



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

Pre-session working group

Fortieth and forty-first sessions

16-20 July 2007

### List of issues and questions with regard to the consideration of periodic reports\*

#### Finland

1. The pre-session working group examined the fifth and sixth periodic reports of Finland (CEDAW/C/FIN/5 and CEDAW/C/FIN/6).

#### Constitutional, legislative and institutional framework

2. The reform of the Act on Equality expanded the duties and the mandate of the Ombudsman for Equality; now the mandate of the Office of the Ombudsman for Equality includes the supervision of equality planning in 5,000 to 6,000 workplaces and 1,000 educational institutions (CEDAW/C/FIN/6, para. 13). The report acknowledges that the current staffing situation is “not sufficient” for monitoring and implementing the Act on Equality (*ibid.*). Please provide information on the impact of those resource constraints on the effective monitoring and implementation of the Act, and on any plans in place to provide the Office of the Ombudsman for Equality with adequate human and financial resources to fulfil its expanded mandate.

3. According to the report, the Ministry of Justice set up a committee in January 2007 to reform Finnish legislation on non-discrimination, including the duties and competencies of the Ombudsman for Minorities and the Ombudsman for Equality (CEDAW/C/FIN/6, para. 12). While the report indicates that the Committee may require more time than anticipated to complete its work, please provide an update, if available, on the main issues considered for reform.

4. The report notes that the working group on the Government Programme 2003-2007 to implement equality endeavoured to interact with the Policy Programmes of the Government in an effort to improve mainstreaming “but in this

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\* The present document was submitted after the deadline in order to reflect the most recent information.



respect the results were poor” (ibid., para. 34). Please explain this assessment further. In particular, indicate the types of difficulties encountered in gender mainstreaming, and any lessons learned that might be reflected in the Government Programme 2007-2011.

### **Violence against women**

5. The Committee on Economic, Social and Cultural Rights expressed concern about the lack of specific legislation concerning domestic violence (E/C.12/CO/FIN/5, para. 16). Please describe the follow-up steps taken in response to this recommendation and discuss any challenges to the introduction of relevant legal provisions.

6. Both reports discuss the emphasis of the State party on prevention of violence against women. Please indicate whether the State party has developed a methodology for assessing the impact of preventive measures on the reduction of different forms of violence against women, and if so, please give an overview.

7. According to the report, reporting of incidents of domestic violence and violence in a partner relationship to the police has increased (CEDAW/C/FIN/6, para. 64). The report also acknowledges that there are vast regions without shelters for victims of violence (ibid., para. 68). What steps have been taken to respond to the increased reporting and to ensure that all women have access to the services they may need, including shelters, crisis centres and other support services? Please indicate in particular the number of shelters available per 10,000 persons of the population. Please also discuss the financing of shelters.

8. Please provide information on the number of cases of women seeking asylum on grounds of gender-based persecution and the outcomes of such cases since 2000.

### **Trafficking and exploitation of prostitution**

9. According to the report (CEDAW/C/FIN/6, para. 106), the penal code was recently amended to criminalize the buying of sexual services “only from victims of pandering or trafficking in human beings, a fact that has proven to be difficult to prove in practice”. The report acknowledges that a number of women’s associations have expressed concern about the difficulty of punishing buyers of sex under the new law. In the light of the comments of those organizations, please provide further details about the content of the law, as well as an assessment of the law’s implementation to date.

10. The report mentions one judgement concerning the offence of trafficking in human beings (CEDAW/C/FIN/6, para. 115). Please provide other data and statistics on the extent of trafficking in women into, through and from Finland, as may be available. This information should include documented trends over the past four years concerning the number of victims rescued and assistance provided to them.

11. The Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children noted in her report, that despite the provisions in law which enabled prosecution of child sex tourists outside of the Finnish territories, “it is often a problem in practice to obtain evidence from local police and investigative authorities in jurisdictions where the offences occurred” (E/CN.4/2006/62, para. 94). Please provide information on the extent of

child sex tourism by Finnish nationals and what measures are being taken to remedy this problem, including the need to change the sexual behaviour of the adult male.

### **Participation in political and public life**

12. Both reports discuss progress made in women's representation in political and public life. The sixth periodic report (CEDAW/C/FIN/6, article 10, subsection 4) discusses women's participation in voluntary national defence. Please indicate whether women participate in peacekeeping operations of the United Nations, including as civilian and police personnel.

13. According to the fifth periodic report (CEDAW/C/FIN/5, page 16), the Committee studying the reform of the Act on Equality proposed that the 40 per cent quota provision be extended to also apply to municipal bodies. Please explain why the 40 per cent quota contained in the subsequently revised Act on Equality between Women and Men did not apply to municipal councils (see CEDAW/C/FIN/6, para. 52).

14. As a result of the measures contained in the National Action Plan to Implement Equality, the number of women on the boards of State-owned or partly State-owned companies increased to an average of 40 per cent. Please explain if the relevant provisions of the National Action Plan applied to the number of women on boards in privately held companies as well, and if not, whether there are any plans under way to extend similar provisions to publicly traded companies.

### **Employment and reconciliation of work and family life**

15. According to Finland's fifth periodic report, the majority of working women and men considered that workplaces did not encourage men sufficiently to use childcare leave (CEDAW/C/FIN/5, page 15) and that only about 2 per cent of fathers used parental leave (*ibid.*, page 35). What have been the results achieved thus far of measures taken to promote the use of parental leave, such as the Family Leave Package which came into force in 2003 (HE/147/2002), campaigns and awareness-raising events? Please provide information about the results of the research conducted by the Social Insurance Institution, specifically trends regarding fathers' use of paternal leave since 2003.

16. The report notes that fixed-term employment contracts are common and that the majority of such contracts are held by women (CEDAW/C/FIN/6, para. 162). According to the report (*ibid.*, para. 169), a fixed-term employment relationship typically is not renewed when the employee declares she is pregnant, despite the prohibition of discrimination on the grounds of pregnancy and family obligations contained in the Act on Equality (15.4.2005/232). In 2005, the Ombudsman for Equality submitted a proposition to the Ministry of Labour that the Employment Contracts Act be amended so that it would explicitly prohibit the non-renewal of fixed-term employment relationships and the limitation of their duration on account of pregnancy or the taking of family leave (CEDAW/C/FIN/6, para. 172). What measures have been taken to increase employers' awareness of the prohibition of discrimination contained in the Act on Equality and what steps have been taken in response to the recommendation of the Ombudsman for Equality?

17. According to the sixth periodic report, the amended Act on Equality mandates employers with more than 30 employees to draw up an annual equality plan (CEDAW/C/FIN/6, paras. 9, 10 and 156). What percentage of employers falling into

this category has submitted plans according to the Act? Please elaborate on the implementation of that measure and any preliminary results achieved in the areas of equal pay for work of equal levels of requirement.

18. Please indicate whether any measures are being taken to increase women's opportunities to achieve key management positions, and the impact of such measures.

19. According to the report (CEDAW/C/FIN/6, para. 152), women "earn about 20 per cent less than men in all the employment sectors of the labour market". In addition, 10.4 per cent of all cases received by the Ombudsman for Equality concern discrimination related to salaries (ibid., para. 155). How does the State party anticipate that it will achieve its goal of reducing the pay gap by 5 points by 2015?

20. In its previous concluding comments, the Committee expressed concern about the high level of sexual harassment in the workplace.<sup>1</sup> According to the current report (CEDAW/C/FIN/6, para. 47), "one young woman out of two had reported having experienced sexual harassment by men during the previous two years", as reported in the Gender Barometer published by Statistics Finland. Please indicate what measures are in place to protect female workers from sexual harassment, including specific legislation and effective mechanisms to receive and investigate complaints from victims.

### **Education and stereotypes**

21. The Council of Ethics in Advertising has adopted principles on equality, and the Consumer Ombudsman handles complaints against "discriminatory marketing" and can interfere when advertising infringes on equality (CEDAW/C/FIN/5, page 35). A Finnish organization, NYTKIS ry (Naisjärjestöt yhteistyössä-Kniv-voorganisationer i Samarbete — the Coalition of Finnish Women's Associations for Joint Action), considers the self-regulation of the media inadequate in that "public opinion has become more permissive of commercial sex, and sexism is part of the contents of many media" (CEDAW/C/FIN/6, para. 98). As the Act on Equality between Women and Men does not apply to commercial advertising, what rules or codes of conduct, and what mechanisms, if any, are in place to monitor and regulate the media with the aim of eliminating gender stereotypes?

### **Health**

22. The Committee on the Rights of the Child, in its concluding observations of October 2005, expressed concern about the high suicide rate among adolescents (CRC/C/15/Add.272, para. 36). In the current report, information on suicide rates among adolescents is not provided. Information on psychological services is also not included. Please provide gender-disaggregated statistics on trends regarding the rates of suicide since 2001 as well as information on the steps being taken to reduce such rates and increase access to information and psychological services.

23. According to the fifth periodic report (CEDAW/C/FIN/5, page 29), the distance from the Sámi homeland to a hospital maternity ward may be between

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<sup>1</sup> *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, part one, para. 301.

300 and 500 kilometres. Please describe any plans to increase accessibility to such facilities in communities located in the remotest parts of the country.

### **Situation of particular groups of women**

24. The Committee on Economic, Social and Cultural Rights expressed its concern that “Roma women wearing traditional costumes are particularly vulnerable to such discrimination” (E/C.12/CO/FIN/5, para. 13). The current report also acknowledges that Roma women still encounter discrimination in the labour market and in access to services in the private sector (CEDAW/C/FIN/6, para. 16). Please provide information on the impact of the study on the employment situation of the Roma people conducted by the Ministry of Labour in terms of adoption of new policies and other measures.

25. The report notes that the Office of the Ombudsman for Minorities received 70 cases in 2005 relating to housing problems of Roma women, which often involved homelessness or evictions of single mothers and their children. The report notes the link between the circumstances of Roma women (i.e., housing and stability of living conditions) and the attendance of school by Roma children (CEDAW/C/FIN/6, para. 17). Has the Ombudsman investigated these complaints, and what have been the outcomes of these cases? What efforts is the State party contemplating to improve the housing situation of Roma women so that problems related to housing do not prevent Roma children from attending school?

26. According to the report (CEDAW/C/FIN/6, para. 176), the unemployment rate of immigrant women was more than 10 percentage points higher than that of immigrant men and significantly higher than that of the general population. What targeted measures have been undertaken to create and enhance economic opportunities for immigrant women, and what has been the impact of these measures? In addition to language classes, what training opportunities are available to non-citizen women in different sectors of the economy?

27. The report does not contain any disaggregated statistical data on women living in poverty. The Committee on Economic, Social and Cultural Rights expressed its concern that Finland is yet to adopt an official “poverty line” which would enable the State party to “define the incidence and depth of poverty and to monitor and evaluate progress in alleviating poverty” (E/C.12/CO/FIN/5, para. 17). Please provide an overview of the situation of women living in poverty in Finland and indicate what steps have been taken to develop a mechanism for measuring and monitoring it closely, as well as for reducing it.

28. Although the first Report on the Policy concerning the Disabled to the Parliament, submitted in 2006, recognized that “a woman with disability has the right to study, work, have an income, family life and hobbies”, it was acknowledged that “very little information exists on women with disabilities” (CEDAW/C/FIN/6, paras. 27 and 28) and that women with disabilities faced discrimination in terms of applications for disability support and rehabilitation services being rejected more often than those of men (ibid., paras. 186 and 187). Please provide information on any measures developed or undertaken to systematically collect information on women with disabilities and to ensure their enjoyment of civil, political, economic, social and cultural rights. Also, please provide information whether there are efforts to publicize the new Convention on the Rights of Persons with Disabilities and

whether government funding is provided to organizations and networks of women with disabilities to support their activities.

**Optional Protocol**

29. Please provide information about the measures taken to make widely known the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which Finland ratified on 29 December 2000.

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