee called upon Finland to strengthen its efforts to combat poverty and social exclusion and to develop a mechanism for measuring the poverty level

and monitoring it closely.⁷⁸ Similar concerns were also raised by CRC, which stated that changes are needed to ensure the equality of resources for children and the availability of services through the country. CRC requested Finland to continue the collection of data on the most vulnerable groups of children to allow a detailed analysis of their living conditions. It further recommended that it undertake a study to assess and analyse resources provided for children and continue to take, where necessary, effective measures to ensure equal access to and availability of services for all children, irrespective of the municipality, in which they live.⁷⁹ CEDAW also expressed concern that the policy of decentralization may have a more negative impact on women than men and recommended that Finland, inter alia, introduce a gender-impact analysis in its decentralization efforts.⁸⁰

26. Concern about the health of young people, particularly girls, was expressed by CEDAW.⁸¹ CRC and CESCR also expressed concerns about the increase in alcohol and drug abuse, as well as about the high incidence of mental health disorders, especially among young persons. They recommended that Finland intensify its efforts aimed at preventing alcohol and drug abuse, including through the promotion of a healthy lifestyle among adolescents, and at addressing the root causes of mental health disorders.⁸²

27. A 2006 WHO report noted, inter alia, that the death rate in Finland from intentional and unintentional injuries is high compared with the average for 26 other countries in Europe. Despite decreases over the past 10 years, suicide and self-inflicted injury account for about a third of the excess deaths. The highest rates of completed suicides in Finland affect both men and women aged 25-64 years. According to the WHO report, better recognition and monitoring of depressive disorders can lead to positive effects, including reduced suicide rates, and comprehensive treatment programmes directed at the addictive and depressive features of alcohol abuse have also been shown to be effective.⁸³

28. In 2005, a communication was sent to Finland by the Special Rapporteur on the right to health in relation to the alleged refusal by the Social Insurance Institution of Finland to reimburse an individual for treatment in Germany. The Special Rapporteur noted that arrangements between States should ensure that citizens of one State resident in another State are not denied the services provided by their home and host States and that they have access to the same level of health care as all citizens residing within the respective States.⁸⁴

8. Right to education

29. Regarding bullying and violence in school, CRC recommended in 2005 that Finland continue taking appropriate measures to combat this phenomenon, including by carrying out periodic surveys among students, staff and parents about the quality of peer relations being fostered by the school, and that it put a special focus on children with disabilities and children with disabled parents.⁸⁵

30. CRC also made recommendations concerning the availability and quality of human rights education in schools in Finland as well as encouraging the dissemination of information about the Convention, including through the school curricula and in languages used by minorities and immigrants.⁸⁶ Additionally, in 2001 CEDAW urged Finland to increase its efforts to eliminate stereotypes in women's education and to mainstream gender studies in all areas of education.⁸⁷

9. Minorities and indigenous peoples

31. The HR Committee expressed regret that it has not received a clear answer concerning the rights of the Saami as an indigenous people (Constitution, sect. 17, subsect. 3), in the light of article 1 of the Covenant.⁸⁸ CERD expressed the opinion that the definition of who may be

considered a Saami, as illustrated by the Act on the Sami Parliament and the specific interpretation placed thereon by the Supreme Administrative Court, is too restrictive,⁸⁹ and suggested that Finland give more adequate weight to the criterion of self-identification by individuals.⁹⁰ The HR Committee, CESCR and CERD also expressed concerns about the failure to settle the question of Saami rights to land ownership and the various public and private uses of land that affect the Saami's traditional means of subsistence, in particular reindeer breeding, thus endangering their traditional culture and way of life, and hence their identity.⁹¹ Finland was urged to find an adequate settlement to the land dispute together with the Saami people⁹² and CESCR urged Finland to ratify ILO Convention No. 169 as a matter of priority.⁹³

32. The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the Special Representative of the Secretary-General on the situation of human rights defenders, in a communication dated 23 October 2007, also raised concerns about the situation of traditional Saami indigenous herders and allegations relating to the forced slaughter of reindeer belonging to the Nellim Group, one of the Saami reindeer-herder cooperatives belonging to the Ivalo Reindeer Herding Cooperative, taken by the cooperative on 7 October 2007.

33. The Government replied on 12 December 2007 that the Supreme Administrative Court in its decision of 23 October 2007 has prohibited the implementation of the decision to slaughter reindeer by force and that the decision would remain in force until the Supreme Administrative Court has ruled on the merits of the case or until otherwise ordered. The Government also provided the information that the Parliamentary Ombudsman has taken up this case on his own initiative. Due to the ongoing national proceedings, the Government is unable to provide additional information. Finland also indicated that according to the Constitution (sect. 17, subsect. 3), the Saami people, as an indigenous people, has the right to maintain and develop its language and culture and that the Supreme Administrative Court has, in its established case law, paid attention to safeguarding the rights of the Saami as an indigenous people, taking into account international human rights law.⁹⁴

34. Regarding consultative and advisory bodies on minority issues, an Advisory Board for Roma Affairs exists⁹⁵ and the former United Nations Working Group on Minorities, following its visit to Finland in 2004, recommended that Finland consider the establishment of an advisory body to look at integration issues of the Russian-speaking community.⁹⁶

10. Migrants, refugees and asylum-seekers

35. In 2005 CAT recommended that Finland strengthen the legal safeguards for asylum-seekers to ensure that all asylum procedures conform to article 3 of the Convention and other international obligations in this field.⁹⁷ Four committees expressed a concern, highlighted also by UNHCR, about the amendment to the Aliens Act of July 2000 providing for accelerated procedures for asylum-seekers,⁹⁸ with CAT recommending, inter alia, that Finland review the application of the "accelerated procedure" for the consideration of asylum requests to ensure that applicants have sufficient time to use all available appeal procedures before irreversible action is taken by the authorities.⁹⁹ The committees recommended, as highlighted also by UNHCR, the need to ensure respect for the due process and legal safeguards for asylum-seekers.¹⁰⁰ Additionally, CRC recommended that Finland deal with applications for the purpose of family reunification in a positive, humane and expeditious manner.¹⁰¹

36. CRC noted that Finland, as highlighted also by UNHCR,¹⁰² is a country of destination of asylum-seeking and migrant children coming from war-torn countries who may have been victims of traumatic experiences.¹⁰³ CRC invited Finland, inter alia, to provide information on the assistance given to these children for their recovery and reintegration and on the technical and financial assistance projects aimed at preventing the involvement of children in armed conflicts as well as assisting their recovery.¹⁰⁴

11. Situation in or in relation to specific regions or territories

37. Regional differentiations exist in Finland due to historical and other factors; these include the situations of the Åland Islands and the Sámi Homeland.¹⁰⁵ Finland has stated that the so-called study on “land rights in Upper Lapland” has been conducted and that the prevailing uncertainty surrounding the issue of Sámi land rights is potentially harmful to inter-ethnic relations in the areas concerned.¹⁰⁶ The former Working Group on Minorities, during its visit to Finland in 2004, was invited to the Åland Islands, which is an autonomous region of Finland. The focus of attention of the visit was on the legislation and implementation of autonomy in the Åland Islands and its example as a possible mechanism for conflict resolution.¹⁰⁷

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

38. In 2005, CAT welcomed the fact that there was no reported case of torture during the reporting period under review.¹⁰⁸ The HR Committee was pleased to observe Finland’s concern to integrate human rights into action to combat terrorism¹⁰⁹ and welcomed the use of the treaty bodies’ concluding observations as criteria for evaluating human rights in Finland in reports submitted to Parliament.¹¹⁰

39. CESCR welcomed the introduction of a quota system for the representation of men and women (at least 40 per cent of each) in all State and municipal bodies.¹¹¹

40. Finland stated that the interlinkages between the fight against corruption and respect for human rights are fully recognized and that for a number of years it has been rated as the least- or second least-corrupt State in the world.¹¹²

41. CESCR encouraged Finland to continue engaging non-governmental organizations and other members of civil society in the reporting process.¹¹³ Finland emphasized the role of civil society, including non-governmental organizations and human rights defenders, in promoting human rights.¹¹⁴ The HR Committee emphasized the positive role played by Finland in the establishment of a European Forum for the Roma¹¹⁵ and Finland referred to its key role in the process of establishing the Office of the Commissioner for Human Rights of the Council of Europe.¹¹⁶

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

A. Pledges by the State

42. Finland is committed, inter alia, to promoting children’s rights and to strengthening the Office of the Ombudsman for Children.¹¹⁷ Finland also committed itself, inter alia, to further strengthening the rights of indigenous peoples, including through monitoring the effectiveness of the Sámi language law, strengthening education in the Sámi language and preserving the Sámi culture, and participating in the expert group preparing a draft Nordic Sámi Convention.¹¹⁸

B. Specific recommendations for follow-up

43. The HR Committee requested Finland to provide within one year (by October 2005) information on the implementation of its recommendations relating to giving full effect to its observations and to consider introducing procedures to give effect to the observations adopted under the Optional Protocol; the suspensive effect of an appeal and legal protection available to asylum-seekers; and the resolution of Sami land rights.¹¹⁹ Dialogue between the Committee and Finland is ongoing in relation to the Views adopted under the Optional Protocol.¹²⁰

44. CAT requested Finland to provide, within one year, information on the Committee's recommendations relating to the strengthening of legal safeguards for asylum-seekers, to the situation of Roma in Finnish prisons and to the prison renovation programme.¹²¹ The Government's response¹²² to the request from CAT addressed concerns about the "accelerated procedure" applied to asylum-seekers, an issue also raised by the HR Committee.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

45. Finland emphasized that it takes a rights-based approach to development in both its bilateral cooperation and in multilateral forums and that it has a strategy and action plan for promoting gender equality in Finland's development policy.¹²³ CESCR recommended that Finland increase its official development assistance to 0.7 per cent of its gross domestic product and take account of the provisions of ICESCR in its bilateral agreements with other countries.¹²⁴

Notes

¹ Unless indicated otherwise, the status of ratifications of the instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://untreaty.un.org/>.

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP1	Optional Protocol to ICCPR
ICCPR-OP2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CPD	Convention on the Rights of Persons with Disabilities
OP-CPD	Optional Protocol to Convention on the Protection of Persons with Disabilities
CED	International Convention on the Protection of All Persons from Enforced Disappearance

³ Information relating to other international instruments, including regional instruments, may be found in the pledges and commitments undertaken by Finland before the Human Rights Council, as contained in the letter dated 6 April 2006 and attached aide-memoire from the Permanent Representative of Finland to the United Nations addressed to the President of the General Assembly, available at <http://ww2.ohchr.org/english/bodies/hrcouncil/elections.htm> (hereafter "aide-memoire").

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

⁶ These Conventions and Protocols are: Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea; Convention (III) relative to the Treatment of Prisoners of War; Convention (IV) relative to the Protection of Civilian Persons in Time of War; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). Source: Switzerland, Federal department of foreign affairs, <http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html>.

⁷ International Labour Organization Convention No. 29 Concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

⁸ Conclusions and recommendations of the Committee against Torture: Finland (CAT/C/CR/34/FIN), para. 3 (k) and aide-memoire, op. cit., p. 5.

⁹ Concluding observations of the Committee on the Rights of the Child: Finland (CRC/C/15/Add.272), paras. 58 and 59 and aide-memoire, op. cit., p. 4.

¹⁰ Concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/FIN/CO/5), para. 31 and CRC/C/15/Add.272, para. 53 (b).

¹¹ E/C.12/FIN/CO/5, para. 32.

¹² Concluding observations of the Committee on the Elimination of Racial Discrimination: Finland (CERD/C/63/CO/5), para. 12.

¹³ Aide-memoire, op. cit., p. 5 and CERD/C/FIN/19, para. 79.

¹⁴ Concluding observations of the Human Rights Committee: Finland (CCPR/CO/82/FIN), para. 7, CRC/C/15/Add.272, para. 55 (b) and aide-memoire, op. cit., p. 4.

¹⁵ CCPR/CO/82/FIN, para. 3 (a) and CERD/C/FIN/19, para. 9; see also CAT/C/CR/34/FIN, para. 3 (c); CRC/C/15/Add.272, para. 17; E/C.12/FIN/CO/5, para. 7 and UNHCR, UPR submission, p. 1, available at www.ohchr.org/EN/HRBodies/UPR/PAGES/FISession1.aspx.

¹⁶ CCPR/CO/82/FIN, para. 3 (b) and E/C.12/FIN/CO/5, para. 9.

¹⁷ E/C.12/FIN/CO/5, paras. 8 and 9.

¹⁸ CAT/C/CR/34/FIN, para. 3 (d) and UNHCR, UPR submission, op. cit., p. 2.

¹⁹ CAT/C/CR/34/FIN, para. 4 (a).

²⁰ Ibid., para. 5 (a).

²¹ Aide-memoire, op. cit., p. 2.

²² CERD/C/63/CO/5, para. 7, CAT/C/CR/34/FIN, para. 3 (h), E/C.12/FIN/CO/5, para. 7 and UNHCR, UPR submission, op. cit., p. 2.

²³ CRC/C/15/Add.272, paras. 9 and 10 (a) and (b).

²⁴ E/C.12/FIN/CO/5, para. 30.

²⁵ Aide-memoire, op. cit., p. 6.

²⁶ CERD/C/63/CO/5, para. 7.

²⁷ CRC/C/15/Add.272, para. 3 (c) and (d).

²⁸ Ibid., paras. 7 and 8; see also aide-memoire, op. cit., p. 6.

²⁹ The following abbreviations have been used in this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child

³⁰ Concluding comments of the Committee on the Elimination of Discrimination against Women, *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, chap. IV, sect. B.4 (b), paras. 279-311; E/C.12/FIN/CO/5, paras. 2-5 and 34; CCPR/CO/82/FIN, paras. 2 and 18; CAT/C/CR/34/FIN, paras. 2 and 6; CERD/C/63/CO/5, paras. 2-4, 18 and 20; and CRC/C/15/Add.272, paras. 2, 15 and 16 and 60 and 61.

³¹ E/C.12/FIN/CO/5, para. 6. See also aide-memoire, op. cit., pp. 2 and 8 and the reports of the Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights (A/HRC/6/8, E/CN.4/2006/47, E/CN.4/2005/52 and E/CN.4/2004/44).

³² Aide-memoire, op. cit., p. 6.

³³ The questionnaires included in this section are those which have been reflected in an official report by a special procedures mandate holder.

³⁴ See (i) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006;

(ii) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006;

(iii) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006;

(iv) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005;

(v) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007;

(vi) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005;

(vii) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005;

(viii) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005;

(ix) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent on July 2006;

(x) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78), questionnaire on child pornography on the Internet sent in July 2004;

(xi) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2004/9), questionnaire on the prevention of child sexual exploitation sent in July 2003;

(xii) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies

and management practices - Special Rapporteur on the right to education (A/HRC/4/29): Questionnaire on the right to education of persons with disabilities Report of the Special Rapporteur on the right to education, the right to education of persons with disabilities sent in 2006).

³⁵ The questionnaire on the right to education of persons with disabilities (see A/HRC/4/29, paras. 47 and 79); the questionnaire on issues related to forced marriages in the context of trafficking in persons (see A/HRC/4/23, paras. 14 and 20); the joint questionnaire on the relationship between trafficking and the demand for commercial sexual services (see E/CN.4/2006/62, paras. 24, 93 and 94, and E/CN.4/2006/67, para. 22); the questionnaire on the right to right to education for girls (see E/CN.4/2006/45, para. 89); the questionnaire on the sale of children's organs (see A/HRC/4/31, para. 24); the questionnaire on child pornography on the Internet (see E/CN.4/2005/78, para. 4); and the questionnaire on human rights policies and management practices (see A/HRC/4/35/Add.3, para. 7).

³⁶ Aide-memoire, pp. 6 and 8.

³⁷ See OHCHR, *Annual Report 2004*, p. 13, *Annual Report 2005*, p. 15 and *Annual Report 2006*, p. 158.

³⁸ See report of the Secretary-General on national institutions for the promotion and protection of human rights (A/60/299), para. 53.

³⁹ CCPR/CO/82/FIN, para. 16.

⁴⁰ CRC/C/15/Add.272, para. 17.

⁴¹ A/56/38, para. 305.

⁴² CERD/C/63/CO/5, para. 13 and CRC/C/15/Add.272, para. 17.

⁴³ CCPR/CO/82/FIN, para. 16.

⁴⁴ CRC/C/15/Add.272, para. 18.

⁴⁵ A/56/38, para. 306.

⁴⁶ Ibid.

⁴⁷ E/C.12/FIN/CO/5, para. 22 and UNHCR, UPR submission, op. cit., p. 1.

⁴⁸ CERD/C/63/CO/5, para. 17.

⁴⁹ Ibid., para. 13.

⁵⁰ CRC/C/15/Add.272, para. 19 and CERD/C/63/CO/5, para. 19.

⁵¹ E/C.12/FIN/CO/5, para. 13; see also CERD/C/63/CO/5, para. 16, CCPR/CO/82/FIN, para. 15 and A/56/38, paras. 305 and 306.

⁵² CRC/C/15/Add.272, paras. 56 and 57 and E/C.12/FIN/CO/5, para. 19.

⁵³ CERD/C/63/CO/5, para. 16 and E/C.12/FIN/CO/5, para. 28; see also CCPR/CO/82/FIN, para. 15 and A/56/38, paras. 305 and 306.

⁵⁴ Aide-memoire, op. cit., p. 7.

⁵⁵ CCPR/CO/82/FIN, paras. 10 and 11; see also CRC/C/15/Add.272, para. 55.

⁵⁶ CAT/C/CR/34/FIN, para. 5 (d) and (e).

⁵⁷ CAT/C/FIN/CO/4/Add.1, paras. 15 ff, esp. para. 19.

⁵⁸ CRC/C/15/Add.272, paras. 31-33.

⁵⁹ E/C.12/FIN/CO/5, para. 16 and A/56/38, para. 301.

⁶⁰ A/56/38, para. 301.

⁶¹ E/C.12/FIN/CO/5, para. 25.

⁶² A/56/38, para. 302.

⁶³ Aide-memoire, op. cit., p. 6.

⁶⁴ A/56/38, paras. 303 and 304.

- ⁶⁵ CRC/C/15/Add.272, paras. 52 and 53.
- ⁶⁶ Aide-memoire, p. 6.
- ⁶⁷ CCPR/CO/82/FIN, para. 13.
- ⁶⁸ CRC/C/15/Add.272, paras. 20-23.
- ⁶⁹ CRC/C/15/Add.272, para. 4 (c) and CAT/C/CR/34/FIN, para. 3 (l).
- ⁷⁰ Aide-memoire dated 1 March 2007 from the Permanent Mission of Finland to the United Nations Office at Geneva addressed to the High Commissioner for Human Rights in response to a questionnaire related to resolutions 2005/66 and A/HRC/2/L.6/Rev.1, available in the files of the Secretariat.
- ⁷¹ CCPR/CO/82/FIN, para. 14.
- ⁷² CRC/C/15/Add.272, paras. 24 and 25.
- ⁷³ CERD/C/63/CO/5, para. 14.
- ⁷⁴ CRC/C/15/Add.272, paras. 28-30; see also E/C.12/FIN/CO/5, para. 29.
- ⁷⁵ A/56/38, paras. 297 and 299, CCPR/CO/82/FIN, para. 3 (c) and 9 and E/C.12/FIN/CO/5, paras. 14 and 23.
- ⁷⁶ E/C.12/FIN/CO/5, paras. 15 and 24.
- ⁷⁷ A/56/38, para. 298.
- ⁷⁸ E/C.12/FIN/CO/5, paras. 17 and 26 and UNHCR, UPR submission, op. cit., p. 1.
- ⁷⁹ CRC/C/15/Add.272, paras. 11-14 and UNHCR, UPR submission, op. cit., p. 3.
- ⁸⁰ A/56/38, paras. 307-308.
- ⁸¹ Ibid., para. 309.
- ⁸² CRC/C/15/Add.272, paras. 34-35 and E/C.12/FIN/CO/5, paras. 18 and 27.
- ⁸³ Highlights on Health in Finland 2004, WHO Regional Office for Europe, Copenhagen, 2006, p. 2, available at <http://www.euro.who.int/Document/E88101.pdf> (accessed on 12 February 2008).
- ⁸⁴ E/CN.4/2006/48/Add.1, paras. 21-23.
- ⁸⁵ CRC/C/15/Add.272, paras. 46 and 47.
- ⁸⁶ Ibid., paras. 15 and 16 and 44 and 45.
- ⁸⁷ A/56/38, paras. 298 and 300.
- ⁸⁸ CCPR/CO/82/FIN, para. 17.
- ⁸⁹ CERD/C/63/CO/5, para. 11.
- ⁹⁰ Ibid.
- ⁹¹ CCPR/CO/82/FIN, para. 17, E/C.12/FIN/CO/5, paras. 11 and 20 and CERD/C/63/CO/5, para. 12.
- ⁹² CCPR/CO/82/FIN, para. 17; see also E/C.12/FIN/CO/5, paras. 11 and 20 and CERD/C/63/CO/5, para. 12.
- ⁹³ E/C.12/FIN/CO/5, para. 20.
- ⁹⁴ Reply from the Government of Finland sent by email and received on 12 December 2007.
- ⁹⁵ CAT/C/FIN/CO/4/Add.1, para. 20.
- ⁹⁶ E/CN.4/Sub.2/2004/29/Add.1, para. 46; see also E/CN.4/Sub.2/2004/29, paras. 56-58.
- ⁹⁷ CAT/C/CR/34/FIN, paras. 4 (c) and 5 (c); see also UNHCR, UPR submission, op. cit., p. 2.
- ⁹⁸ CERD/C/63/CO/5, para. 15; CCPR/CO/82/FIN, para. 12; CRC/C/15/Add.272, paras. 48 and 50; CAT/C/CR/34/FIN, paras. 4 (b) and 5 (b); see also UNHCR, UPR submission, op. cit., pp. 1-3.
- ⁹⁹ CAT/C/CR/34/FIN, para. 5 (b); see also UNHCR, UPR submission, op. cit., p. 2.

¹⁰⁰ CAT/C/CR/34/FIN, para. 5 (c), CERD/C/63/CO/5, para. 15, CRC/C/15/Add.272, para. 50 and UNHCR, UPR submission, op. cit., pp. 2-3.

¹⁰¹ CRC/C/15/Add.272, para. 51; see also UNHCR, UPR submission, op. cit., p. 3.

¹⁰² UNHCR, UPR submission, op. cit., p. 3, citing CRC/C/OPAC/FIN/CO/1, paras. 4 and 5.

¹⁰³ CRC/C/OPAC/FIN/CO/1, paras. 4 and 5.

¹⁰⁴ Ibid.; see also UNHCR, UPR submission, op. cit., p. 3.

¹⁰⁵ See E/CN.4/Sub.2/2004/29/Add.1 and E/C.12/FIN/CO/5, paras. 11 and 20.

¹⁰⁶ CERD/C/FIN/19, paras. 76-80.

¹⁰⁷ E/CN.4/Sub.2/2004/29/Add.1, paras. 7-16 and 36-38 and E/CN.4/Sub.2/2004/29, paras. 45 and 56.

¹⁰⁸ CAT/C/CR/34/FIN, para. 3 (i).

¹⁰⁹ CCPR/CO/82/FIN, para. 4; see also aide-memoire, op. cit., p. 7.

¹¹⁰ CCPR/CO/82/FIN, para. 6.

¹¹¹ E/C.12/FIN/CO/5, para. 8.

¹¹² Aide-memoire, op. cit., p. 2.

¹¹³ E/C.12/FIN/CO/5, para. 34.

¹¹⁴ Aide-memoire, op. cit., p. 3.

¹¹⁵ CCPR/CO/82/FIN, para. 5.

¹¹⁶ Aide-memoire, op. cit., p. 2.

¹¹⁷ Ibid., p. 6

¹¹⁸ Ibid., p. 7.

¹¹⁹ CCPR/CO/82/FIN, para. 19.

¹²⁰ See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 40 (A/59/40)*, vol. I, chap. VI, Finland.

¹²¹ CAT/C/CR/34/FIN, para. 7.

¹²² See CAT/C/FIN/CO/4/Add.1.

¹²³ Aide-memoire, op. cit., p. 3.

¹²⁴ E/C.12/FIN/CO/5, para. 21.
