



**International covenant  
on civil and  
political rights**

Distr.  
GENERAL

CCPR/C/81/L/FIN  
7 May 2004

ENGLISH  
Original: FRENCH

---

HUMAN RIGHTS COMMITTEE  
Eightieth session

**List of issues to be taken up in connection with the consideration  
of the fifth periodic report of FINLAND (CCPR/C/FIN/2003/5)**

**Constitutional and legal framework within which  
the Covenant is implemented (art. 2)**

1. Have new factors emerged since the submission of the fifth periodic report that would allow Finland to envisage withdrawing its reservations?
2. What civil procedures regulate compensation and other remedies in the event of violation of the fundamental individual rights and freedoms protected by the Covenant, in particular articles 21 and 22 (paras. 12-13, 273-286 and 348-371)?
3. What follow-up has the State given to the Committee's observations on communication No. 779/1997 (Anni Äärelä and Jouni Näkkäkälvi v. Finland) (para. 427)?

**Equality between the sexes (art. 3)**

4. What follow-up has been given by Parliament to the proposed reform of the Act on Equality between Men and Women with a view to reducing wage differentials between men and women (paras. 42 and 105)?

**Violence against women and children (arts. 3, 7, 8 and 24)**

5. What measures have been taken by the State party since the submission of its fourth periodic report to prevent and eradicate the persistent violence, in particular sexual violence, against women, in public and private life?
6. What measures have been taken to combat trafficking in women and children in countries neighbouring the State party, of which Finnish citizens are reportedly guilty?

**Right not to be subjected to arbitrary arrest (art. 9)**

7. What is the outcome of the attempts to reform the system of preventive detention made since 1994, in particular with regard to dangerous recidivists (paras. 66-68)?
8. Please indicate whether legal counsel intervenes at the police custody stage, and whether there is a routine requirement for attendance by a doctor during this period (para. 137).

**Conditions of detention (art. 10)**

9. How are the provisions allowing for a period of detention of up to four days in police establishments for asylum-seekers and aliens in certain cases established under the new Act on the Treatment of Aliens and Detention Units (No. 116/2002) applied in practice? How many cases have there been, what grounds have been cited and how long has detention lasted? Are detainees placed in separate facilities from other categories of prisoners?
10. Are persons in detention while awaiting trial held apart from convicted prisoners? What is the situation of prisoners awaiting appeals decisions?
11. Does the State party envisage withdrawing its reservation to article 10 (2) (b) and (3) (paras. 164 and 175)?
12. According to information before the Committee, on occasion Roma have been attacked in prison by other prisoners, leading to their being separated, for their own safety, from other, non-Roma prisoners and thus placed in isolation. Please comment and indicate what measures have been taken to resolve this situation, should it exist.

**Expulsion of aliens and right to an effective remedy (arts. 2, 13 and 14)**

13. According to information before the Committee, the amendment to the Aliens Act of July 2000 providing for accelerated procedures in the case of asylum-seekers with manifestly ill-founded claims and applications by aliens from a “safe” country does not guarantee the right to an appeal having suspensory effect, introduces the vague notion of “safe country of origin”, and reduces legal protection for asylum-seekers (paras. 198-201). Please comment, with regard to articles 2, 13 and 14 of the Covenant.

**Right to a fair trial (art. 14)**

14. What stage has been reached in the work of the working group set up to review provisions governing in absentia judgements (paras. 56 and 37)?

**Principle of non-discrimination (arts. 18 and 26)**

15. According to information before the Committee, the duration of alternative civil service for conscientious objectors is punitive in comparison with the duration of military service. Please comment.

16. Since the submission of the fifth periodic report, have there been any developments suggesting that the State party will implement the Committee's recommendation to amend its legislation granting preferential treatment to Jehovah's witnesses in comparison with other groups of conscientious objectors, so as to bring it into conformity with article 26 of the Covenant?

### **Rights of minorities (arts. 1 and 27)**

17. What measures does the State party envisage to regulate as early as possible the land rights of the Sámi? What action has been taken in response to the request by the Sámi Parliament for amendment of the Mining Act (paras. 14-30)? What measures has the State party taken to increase the use of the Sámi language (paras. 396-398)?

18. What is the outcome of the assessment undertaken by the Ministry of Education and the National Board of Education to determine the needs of the Roma minority in terms of teaching materials, including human rights documentation, in the Roma language? What measures have been taken subsequent to the assessment (paras. 31-34)?

19. What are the initial results of the special measures taken by the State party to prevent and eradicate de facto discrimination against members of the Roma minority, in particular with regard to private housing, employment, public places (restaurants), pubs, discotheques, etc. and services (paras. 43-55 and 359)? Does the State party envisage further measures, and, if so, what measures?

20. Have the new Language Act and the Act on the Language Requirements of Public Officials entered into force? If so, what are the initial results with regard to Swedish for those concerned (paras. 69-78 and 377)?

21. It has been brought to the Committee's attention that the Government's action plan to combat ethnic discrimination and racism has reportedly been considered by Parliament. If this is the case, what are the results of the assessment (paras. 58-64 and 362-364)? In general, what has the impact been of the measures taken by the State party as a whole to counter discrimination and xenophobia, and their manifestations, towards immigrants? Does the State party envisage taking further measures? If so, what measures?

### **Dissemination of information on the Covenant (art. 2)**

22. Please indicate what measures have been taken to disseminate information on the submission of the fourth periodic report and its consideration by the Committee as well as on the concluding observations adopted by the Committee following its consideration of the fourth periodic report.

23. Please provide information on measures taken to raise awareness among judges, public officials, police officers and other officials responsible for the application of legislation, as well as among legal counsel and teachers, of the provisions of the Covenant and of its Optional Protocol.