



MINISTRY FOR FOREIGN
AFFAIRS OF FINLAND

**The 36th session of the Human Rights Council
Item 6 – Universal Periodic Review**

**Statement by the Delegation of Finland
21 September 2017**

Mr President, Distinguished Colleagues,
Ladies and Gentlemen,

On behalf of the Government of Finland I would like to express our sincere appreciation to all delegations for making recommendations during our interactive dialogue in May. We thank our troika, Tunisia, Portugal and Saudi-Arabia for skilfully facilitating the review process as well as the Secretariat for all their work and support, which we very much appreciate.

Today we warmly welcome, in particular, the opportunity to hear the views and comments from our National Human Rights Institution, accredited with A status and taking the floor first time, and the non-governmental organisations.

The UPR provides an important channel to elaborate on national achievements and challenges in the field of human rights in a constructive and equal manner based on active dialogue between Member States. The UPR is not only an inter-active peer assessment, it is also peer learning. It provides us with a variety of tools for further promotion of human rights based bilateral as well as multilateral dialogue.

Rule of law is a fundamental condition for democracy. Our century-old country has been built on the foundation of law. Finland's rule of law is one of the world's strongest. We are holding the third place in the global Rule of Law Index which measures how the general public experiences the rule of law in everyday situations.

The Constitution of Finland requires active measures from the public authorities for the protection and promotion of fundamental and human rights. The implementation and promotion of human rights are stressed in the Government's activities.

The basic principles of the Government's human rights activities include the universality of human rights, non-discrimination, and the interdependence and indivisibility of civil, political, economic, social and cultural rights, as well as strong participation rights. Non-discrimination is an important objective: everyone has an equal right to live their lives with human dignity. Education on and awareness of fundamental and human rights promote their implementation.

According to the vision stated in the Government Programme, in 2025, Finland is an inventive, caring and safe country where we all can feel important. According to the Programme, this

entails an environment of trust and mutual respect where people with different backgrounds are able to participate in building society. This objective goes well together with the theme of Finland's centenary celebration year, i.e. 'Together'. The story of 100-year-old Finland is first and foremost a story of doing things together.

A well-functioning and active **civil society** is an important actor in picturing existing possible shortcomings in human rights and fundamental freedoms and signalling the importance for further actions. The Finnish administration is committed in active dialogue and constructive engagement with civil society. The democratic system and rule of law underlines ensuring the freedom of action of civil society as well as the broadest possible opportunities for people to participate in and influence in various sectors of societal life.

During our national UPR process dialogues and other interactions with the non-governmental organisations offered a good opportunity to assess the domestic human rights situation in a self-critical manner. This assessment facilitated an inventory of the developments and good practices as well as an ongoing discussion on the existing challenges to the full implementation of human rights.

As the UPR recommendations illustrate, **racist, discriminatory and xenophobic attitudes remain a challenge also in Finland as well as hate speech, other hate crimes and intolerance. Violence against women** continues to be one of the most fundamental obstacles to the full realization of women's rights. The rights of persons belonging to minorities, **LGBTI people, asylum seekers**, refugees and migrants as well as of **persons deprived of their liberty** are not always fully realized. Part of the population is in danger of being marginalized. As regards the **indigenous Sámi people**, several human rights issues remain open, and the Government remains committed to finding solutions in cooperation with the Sámi.

These challenges viewed in the recommendations are at the same time largely also **our priority areas in further strengthening** the implementation of human rights and fundamental freedoms. Many are addressed in the Second National Action Plan on Fundamental and Human Rights for years 2017-2019 and tackled by concrete measures. The Action Plan, with 43 special cross-administrative actions, focuses on human rights education, equality and non-discrimination, the right of individuals and groups to self-determination, fundamental rights and digitalisation. All actions are targeted to be implemented in cooperation with various stakeholders for achieving more sustainable results in the promotion of fundamental and human rights. Together with specific and more detailed Action Plans for several administrative branches and with the recent developments for the national human rights architecture the Government's intention is to strengthen the knowledge of fundamental and human rights, focus on identified concrete shortcomings as well as to continue the common good practices also in order to address our international obligations and commitments in the further promotion of universal, indivisible human rights in a transparent manner.

As pledged during the dialogue in May, **the network of contact persons for fundamental and human rights** consisting of representatives of different government ministries has already reviewed the UPR recommendations and will continue actively following up to their implementation. A voluntary mid-term report, with the support of human rights actors, including civil society, will be prepared and submitted to the Human Rights Council.

Our National Human Rights Institution, particularly **the Human Rights Centre**, will naturally also be playing a significant role in monitoring the implementation of the UPR recommendations.

The Government continues to emphasise the obligatory nature and the political importance of the **economic, social and cultural rights** so that they also in practice enjoy equal status with civil and political rights.

Mr. President,

Finland received **153 recommendations**, of which all were taken for further examination. Through intergovernmental cooperation and consultations with the civil society representatives the Government has thoroughly considered all recommendations. The Government accepted altogether **120 recommendations** and **6 recommendations were partially accepted**. The rest, **27 recommendations were noted**. The Government provided its written comments in the addendum of the Working Group's report at hand. With the word limitations the Government concentrated on noted recommendations.

Many of the fully accepted recommendations are already in the process of being implemented.

The Government wants to underline that noting recommendations does not mean rejecting them or forgetting them altogether. **Both noted and accepted recommendations are used as tools** of equal value in the Government's work. The Government will review its stand on the noted recommendations and their possible implementation when preparing its voluntary mid-term report. Moreover, Finland will provide information on noted as well as accepted recommendations in its fourth UPR report. It goes without saying that also the National Human Rights Institution and non-governmental organisations use noted recommendations as tools in their independent monitoring of the human rights situation in Finland. The constructive dialogue must go on.

Two of the partially accepted recommendations relate to **violence against women** which is considered as a serious human rights violation in Finland. Finland has ratified the Council of Europe's Istanbul Convention over two years ago and our first monitoring cycle of the Convention is about to start during this Autumn. The Government is of the view that all requirements are fulfilled in accordance with the Convention. Naturally, the implementation will require further budgetary resources. The ratification process intensified multi-sectoral actions in combatting violence against women and domestic violence, focused improvements in the victims' situation and led to several important amendments in the Criminal Code. The Government is also committed in continuing this work. Certain resources are being gradually increased, however the Government considered that recommendations related to immediate additional financial resources cannot be accepted at this point.

The Government considers basic and further education to various administrative actors and branches organised and therefore is of the view of not accepting **obligatory human rights** education for certain administrative branches. However, we wish to emphasize that human rights are taken into consideration at all levels in formal education. Measures have been taken to further strengthen human rights education for certain administrative branches including independent judiciary.

As stated before, **discrimination and self-determination** is one of the focus areas in the Government's fundamental and human rights activities over the next few years. The National Advisory Board on Social Welfare and Health Care Ethics has taken a position according to which a child has the right to define his/hers own gender. This position is being discussed with actors treating **intersex individuals** and the work continues.

Both international and national studies show that **discrimination** occurs in different areas of life in Finland and people may be exposed to it for various reasons. Tackling discrimination is a priority area in many of the Government's policy fields, including non-discrimination, gender equality and pay gap, in integration policy and in various minority policy areas. The Government is also further developing monitoring mechanisms for discrimination and strengthening the legal protection for victims. In addition, special attention is drawn to early childhood education, reconciliation of work and family life, interfaces between work, unemployment and exclusion of labour force, housing, overindebtedness and immigration.

The non-discrimination legislation has widened the protection against discrimination on **sexual orientation and gender identity**. A working group was set up to evaluate the act on legal recognition of the gender of transgender persons and to propose necessary amendments. However, the Government has not yet agreed on presenting the issue to Parliament.

One of the four key areas in the Government's Integration Programme for 2016-2019 is to tackle **racism, xenophobia, hate speech and hate crimes** by promoting humane national discussion culture and respect for human dignity for fostering inclusion, integration and societal integrity. In addition the National Action Plan on Fundamental and Human Rights includes several multi-sectoral activities which effectively addresses hate speech, racism and hate crimes in several ways; including establishing national dialogues and extensive participation of authorities, organisations and communities.

Finally, Mr President,

The Government's preliminary views on the recommendations were presented for interactive discussion with the Finnish civil society in mid-August. In this discussion the representatives of non-governmental organisations stressed certain divergent opinions on the acceptance of the recommendations and urgency to further modify legislation on self-determination in accordance with international standards. Also issues related to violence against women and children's rights, including unaccompanied minors' rights were raised. As a result of the intervention by the civil society, the Government reviewed its position and decided to accept some additional recommendations. In Government's view genuine and constructive dialogue with a clear message from civil society resulted in further strengthening of human rights in certain policy areas.

The Government welcomes civil society participation in and contribution to the implementation process. Constructive and coherent cooperation will continue when preparing the mid-term report. Only by working together can we achieve positive changes for everyone.

Thank you.

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