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Agenda item 6

Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Finland

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document is being issued without formal editing.

1. Finland welcomes the 229 recommendations made during its Fourth Universal Periodic Review on 9 November 2022. After careful examination, Finland is pleased to provide the responses below, with further information in the table annexed. Finland considers 14 of the recommendations to have distinct parts in need of different responses. Further information has been provided in the supported/noted section of the annex. Finland supports 168 recommendations and notes 47 as follows:

Supported

2. See the annex for further information.

Scope of international obligations

138.5, 138.6, 138.7, 138.9, 138.10, 138.13, 138.15.

National legal and institutional framework

138.19, 138.20, 138.27, 138.42, 138.83, 138.125.

Equality, non-discrimination, racism and hate speech

138.28, 138.29, 138.30, 138.31, 138.43, 138.44, 138.45, 138.46, 138.47, 138.48, 138.50, 138.51, 138.54, 138.56, 138.57, 138.59, 138.60, 138.61, 138.62, 138.64, 138.65, 138.66, 138.67, 138.68, 138.69, 138.71, 138.73, 138.74, 138.75, 138.76, 138.77, 138.99, 138.100.

Climate, environment, business and human rights

138.126, 138.127, 138.128, 138.131.

Right to life, liberty and security of persons

138.89, 138.90, 138.91, 138.92, 138.96, 138.97, 138.98.

Legal system

138.86, 138.87, 138.88.

Right to an adequate standard of living

138.101, 138.102, 138.103, 138.104, 138.111, 138.202.

Right to health

138.105, 138.106, 138.107, 138.108, 138.109, 138.110, 138.112, 138.113, 138.115, 138.116, 138.118.

Right to education

138.119, 138.120, 138.121.

Women and domestic violence

138.34, 138.35, 138.132, 138.133, 138.134, 138.135, 138.136, 138.137, 138.138, 138.139, 138.140, 138.141, 138.142, 138.143, 138.144, 138.145, 138.146, 138.147, 138.148, 138.149, 138.150, 138.151, 138.152, 138.153, 138.155, 138.158, 138.159, 138.160, 138.161, 138.162, 138.163, 138.164, 138.165, 138.166, 138.167, 138.168, 138.169, 138.170, 138.171, 138.172, 138.173, 138.174, 138.175, 138.176, 138.177, 138.178, 138.196.

Children

138.114, 138.179, 138.186, 138.188.

Minorities

138.21, 138.22, 138.23, 138.24, 138.25, 138.26, 138.199, 138.200, 138.201, 138.204, 138.205, 138.209, 138.210, 138.211, 138.212.

Persons with disabilities

138.117, 138.190, 138.192, 138.193, 138.195, 138.197, 138.198.

Migrants, refugees and asylum seekers

138.52, 138.214, 138.215, 138.216, 138.217, 138.218, 138.219, 138.220, 138.222, 138.223, 138.224, 138.225, 138.226, 138.228, 138.229.

Supported/Noted

3. The section of the recommendation, which is noted, is underlined in the text. See the annex for further information.

Scope of international obligations

138.11. Ratify ILO Convention No. 169, on Indigenous Peoples' rights, and redouble efforts to ensure the realization of all of the human rights of the Indigenous Sami people, particularly to a healthy environment and to receive education, social care and health services in their own language; 138.14 finalize the ratification process of ILO Convention No. 169, and strengthen measures to obtain the free and informed consent of the Sami people on projects that affect them.

138.18. Withdraw the reservations to the Convention on the Status of Stateless Persons and strengthen its application system of the refuge institution, with international cooperation as one of the pillars for its implementation.

Equality, non-discrimination, racism and hate speech

138.49. Guarantee the application of more effective measures to combat racism, with adequate resources in all existing institutions and policies; ensure that the security forces receive mandatory training in human rights, especially in the fight against discrimination and hate speech; ensure that judicial authorities conduct prompt and impartial investigations and trials for hate crimes committed by police and security forces; and ensure a credible protection programme for victims.

138.58. Continue strengthening laws that combat racism and hate crimes by ensuring effective and prompt investigations and prosecutions of hate crimes.

Climate, the environment, business and human rights

138.40. Continue promoting a business and human rights agenda, for example by providing technical cooperation and capacity-building activities for interested States in developing their national action plans and conducting human rights due diligence.

Legal system

138.85. Encourage the reporting of hate crimes and ensure that hate crimes are thoroughly investigated, perpetrators prosecuted and victims provided with effective remedies.

Women and domestic violence

138.33. Continue to address sexual and gender-based violence, including by adopting specific legislation criminalizing forced marriage.

Children

138.180. Reform the immigration law, seeking to safeguard the best interests of the child, put an end to the detention of minors, and facilitate family reunification; 138.182. ensure that children are not detained for immigration-related purposes and explore alternatives to detention that are appropriate for their age and specific circumstances; 138.183 prohibit the detention of children in migration, by developing alternatives to detention for children and their family members; 138.185. prohibit the detention of children for breach of immigration law and provide alternatives to detention.

Minorities

138.208. Establish a comprehensive action plan for the protection of the rights of LGBTIQ+ persons, including the bodily integrity of intersex persons.

Migrants, refugees and asylum seekers

138.227. Amend the Aliens Act by reintroducing residence permits on humanitarian grounds, by lifting income requirements for refugee family reunification, and by ensuring that asylum-seekers have effective access to affordable and quality health services.

Noted

Scope of international obligations

138.1, 138.2, 138.3, 138.4. The Government does not intend to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

138.8. See comments for 138.11.

138.12, 138.16, 138.17.

138.84. National legislation is in accordance with Finland's international treaty obligations.

138.129, 138.130. Finland will fully implement the sanctions imposed by the UN Security Council and the EU. The purpose of the sanctions is, among other things, to promote the realisation of human rights.

National legal and institutional framework

138.41. Periodic reporting on the implementation of the key human rights treaties of the UN and the Council of Europe has been centralised to the Unit for Human Rights Courts and Conventions of the Legal Service of the Ministry for Foreign Affairs. The Unit follows up to the implementation of the recommendations and handles all related reporting. The Government's fundamental rights and human rights network monitors the implementation of the recommendations.

Equality, non-discrimination, racism and hate speech

138.36. Finland's national legislation is consistent with Finland's international treaty obligations.

138.55

- See comments for 138.49.
- The development of measures against ethnic profiling will be continued in broad-based cooperation. Attention will be paid to the oversight of legality.

138.63. The National Action Plan for the Prevention of Violent Radicalisation and Extremism will be in force for 2019-2023, and its continuation will be dependent of the Government Programme.

138.70.

138.72.

- Prompt investigation measures are resource-related.
- See comments for 138.58.

138.78, 138.79, 138.80, 138.81, 138.82. The recommendation to take measures to inform the public of the right to refuse military service and to extend this possibility to alternative military service will be taken into account in connection with the possible call-up reform.

Fundamental freedoms

138.38, 138.39, 138.94.

- The freedom of religion and conscience is guaranteed in the Constitution.
- A government proposal (HE 186/2022) for an Act on animal welfare and related acts was submitted to Parliament on 22 September 2022. Parliament required that the current provisions be preserved. Under current legislation, animals belonging to mammals (in practice cattle, sheep, goats) must not be slaughtered without stunning, but stunning at the same time as the start of bleeding is required for slaughter.
- Since 2019, the State budget has included an appropriation for improving and maintaining the security of the Jewish Community of Helsinki. Central government funding related to the prevention of security threats against religious communities will continue to be allocated to communities that face the greatest threats and whose possibilities of funding their own security measures are weakest.
- See comments for 138.203.

138.93. National legislation is consistent with Finland's international treaty obligations.

138.191. Applications for discretionary government grants for promoting cultural diversity and combating racism can be submitted to the Arts Promotion Centre every year. The purpose of the grant is to promote the inclusion of cultural minorities, the realisation of cultural rights, intercultural dialogue and anti-racism activities. The final report Art, Culture and Diverse Finland of the Working Group on Cultural Policy, Immigrants and Promotion of Cultural Diversity appointed by the Ministry of Education and Culture was published in 2021. The final report proposes measures that concern cultural policy, funding of culture, employment, professional development, cultural services, intercultural dialogue as well as research-based information and statistics. Based on them, the Ministry is preparing an action plan for cultural diversity.

Family life

138.32.

138.95.

138.213.

Right to education

138.124.

- See comments for 138.123.
- Together with the Finnish National Agency for Education, the Ministry of Education and Culture launched a programme to improve the basic skills and language of instruction of pupils with an immigrant background. The aim is for immigrants to have the prerequisites for further studies. The action plan seeks solutions to support and strengthen the basic skills and language skills of learners with an immigrant background.

Women and domestic violence

138.37. National legislation complies with Finland's international treaty obligations.

138.154. The new Government Programme is not yet known. However, the implementation of the Action Plan for the Istanbul Convention 2022-2025 and the work of NAPE extends beyond the government term.

138.156. See comments for 138.137, 138.139 and 138.149.

138.157.

- It is not possible to impose mandatory training on an independent judiciary.
- See recommendations for 138.139 and 138.149.

Children

138.181, 138.184. In connection with the overall reform of the Aliens Act or otherwise at the national level, there is no intention or objective to prohibit the detention of minors altogether.

138.187.

138.189.

Minorities

138.123.

- The National Agency for Education has launched a programme to revive the Romani language in Finland. This programme includes *inter alia* proposals to clarify the university-level study path of Roma students to qualify as teachers. A sufficient number of qualifying teachers of the Romani language and leaders of various language clubs should also be ensured. A pilot project making use of remote connections and further development of teaching materials are also proposed to support Romani language teaching. The Ministry of Education and Culture supports vocational education and training for Roma people for instance by granting (on application, through performance decisions on vocational education and training) minimum student-years also on the basis of vocational education and training undertaken by Roma students. Providers of vocational education and training may be made increasingly aware of securing equal training opportunities for this population group, through information guidance and the award criteria described in the covering letters for performance decisions.
- The National Policy on Roma 2023-2030 has been adopted. This Programme contains measures to improve the participation, inclusion and equality of the Roma population in education and training (from early childhood education to university-level education) and in employment opportunities in the context of the programme to promote diversity in working life by addressing structural discrimination in working life and by facilitating training positions and employment for the Roma.

138.203.

- See comments for 138.38, 138.39, 138.94.
- The Non-discrimination Act ensures an equal treatment of all persons. An amendment of the Non-Discrimination Act (HE 148/2022) gives the Non-Discrimination Ombudsman the authority to process individual cases in working life and to issue a reasoned opinion on them. In addition, the National Non-Discrimination and Equality Tribunal may recommend the payment of compensation. The regulation on reasonable accommodation has been specified as well.

138.206, 138.207. No separate action plan is currently planned.

Persons with disabilities

138.122.

- The Act on the expansion of compulsory education entered into force on 1 August 2021. Compulsory education ends when the student reaches the age of 18 or when he or she completes an upper secondary qualification before that.
- As competence requirements are generally rising, finding employment these days generally requires at least an upper secondary level qualification. Expanding compulsory education and legislating for various types of support and a personal competence development plan ensure that individual needs are addressed in education and training.
- A new preparatory education for programmes leading to a qualification (TUVA) was launched in autumn 2022, providing students with capabilities for transitioning to and completing an upper secondary qualification. Students in need of intensive special support may complete their compulsory education in preparatory education for work and independent living (TELMA).

138.194. See comments for 138.190.

Migrants, refugees and asylum seekers

138.53. In Finland, universities decide independently on the content of their teaching. The Ministry of Education and Culture encourages universities to include goals related to human rights in their curricula at their own initiative, for instance in teacher training. The National Agency for Education funds, monitors and develops continuing education for education sector employees. The purpose and mission of this is to foster improved functioning of the education system and improved quality of teaching while supporting the implementation of education policy reforms. Training for education sector employees is being funded by about EUR 10 million per annum, with some 23,000 participants each year. One of the major themes in the period 2020–2023 covers promoting equality and non-discrimination; promoting inclusion, wellbeing and safety; and preventing bullying in learning communities. The Ministry of Education and Culture has appointed a steering group for development of democracy and human rights education. This steering group coordinates and supports education on democracy and human rights at educational institutions; inclusion of pupils and students; and improvement of the competence of teaching staff.

138.221. See comments for 138.49.

4. The Government will submit a mid-term report on all recommendations in 2024.