

## Universal Periodic Review

(27<sup>th</sup> session, April-May 2017)

### Contribution of UNESCO to Compilation of UN information

(to Part I. A. and to Part III - F, J, K, and P)

#### FINLAND

#### I. BACKGROUND AND FRAMEWORK

**Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO**

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education 1960	State party to this Convention (ratification 18/10/1971)	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education 1989	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	04/03/1987 Ratification			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	21/02/2013 Acceptance			Right to take part in cultural life

<p>Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005</p>	<p>18/12/2006 Acceptance</p>	<p><i>Declaration of the European Community in application of Article 27(3) (c) of the Convention indicating the competences transferred to the Community by the Member States under the Treaties, in the areas covered by the Convention.</i></p>	<p>Right to take part in cultural life</p>
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**II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P**

**Right to education**

**1. NORMATIVE FRAMEWORK**

**1.1. Constitutional Framework**

1. According to **Article 16** of the **Constitution of 1999 (as last amended in 2011)**<sup>1</sup> on educational rights: “Everyone has the right to basic education free of charge. Provisions on the duty to receive education are laid down by an Act. The public authorities shall, as provided in more detail by an Act, guarantee for everyone equal opportunity to receive other educational services in accordance with their ability and special needs, as well as the opportunity to develop themselves without being prevented by economic hardship. The freedom of science, the arts and higher education is guaranteed.”<sup>2</sup>

**1.2. Legislative Framework**

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<sup>1</sup> Accessible at :

<http://www.unesco.org/education/edurights/media/docs/027132e7e9e595c7b0c0219e17f9f32ea0b45bbe.pdf>

<sup>2</sup> Unofficial translation

2. The Finnish Parliament decides on educational legislation and the general principles of education policy. The Government, Ministry of Education and National Board of education are responsible for the implementation of this policy at the central administration level.<sup>3</sup>

3. Inclusion has been promoted in basic education since the 1970s. An important legislative reform was the **Comprehensive Schools Act passed in 1983**, which enabled a better starting point for the development of the inclusion process. According to the Act, no child was allowed to be exempt from completing compulsory education any longer. Another important factor for the promotion of inclusion was the new comprehensive school national core curriculum issued in 1985; it raised the issues of differentiation and individualisation of education, and where necessary, the provision of special needs education and the individualisation of education and the syllabus.<sup>4</sup>

4. The legislation governing primary and secondary education, as well as part of the legislation governing adult education, was reformed on 1 January 1999. The detailed legislation specific to institutions has thus been replaced with a more uniform legislation concerning the objectives, contents, evaluation and levels of education as well as students' rights and responsibilities. The education system remains unchanged, but the new legislation has substantially increased the independent decision-making powers of the local authorities, other education providers and schools.

5. Since January 1999, the school legislation has been amended several times as e.g. pre-school education, evaluation, as well as morning and afternoon activities have been reformed. The school acts have also been complemented by provisions concerning guidance counselling, pupil welfare and discipline. The amendments aim at ensuring a safe and healthy school environment. The focus is on the prevention of difficulties in the development of children and adolescents and the promotion of pupils' prerequisites for learning, their mental and physical health and social wellbeing. The disciplinary powers of principals and teachers have been increased. The amendments came into force as of 1 August 2003.

6. The reformed legislation governing universities took effect 1 August 1998. The **Universities Act and Decree** lay down provisions on issues such as the mission of universities, their research and instruction, organisation and administration, staff and official language, students, appeals against decisions made by universities and legal protection for students. The Universities Act is being revised and the new Act came into force in August 2005.<sup>5</sup>

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<sup>3</sup> National Report submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 6, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

<sup>4</sup> National Report submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 26, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

<sup>5</sup> National Report submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 12, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

7. Basic education provided in the compulsory comprehensive school is regulated by the **Basic Education Act No. 628/1998, last amended in 2010**, the **Basic Education Decree No. 852/1998** and the **Government Decree No. 1435/2001 on the general national objectives and distribution of lesson hours in basic education**.<sup>6</sup>

8. Under Section 2 of the **Basic Education Act (628/1998)**, the aim of basic education is to support pupils' growth into humanity and into ethically responsible members of society and provide them with knowledge and skills they need in life. The objective for pre-primary education, as part of early childhood education, is to improve children's capacity for learning.<sup>7</sup> According to the Basic Education Act (628/1998) the first alternative for providing special needs education is to include pupils with special needs education into mainstream classes and when necessary, provide special needs education in small teaching groups. Only when this is not feasible the secondary alternative is considered: the provision of special needs education in a special group, class or school.<sup>8</sup>

**9. Ministry of Education and Culture decree (1777/2009)** determines the grounds for subsidising supplementary instruction provided for children with foreign, Sámi or Roma backgrounds in basic education and upper secondary education. If an educational institution does not arrange mother tongue instruction for foreign, Sámi or Roma language pupils, as laid down in the Basic Education Act, a separate subsidy may be granted in accordance with the said decree to arrange instruction in the pupil's own mother tongue.<sup>9</sup>

10. According to the **General Upper Secondary Schools Act of 1998**, the objective of general upper secondary education is to promote the development of students into good, balanced and civilised individuals and members of society and to provide students with the knowledge and skills necessary for further studies, working life, their personal interests and the diverse development of their personalities. In addition, the education must support students' opportunities for lifelong learning and self-development during their lives.

11. The **Government Decree on the General National Objectives of General Upper Secondary Education and the Distribution of Lesson Hours (955/2002)** further elaborate on the objectives of education. The **Vocational Education Act 630/1998** stipulates that the aim of Finnish upper secondary vocational education and training is to provide students with the knowledge and skills necessary to gain vocational expertise, as well as the capabilities to find employment or to become self-employed. In accordance with the provision of the Vocational Education Act and the Government Resolution 213/1999, upper secondary vocational education and training provide

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<sup>6</sup> National Report submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 3, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

<sup>7</sup> Finland Report for the Fourth Consultation on the implementation of the UNESCO Recommendation concerning Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedom (2005-2008), 2009, p. 1

<sup>8</sup> National Report submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 23, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

<sup>9</sup> Finland Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 3

students with extensive basic vocational skills for various assignments in their field and more specialised competence and vocational skills as required by working life in one sector of the qualification. This enables those who are qualified to find placements in working life, to perform various tasks in their field in changing conditions, and so to develop their vocational skills throughout their lives.<sup>10</sup>

12. There is an **Equality Act (L21/2004)** in Finland. The purpose of this Act is to foster and safeguard equality in society. The Act prohibits discrimination on the basis of age, ethnic or national origin, language, religion, beliefs, opinions, health, disability and sexual orientation. The Act applies to education [...]<sup>11</sup>

13. In the education sector, the right to their own language of the Sámi is mainly realised by the **Basic Education Act (628/1999), Upper Secondary Schools Act (629/1999) and the Vocational Education Act (630/1999)**. Sámi can be the teaching language of a school, a mother tongue subject and an optional foreign language subject. In the **Basic Education Act** and the **Upper Secondary Schools Act**, Sámi is regarded equal with the national languages Finnish and Swedish as a mother tongue.

14. The Ministry of Education and Culture grants full support to the instruction of Sámi language in the Sámi Homeland. According to Section 45 of the **Act on Financing Education and Culture (1705/2009)**, the municipalities of the Sámi Homeland and other education providers in that region, shall be granted a yearly state subsidy to cover the costs arising from the provision of education in Sámi and instruction of Sámi in basic education, upper secondary schools and vocational training as provided in the **Government decree (1769/2009)**. Consequently, pupils of basic schools in the Sámi Homeland should be provided instruction in Sámi. The language of instruction can be Sámi also in upper secondary schools. The municipalities in the Sámi Homeland will receive the full state subsidy when Sámi is the language of teaching or lessons of Sámi language are given, when the group size is 3 students on average.<sup>12</sup>

#### **1.4. Policy Framework**

##### **i) General information**

15. Finland, which has one of the world's highest PISA scores, and very little inequality between students, trains future teachers to identify students with learning difficulties (OECD, 2011b).<sup>13</sup>

The government's (2011-2015) objective was to narrow down the gap in learning outcomes, participation in studies and completing studies between genders and to reduce the inheriting of

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<sup>10</sup> National Report submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 8, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

<sup>11</sup> National Report submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 28, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

<sup>12</sup> Finland Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 3-4

<sup>13</sup> EFA GMR 2013-2014, p 239, accessible at: <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

education. <sup>14</sup>.

16. In Finland 11% have low literacy skills, 13% low numeracy skills and almost 20% have low information technical problem solving skills. Differences between age groups in Finland are high. With the exception of the youngest age group, the results have improved in all age groups<sup>15</sup>.

17. Despite the Finnish high level of education, the learning outcomes in national and international assessments have in recent years shown that the learning outcomes of students finishing their basic education have fallen. The declining of results is considered to be significant. In particular, the increase in the number of young people who are poor in mathematics and the decrease in the number of students who are very competent in mathematics show a worrying direction<sup>16</sup>.

18. The national core curriculum for pre-primary and basic education was renewed in 2014. The process involved all stakeholders, particularly education providers and education personnel. The aim was to encourage also parents and pupils to participate in the process. The renewed core curriculum was completed by the end of 2014. New local curricula that are based on this core curriculum will be gradually implemented in schools starting from August 2016<sup>17</sup>. The work will be carried out as a whole between 2012 and 2016/2017. The entire general education system is due for reform in terms of objectives, lesson hour distribution, the National Core Curricula and local curricula, the transfer of early childhood education and care into the administrative sector of the Ministry of Education and Culture needs to be taken into account, several core curriculum documents will be drawn up concurrently, each process of drawing up a core curriculum document involves broad based cooperation with education experts and various stakeholders, as well as support for local curriculum development efforts<sup>18</sup>.

19. It can be noted that human rights education and training has not been incorporated into the key programmes guiding education and youth work, i.e. LANUKE and KESU, or into the other above-mentioned programmes and policy directives as an entity including all the different elements of the international definition of human rights education. However, the Action Plan on Fundamental and Human Rights identifies the need for strengthening human rights education on a general level, referring to the importance of human rights education both for the fulfilment of the rights of the individual and for strengthening rights-based thinking in administration. LANUKE refers to the need to ensure that training offered to those working with children and young people includes content on equality, non-discrimination and human rights in order to bring about changes in the work environment and culture. The Communications Strategy on the Rights of the Child emphasises that the content in the existing national core curricula for comprehensive schools and

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<sup>14</sup> EFA National Review 2015, p. 2

<sup>15</sup> EFA National Review 2016, p. 8

<sup>16</sup> EFA National Review 2015, p. 10

<sup>17</sup> Finish National Board Education, available at:

[http://www.oph.fi/english/education\\_development/current\\_reforms/curriculum\\_reform\\_2016](http://www.oph.fi/english/education_development/current_reforms/curriculum_reform_2016)

<sup>18</sup> Finish Board Education, 2016, available at:

[http://www.oph.fi/download/151294\\_ops2016\\_curriculum\\_reform\\_in\\_finland.pdf](http://www.oph.fi/download/151294_ops2016_curriculum_reform_in_finland.pdf)

in the subject-specific core curricula is inadequate for ensuring the implementation of human rights education at schools. The Internal Security Programme includes a reference to the need to conduct a study on human rights education in teacher training. The study was launched in autumn 2013 and it will be used as a basis for recommendations concerning the basic information on human rights education necessary in teacher training<sup>19</sup>.

## ii) Education levels

### ➤ Early Childhood

20. In Finland since 1996 all parents with children under school age have had the right to get their child a place in municipal day care. Therefore, children have the opportunity to participate in early childhood education if the parents want. The government has decided that to ensure children's equitable learning conditions by making preprimary education which is organised a year before compulsory education. Presently, children's participation in pre-primary education is based on the guardian's decision and about 98 percent of six year-olds participate.<sup>20</sup>

21. Free pre-primary education is provided in accordance with the **National Core Curriculum for Pre-primary Education (2000)**. It can be offered in day-care centres or schools. The national minimum for pre-primary studies is 700 hours per year: about four hours a day. Children also have right to day-care after these hours, if needed. The special goals for pre-primary, set out in a decree (1435/2001), are to improve children's developmental and learning readiness as well as to strengthen their social skills and healthy self-esteem through play and positive learning experiences. [...] <sup>21</sup>The Finnish National Board of Education is currently revising the national core curricula for preprimary education. The new revised grounds will be completed by the end of 2014 and the curricula that will be prepared based on them will be introduced in August 2016<sup>22</sup>.

22. Since 2009 the Ministry of Education and Culture has supported the education of people with an immigrant background working in early childhood education, basic education, upper secondary education and vocational education. The aim is to increase the participant's qualifications and capabilities to meet the needs of learners with a migrant background, as well as to strengthen the Finnish or Swedish language skills (official languages of Finland) required in the work. Approximately 1,000 people in 2009-2014 have participated in education organised by

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<sup>19</sup> Human Rights Center, Human Rights Education in Finland, 2014, available at: [http://ihmisoikeuskeskus-fi-bin.directo.fi/@Bin/51facd776c98e32391d74800946ce26b/1470905933/application/pdf/438341/HR%20education%20in%20FIN\\_en.pdf](http://ihmisoikeuskeskus-fi-bin.directo.fi/@Bin/51facd776c98e32391d74800946ce26b/1470905933/application/pdf/438341/HR%20education%20in%20FIN_en.pdf)

<sup>20</sup> EFA National Review 2015, p. 3.

<sup>21</sup> National Reports submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 16, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

<sup>22</sup> EFA National Review 2015, p. 3.

polytechnics and universities that organise teacher education<sup>23</sup>.

### ➤ **Primary education**

23. According to Basic Education Act, Children permanently residing in Finland are subject to compulsory education. Compulsory education starts in year when a child turns seven years of age. The scope of the basic education syllabus is nine year, and nearly all children subject to compulsory education complete this by attending comprehensive school.<sup>24</sup>

24. Basic education encompasses nine years and caters for all those between 7 and 16 years. Schools do not select their students. Every student is allocated a place in a nearby school, but they can also choose another school with some restrictions. All school follow a national core curriculum, which includes the objectives and core contents of different subjects. The education providers, usually the local education authorities and the schools themselves draw up their own curricula within the framework of the national core curriculum.

### ➤ **Technical and Vocational Education**

25. Labour market organisations, Association of Finnish Local and Regional Authorities and Finnish Youth Cooperation – Allianssi are committed with ministries to the implementation of the Youth Guarantee. The Youth Guarantee entered into force in the beginning of 2013. It offers each young person under 25 and recently graduated people under 30 a job, on-the-job training, a study place, or a period in a workshop or rehabilitation within three months of registering as unemployed. Educational guarantee as a component of the Youth Guarantee ensures a study place for everyone finishing basic education<sup>25</sup>.

26. As part of the **Youth Guarantee the Skills Programme for Young Adults** gives young adults under the age of 30 with no qualification or degree the opportunity to complete a vocational qualification. In all, for 2013-2016 the program has allocated resources a total of EUR 183 million. The aim is that the program provides an education for a significant portion of the target group and that the good practices that have been created remain operative also after the program. According to the information received from the organisers of education in January 2014, from the students that started their studies, about 80 percent were unemployed (NEETs). Therefore the program has been successful in reaching young adults that are most in need<sup>26</sup>.

27. The Programme for Boosting the Completion Rate of Studies in Vocational Education (2011-2014) aims to entrench tools that prevent dropping out from studies. The level of students that

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<sup>23</sup> EFA National Review 2015, p. 3.

<sup>24</sup> National Reports submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 5, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

<sup>25</sup> EFA National Review 2015, p. 5.

<sup>26</sup> EFA National Review 2015, pp.5-6

dropped out from studies decreased slightly in the school year 2012-2013 compared to the previous school year. There is still a lot of variation among different education providers. Similarly the level of drop-outs vary a lot in different study fields. In 2013 8.7% Vocational Secondary Education students dropped out, but some of them continued their studies in other study programmes. 7.8% of students in vocational education dropped out and quit studying. The amount of drop outs decreased with one percentage compared to the previous year<sup>27</sup>.

### ➤ Higher Education

28. According to the **Law on Universities (1997/645)** universities must operate in interaction with the rest of the society and promote the effectiveness of research activities. **In the Development programme for education and research 2007-2012** universities and polytechnics are further urged to take part in the development of regional innovation systems utilising the possibilities provided by competence centre programmes and structural funds<sup>28</sup>. [...] The currently effective development plan for 2007–2012 was approved at the end of 2007. The development plan includes development measures for each field and level of education, as well as the main definitions for education and research policy and the allocation of resources.”<sup>29</sup>

### **29. Strategy for the Internationalisation of Higher Education Institutions (HEIs) in Finland 2009–2015 (Publications of the Ministry of Education, Finland 2009:23) :**

The higher education institution internationalisation strategy provides guidelines for the internationalisation of higher education institutions in 2009–2015. It sets five primary aims for internationalisation, among them the development of a genuinely international higher education community and supporting a multicultural society.

According to the strategy the HEIs shall actively take part in supporting the multicultural higher education community and civil society. People with immigrant backgrounds and foreign exchange and degree students, teachers, researchers and other foreign personnel of higher education institutions in Finland are seen as a resource that promotes internationalisation at home. The share of students in higher education with immigrant background need to be increased to correspond to their share of the whole population. The measures for achieving the objectives of the strategy include increasing and focusing the teaching of national languages and culture so that it better corresponds to the needs of students, teachers and researchers with immigrant or non-Finnish backgrounds; the development of training models to support integration in the labour markets; preparatory training for polytechnic studies aimed at immigrants; development of open higher education study modules to lower the threshold for people with immigrant and non-Finnish

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<sup>27</sup> EFA National Review 2015, pp.5- 6

<sup>28</sup> National Reports submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 9, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

<sup>29</sup> National Reports submitted to the 48<sup>th</sup> session of the International Conference of Education, p. 13, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/finland\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/finland_NR08.pdf)

backgrounds to enter a higher education institution as a degree student and improving information on higher education opportunities directed at immigrant families.<sup>30</sup>

### ➤ **Life Long Learning**

30. According to the government programme, adult education should be equally available for all adults. Education and research development plan for 2011-2016 set a target to reduce the impact of social status and educational background on participation in adult education. The participation is aimed to be raised to 60 percent by 2016. During the year the 18 to 64-year-olds taking part in adult education has remained at the same level for several years, about half (52%) of all adults (the previous adult study was conducted in 2012), and the number of study days per participant has reduced<sup>31</sup>.

### **iii) Education management**

#### ➤ **Financing education**

31. In Finland differences between schools are small, but the trend is growing. The Ministry of Education and Culture has given special grants since 2012 for measures that enhance educational equality, with particular attention on schools that are situated in areas where 1), majority have completed only basic education, and 2) the unemployment rate and 3) the proportion of immigrants is high. Together these three indicators explain most of the differences in learning outcomes between schools<sup>32</sup>.

The Ministry of Education and Culture targeted funding during 2009-2013 for reducing class sizes in pre-primary and basic education. The aim of these measures was to promote the quality of teaching and learning outcomes. The average size of a class has decreased and the portion of large teaching groups has almost halved since 2008. The aim is also to reform the system of central government transfers to local government by 2015 so that the financing would be based more on indicators defining the operational environment of basic education such as the areas number of immigrants, education level of adults and unemployment rate<sup>33</sup>.

32. According to the Ministry of Education and Culture's Development Plan for Education and Research for years 2011-2016 a national good student and study counselling criteria will be developed for basic education, general upper secondary education and vocational education in such form that they can be introduced in the autumn term 2014. The objective is to support the high quality of counselling and to ensure the availability regardless of place of residence. The criteria will help schools and educational institutions, public administration and decision-makers to assess

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<sup>30</sup> Finland Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 9

<sup>31</sup> EFA National Review 2015, p. 8

<sup>32</sup> EFA National Review 2015, p. 4.

<sup>33</sup> EFA National Review 2016, p. 4

and develop counselling<sup>34</sup>.

➤ **Teachers**

33. In Finland, selection is highly competitive, with only about 10% of applicants gaining entrance to teacher education programmes (OECD, 2011b).<sup>35</sup>

Teachers are highly educated in all levels of education (teachers are required to have a Master's degree), and they have strong autonomy and authority to implement their work<sup>36</sup>.

**iv) Inclusive Education**

34. The anti-bullying programme KiVa-koulu (Cool school) is being applied by 2500 comprehensive schools. Action to eradicate bullying is carried on, with special emphasis on racist discrimination and bullying<sup>37</sup>.

➤ **Students with special needs**

35. Finland has a holistic approach to improve inclusion. Through its education reforms, the number of elementary students in special education decreased from an already low 2.0% in 2000 to 1.3% in 2009 (Official Statistics of Finland, 2009). Its ambitious multisector policy programme, VAMPO (2010–2015), aims for major structural changes and initiatives that improve the overall context for addressing disabilities. In education, comprehensive reform takes a lifelong learning perspective with goals to improve the equity and accessibility of study materials, improve transition rates between primary and secondary education, and further support vocational and higher education (Finland Ministry of Social Affairs and Health, 2012).<sup>38</sup>

➤ **Immigrants**

36. With a view to improving immigrants' capacity to study in the upper secondary school, provisions concerning preparatory education for immigrants will be included in legislation. The duration of the education is one year. The implementation of the reform will be start at the beginning of 2014. The level of language instruction given in immigrants' integration education will be improved and enlarged to provide real capabilities for immigrants to participate in education preparing for vocational education and training and for polytechnic education. Special

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<sup>34</sup> EFA National Review 2016, p. 4

<sup>35</sup> EFA GMR 2013-2014, p. 235, available at: <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

<sup>36</sup> EFA National Review 2016, p. 2.

<sup>37</sup> Ministry of Education and Culture of Finland, Education and Research 2011–2016-A development plan Reports of the, 2012, , p. 28, available at: <http://www.minedu.fi/export/sites/default/OPM/Julkaisut/2012/liitteet/okm03.pdf>

<sup>38</sup> Global Monitoring Report, *Education for All 2000-2015: Achievements and Challenges*, 2015, p. 102.

attention will be paid to young immigrants who come to Finland close to the end of compulsory schooling age or after it. The planning and implementation of the integration education will take the immigrant's whole family into account. The status of the Swedish language will be guaranteed in. Obstacles to immigrants' higher education will be removed through the development of guidance counselling, student selection and other support action. The higher education institutions will carry on the development of language instruction, practical training and other support geared to international students. The higher education institutions will offer curricular study modules, associated language instruction and other continuing education for self-motivated studies and for commissioned labour market training. Institutes of liberal adult education will develop and step up immigrants' language instruction. Measures will be taken to develop and increase integration education provided by adult education centres and folk high schools and education provided by adult upper secondary schools, adult lines in upper secondary schools and study centres.<sup>39</sup>

### ➤ Gender Equality

37. The **Action Plan for Gender Equality 2012–2015** of the Finnish government collates the most important measures by which the government promotes equality between women and men and combats gender-based discrimination. The Action Plan is an instrument to coordinate the government's gender equality policy, and it incorporates measures for all the government ministries. The Action Plan is based on the Government Programme and the first Government Report on Gender Equality drawn up in 2010. Some of the intended measures were : gender impact assessment will be incorporated in legislation projects, Ministries prepare their budget proposals with reference to the gender perspective, Ministries will produce their statistics and other data concerning people analysed by gender<sup>40</sup>.

38. In March 2014, the UN Committee on the Elimination of Discrimination against Women (CEDAW) acknowledged the reforms to the national core curricula for basic compulsory education and the reform of the law on early childhood education, which both include measures to advance gender equality. The Committee nonetheless remains concerned about the continued presence of traditional values and gender stereotypes in the curricula for different subjects. The Committee is also concerned that the number of women in professorship positions remains low, with women accounting for only 25.5 per cent of full-time professors in the State party<sup>41</sup>.

### ➤ Minorities

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<sup>39</sup> Ministry of Education and Culture of Finland, Education and Research 2011–2016-A development plan Reports of the, 2012, p.27, available at: <http://www.minedu.fi/export/sites/default/OPM/Julkaisut/2012/liitteet/okm03.pdf>

<sup>40</sup> Ministry of Social Affairs and Health, Government Action Plan for Gender equality 2012–2015, 2012, available at : <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/72267/URN%3ANBN%3Afi-fe201504225186.pdf?sequence=1>

<sup>41</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW), Concluding Observations, March 2014, §24.

39. In December 2014, the United Nations Committee on Economic, Social and Cultural Rights expressed its concern regarding the discrimination against persons with immigrant backgrounds and against members of minorities, such as Russian-speakers, Roma and Somali, persists in the State party, particularly in the fields of employment, education, health care and housing. While welcoming the implementation of **the National Policy on Roma**<sup>42</sup>, the Committee was concerned about the lack of specific measures to address the persistent discrimination faced by other minorities<sup>43</sup>. The Committee recommended that the State party intensify its efforts to prevent and combat the persistent discrimination against persons with immigrant backgrounds and against persons belonging to national or ethnic, religious and linguistic minorities, including by adopting specific and targeted measures to address the problems faced by all minorities in having access to employment, housing, education and health care and by undertaking awareness-raising campaigns<sup>44</sup>.

40. Moreover, in the Concluding Observations of 2014, the CESCR remained concerned about the difficulties faced by children of immigrant background and Roma children in the education system, particularly as regards the persistence of discrimination and bullying, the high number of children in special education and the high drop-out rate (arts. 13 and 14)<sup>45</sup>. Following on its previous recommendation (E/C.12/FIN/CO/5, para. 28), the Committee urged the State party to redouble its efforts to ensure equal access to inclusive education for all children, including children of immigrant background and Roma children, and to intensify its effort to continue to reduce the drop-out rates of children from these groups.

41. Furthermore, CESCR noted with concern that the variety of Saami languages is decreasing and some of them are at risk of extinction. The Committee regrets that Saami language education outside the Saami homeland remains unsatisfactory, particularly due to the shortage of teachers (arts. 13 and 15)<sup>46</sup>

### ➤ **Disadvantaged Groups**

42. The preparatory and rehabilitative education and supervising of the most severely disabled students forms the study programme "Preparatory Education for Work and Independent Life". It

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<sup>42</sup> The National Policy on Roma in Finland was adopted in 2009. It has six Key Areas and ten Policy Guidelines. It contains 147 measures, responsibility for which has been delegated to several branches of administration. In 2012, the Ministry of Social Affairs and Health appointed a working group to coordinate and monitor the implementation of the National Policy on Roma. This working group had 24 members, one half of whom had a Roma background. The working group's term extended till the end of 2013, see : Ministry of Social affairs and Health, Steering and Monitoring the Implementation of the National Policy on Roma 2014, accessible at: [https://www.julkari.fi/bitstream/handle/10024/116174/URN\\_ISBN\\_978-952-00-3487-0.pdf?sequence=1](https://www.julkari.fi/bitstream/handle/10024/116174/URN_ISBN_978-952-00-3487-0.pdf?sequence=1)

<sup>43</sup> UN Committee on Economic, Social and Cultural Rights, Concluding Observations, December 2014, §2.

<sup>44</sup> UN Committee on Economic, Social and Cultural Rights, Concluding Observations, December 2014, §2.

<sup>45</sup> UN Committee on Economic, Social and Cultural Rights, Concluding Observations, December 2014, §28.

<sup>46</sup> UN Committee on Economic, Social and Cultural Rights, Concluding Observations, December 2014, §29.

is aimed for people who, because of an illness or disability, do not have the opportunity to move into education that leads to a qualification. The objective of the education is to provide students with need for special support education and supervising in accordance with their personal aims and capabilities<sup>47</sup>.

## 2. COOPERATION

43. Finland is **party** to the 1960 UNESCO Convention against Discrimination in Education since 18/10/1971.

44. Finland **reported** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the:

- **Sixth Consultation** of Member States (covering the period 1994-1999)
- **Eighth Consultation** of Member States (covering the period 2006-2011)

45. However, Finland did not report for the **Seventh Consultation** of Member States (covering the period 2000-2005).

46. Finland reported to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the **Fourth Consultation** of Member States (covering the period 2005-2008). However, Finland did not report for the **Fifth Consultation** of Members States (covering the period 2009-2012).

47. Finland reported to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation on the Development of Adult Education within the framework of the:

- **First Consultations** of Member States (1993)
- **Second Consultations** of Member States (2011)

48. Finland is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

### Freedom of opinion and expression

#### 1. Constitutional and Legislative Framework:

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<sup>47</sup> EFA National Review 2015, p. 6.

49. Section 12 of the Constitution guarantees the right to freedom of opinion and belief<sup>48</sup>, and explicitly prohibits all forms of censorship or other similar limitations to freedom of expression. According to the same article, restrictions can be made in case of publications in which the interests of public order or the security of the State are at stake.

50. Article 12 encompasses the protection of Access to Information, which guarantees transparency in government administration and the right of access to information<sup>49</sup>.

51. In 2016 Finland celebrated the 250<sup>th</sup> anniversary of the adoption of the first freedom of information law. Nowadays the Act on the Openness of Government Activities of 1999<sup>50</sup> establishes the principle of openness stating that “official documents shall be in the public domain, unless specifically provided otherwise in this Act or another Act”. The Act also establishes a process by which any person may access any record in possession of an authority. After receiving the request, the authority has two weeks to give the document. If the decision is negative, and document is withheld, the requester may appeal to the administrative court.

52. Defamation is criminalized and punishable by fine<sup>51</sup>.

53. The responsibility for supervising media content lies with media themselves. The internet is free and open, and the government is committed to providing internet to every person.

## 2. Media Self-Regulation:

54. The Council for Mass Media (CMM) is a self-regulatory body whose task is to interpret and define good professional practice and oversee the freedom of speech and freedom of press<sup>52</sup>. The council is responsible for monitoring ethical standards for print, broadcast and online media. The framework of the CMM's operations are stipulated in a Charter, which is signed by all the organizations which have committed to themselves to self-regulation and accepted its objectives.

55. There is a journalists' union entitled Journalistiliitto and a code of ethics titled Guidelines for Journalists.

## 3. Safety of journalists:

56. UNESCO recorded no killing of journalists in Finland.

## **III. RECOMMENDATIONS**

**57. Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following web site: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)**

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<sup>48</sup> [https://www.constituteproject.org/constitution/Finland\\_2011#s7](https://www.constituteproject.org/constitution/Finland_2011#s7)

<sup>49</sup> [https://www.constituteproject.org/constitution/Finland\\_2011#s7](https://www.constituteproject.org/constitution/Finland_2011#s7)

<sup>50</sup> <http://www.finlex.fi/en/laki/kaannokset/1999/en19990621.pdf>

<sup>51</sup> <http://www.finlex.fi/en/laki/kaannokset/1889/en18890039.pdf>

<sup>52</sup> [http://www.jsn.fi/en/Council\\_for\\_Mass\\_Media/the-council-for-mass-media-in-finland/](http://www.jsn.fi/en/Council_for_Mass_Media/the-council-for-mass-media-in-finland/)

## 58. Latest observations reported on May 2012 :

89. The recommendations formulated during the interactive dialogue and listed below have been examined by Finland and enjoy the support of Finland:

89.26. Pursue appropriate, efficient policies to eliminate the social exclusion of the most vulnerable groups, in particular mentally disabled children, immigrant and refugee children and children from ethnic minorities at schools

89.46. Evaluate the internal guidelines and criteria with regards to risk assessment in the countries of origin of asylum-seekers and ensure a continuous flow of information and education on these internal guidelines

90. The following recommendations will be examined by Finland:

90.15. Train educators and health workers in identifying signs of sexual abuse in children

90.21. Mental health services in schools should benefit from sufficient resources and qualified staff in order to deal with problems affecting in particular adolescents, such as suicidal thoughts and nutritional or addictive problems

90.22. Introduce human rights education as a mandatory part of teachers' training

## **59. Analysis:**

During the report period, Finland has, according to available information, taken significant measures to ensure the right to education. The "Preparatory Education for Work and Independent Life" promotes inclusive education to students with disabilities providing them special support education and supervising in accordance with their personal aims and capabilities. However, despite the "National Policy on Roma", children of immigrants, Roma children and other minorities still face discrimination in the education system and bullying which consequently result in high dropout rates. Furthermore, as far as we know, Finland has not taken additional measures towards improving mental health services in schools in order to deal with problems affecting adolescents in particular. In addition, to the extent of our knowledge, Finland has not yet taken concrete measures to train educators and health workers in identifying signs of sexual abuse in children.

## **60. Specific Recommendations:**

1. Finland should be strongly encouraged to pursuing the submission of state reports for the periodic consultations of UNESCO's education related standard-setting instruments.

2. Finland could be encouraged to further take measures towards improving mental health services in schools in order to deal with problems affecting in particular adolescents, especially those with suicidal thoughts.
3. Finland could be encouraged to further address discrimination against children of immigrant background, persons belonging to national or ethnic, religious and linguistic minorities and Roma children in education and continue its efforts to reduce dropout rates particularly from these groups.
4. Finland could be encouraged to take further concrete measures to train educators and health workers in identifying signs of sexual abuse in children.

### **Cultural Rights**

61. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)<sup>53</sup>, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)<sup>54</sup>, and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)<sup>55</sup>, Finland is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Finland is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

### **Freedom of Opinion and Expression**

62. Finland is further recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.

### **Freedom of scientific research and the right to benefit from scientific progress and its applications**

63. Finland, in the framework of the 2015-2017 consultations related to the revision of the Recommendation on the Status of Scientific Researchers, as well as to its 2013-2016 monitoring exercise (November 2016 - April 2017) is encouraged to report to UNESCO on any legislative or

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<sup>53</sup> Periodic Report available at: <http://w hc.unesco.org/document/136521>

<sup>54</sup> Periodic Report available at: <http://w ww.unesco.org/culture/ich/en/state/finland-FI?info=periodic-reporting>

<sup>55</sup> Periodic Report available at: <http://en.unesco.org/creativity/monitoring-report/quadrennial-reports/available-reports/periodic-report-finland>

other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974. Following-up to its 2011-2012 report on the implementation of the 1974 Recommendation, when replying to the 2013-2016 monitoring questionnaire, Finland is kindly invited to pay a particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation. Finland is invited to complete the online questionnaire which has been prepared by UNESCO to guide and assist Member States with their reporting. It aims to collect, in a simplified manner, information on the extent to which Member States have mainstreamed the principles of the 1974 Recommendation in their STI and other relevant systems, focusing on issues of the promotion of respect for autonomy and independence of scientific researchers and respect for their human rights and fundamental freedoms. Responses to this questionnaire will be considered as the official national report for each Member State. The questionnaire can be completed and submitted online through the link which will be indicated in due course on the web page: <http://en.unesco.org/the-mes/ethics-science-and-technology>.