

ADVANCE UNEDITED VERSION

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Committee on the Rights of the Child**List of issues in relation to the combined fifth and sixth periodic reports of Finland***

1. The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 February 2023. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

2. Please provide detailed information on the structural reform, including the wellbeing service counties, and if Child Rights Assessment Impact has been carried out in relation to this reform. Please also explain the measures taken or envisaged:

(a) To ensure that legal and administrative proceedings involving children are dealt without undue delay by sufficient resources and legislative reform if necessary;

(b) To ensure effective coordination of all activities related to the implementation of the Convention across all sectors and levels of government as well as with regard to drafting of legislation;

(c) To ensure adequate resources and to implement the National Child Strategy (February 2021) and its implementation plan (October 2021) and how children's rights are mainstreamed and integrated with ongoing reforms;

(d) To further develop disaggregated national statistics and establish a comprehensive data-collection system that collects data disaggregated by age, disability, migration status, socioeconomic background and other factors, including children in the lower grades and below school age, minority (Roma), indigenous (Sámi) groups and in vulnerable situation (children of imprisoned parents);

(e) To strengthen the independence of the Ombudsman of Children, increase the economic and technical resources available and to strengthen the participation of civil society, including children, in large-scale reform projects;

(f) Strengthen communications and guidance on the rights of the child and the remedies available, including by increasing awareness-raising, capacity-building and the exercise of the Optional Protocol to the Convention on a communications procedure.

3. Please indicate the measures taken:

(a) To prevent, identify and address intersectional and multiple forms of discrimination affecting children;

* Adopted by the pre-sessional working group on 30 September 2022.

(b) To improve the well-being and assess the impact of action plans and awareness-raising programmes aimed at combating discrimination against children with a migration background, children with disabilities and lesbian, gay, bisexual, transgender and intersex children and to effectively prevent irreversible medical interventions on intersex children;

(c) To eliminate discrimination against children from disadvantaged socioeconomic backgrounds and children belonging to ethnic minority and indigenous groups, including Roma and Sámi children;

(d) To amend the Constitution to add explicit guarantees of equality and non-discrimination regardless of race, colour, and ethnicity;

(e) To implement zero tolerance to all forms of bullying and to adopt, update and follow-up on the various prevention of bullying programmes;

(f) To ensure children's right to legal recognition of their gender identity and to reform the Transgender Person Act and ensure the right of self-determination for transgender children.

4. Please describe the measures taken:

(a) To ensure that the right of the child to have his or her best interests taken as a primary consideration serves as a guiding principle and is appropriately integrated into and consistently applied in all legislative, administrative and judicial proceedings and decisions, including the Constitution;

(b) To effectively take children's views into account, regardless of their age, in decisions that affect them;

(c) To repatriate children born to Finnish nationals in armed conflict zones (e.g. al-Hol refugee camp in the Syrian Arab Republic);

(d) To improve children's freedom of religion.

5. Please explain the measures taken:

(a) To respond to all forms of violence against children in all settings, including the implementation of the "Non-Violent Childhood" action plan (2020-2025);

(b) To strengthen multisectoral and child-friendly response to all forms of violence, to ensure that child victims are interviewed by trained professionals without delay, to preserve the child's testimony for the purpose of legal proceeding and to ensure that the child victim and non-offending parents receive comprehensive services, including therapeutic intervention;

(c) To ensure sufficient human and financial resources to implement preventive and protective measures against online and offline violence, including bullying in schools as well as research on core roots of violence;

(d) To guarantee in legislation the right of intersex children to self-determination and the criminalisation of female genital mutilation.

6. Please indicate the measures taken or envisaged:

(a) To strengthen social services, including with respect to family counselling throughout the country;

(b) To reduce the traumatization of children whose parents have divorced or separated, and ensure that the concept of joint parenting is promoted when it is in the best interests of the child;

(c) To ensure rights of children in residential homes and foster care are respected, including protection of children from violence and abuse, as well as the adequate monitoring mechanisms in alternative care, and increasing access of children in alternative care to information on their rights;

(d) To ensure access to family reunification to refugee and asylum-seeking children without discrimination;

(e) To ensure adequate resources for the implementation of Child Welfare Act, including through increasing of numbers of social workers.

7. Please update the Committee on the measures taken:

(a) To provide schools with adequate resources and competence to teach children with disabilities in a general education class and ensure their successful inclusion;

(b) To prevent long-term placements of children with intellectual disabilities in institutions and provide short-term placement services for such children.

8. Please describe the measures taken or envisaged:

(a) To ensure primary healthcare is equally available and accessible throughout the country;

(b) To provide health and social services to all children and pregnant women, regardless of documentation;

(c) To provide information on the current health and social services reform and ensure access to all and to quality service to children without, or at risk of losing, parental care;

(d) To ensure that all children, including children living in poverty, Sámi children and asylum-seeking and refugee children, have access to all necessary social health-care services, including mental health;

(e) To expeditiously provide adequate resources, implement the mental health strategy and substance abuse services as well as the reform of the Child Welfare Act;

(f) To decrease the high suicide rates among children;

(g) Ensure that the right of the child to self-determination and participation is considered as a cross-cutting issue in all areas of social welfare and health care;

(h) To evaluate the possible effects of climate actions and mitigation measures on children and their rights, including Sámi children, and to integrate the protection of children and future generations in the laws and climate strategies implemented.

9. Please explain the measures taken to develop appropriate strategies to support families living in poverty, to improve the financial situation of families with children with disabilities, and to avoid cuts in social security benefits impact on children at risk of poverty and exclusion.

10. Please describe the measures taken:

(a) To strengthen teaching of human and child rights at all levels of education and to secure sufficient training on human rights for teachers and public servants;

(b) To ensure all children have equal access to education, including children with migrant background and Roma children, and that children with disabilities have access to all schools;

(c) To ensure that children with migrant background have the right to high-quality preparation for basic education and to diminish the large gap in knowledge between children of immigrant origin and the majority of population;

(d) To make primary education compulsory for all children, including asylum seekers and children without a permit to stay in country;

(e) To ensure that every municipality offers free-of-charge and affordable leisure activities for children.

11. Please provide information on:

(a) Steps taken to grant asylum to all unaccompanied children, and to remove legal and income obstacles to family reunification, making it possible for all children;

- (b) The application of the legal principle of the best interests of the child in all migration decisions and procedures, particularly concerning unaccompanied children, and the measures taken to introduce alternative care arrangements for unaccompanied children;
- (c) Legislation that ensures that children seeking asylum or who have received temporary protection have access to all services without discrimination, including day-care services;
- (d) Adoption of pending legislation amendments on prevention and reduction of statelessness and its related procedures;
- (e) Any measures taken to increase the age of criminal responsibility and to diminish the length of trials, particularly urgent ones;
- (f) Specific steps taken to develop and implement alternatives to detention of children, particularly asylum-seeking children and children older than 15, and measures taken to introduce a general ban on the detention of children based on migration status;
- (g) Allocation of resources, prioritisation, proper and timely investigation and access to justice of cases concerning children;
- (h) Implement regular criminal record checks on all people who work with children;
- (i) Ending detaining children with adults and applying the principles of child justice.

12. With reference to the Committee's previous concluding observations on the State party's fourth periodic report (CRC/C/FIN/4) and its concluding observations on the report submitted by the State party under on the Optional Protocol to the Convention on the involvement of children in armed conflict (CRC/C/OPAC/FIN/CO/1), please describe the measures taken:

- (a) To prevent and prohibit in national legislation the trade in and export of small arms, light weapons and components for weapons systems, to countries where children are known to be recruited or used in hostilities;
- (b) To extend extraterritorial jurisdiction for crimes concerning the recruitment and involvement of children in hostilities, without submitting it to the condition of double criminality;
- (c) To establish extraterritorial jurisdiction for crimes under the Optional Protocol, when they are committed by or against a person who is a citizen or has a close link with the State party;
- (d) To facilitate the rehabilitation and mental recovery of child victims of offences covered by the Optional Protocol and to ensure that health care professional receive adequate training on the recovery of young people exposed to armed conflicts.

Part II

13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information

14. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographical allocation of those resources.

15. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographical location and socioeconomic status, for the past three years, on the following:

- (a) Abuses of children's rights by businesses, including prosecutions brought before the courts, sanctions imposed on perpetrators and remedies provided to victims;
- (b) Cases of female genital mutilation and violence against children, including abuse, neglect, domestic violence and sexual exploitation and abuse, that have been reported to the authorities, investigated and prosecuted, and the sanctions imposed on perpetrators;
- (c) Cases of unnecessary medical or surgical treatment of intersex children;
- (d) Children with disabilities, Roma children and Sámi children who are out of school;
- (e) Children with disabilities, Roma children and Sámi children who have reported having experienced violence, including sexual exploitation and abuse;
- (f) Child victims of trafficking and the number of investigations and prosecutions conducted, sentences handed down to perpetrators and reparations afforded to victims;
- (g) Asylum-seeking, refugee and migrant children entering the State party from areas where children may have been recruited or used in hostilities;
- (h) Children under the jurisdiction of the State party who have been recruited or used in hostilities abroad;

16. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

- (a) In alternative care facilities;
- (b) In foster families;
- (c) In emergency placements;
- (d) Who have been adopted.

17. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Out of school;
- (g) Abandoned by their families.

18. Please provide, if available, updated statistical data disaggregated by age, sex, type of offence, ethnic and national origin, geographic location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) In pretrial detention;
- (d) Serving a sentence in detention and the length of the sentence.

19. Please provide information on how a child rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and on how those measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

20. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

21. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
