

***Check against delivery***

**The Third Universal Periodic Review of Finland at the UN Human Rights Council**

**Opening statement by the Head of Delegation of Finland**

**Ms. Pirkko Mattila, Minister of Social Affairs and Health**

Geneva, 3 May 2017

Mr. Vice President, Distinguished Delegates,

Finland is honoured to be once again among the first countries under review in the third round of the Universal Periodic Review. In our view, the UPR provides an important channel for reflecting on national achievements and challenges in the field of human rights in a constructive and equal manner. Not only does the UPR offer interactive peer assessment, but it is also a learning process. It provides us with a variety of tools for promoting human rights compliance through continued bilateral as well as multilateral dialogue.

Civil society has also played an active role in the process. We consider the review to be an opportunity for a self-critical assessment of our national system for protecting human rights.

Mr. Vice President,

The Finnish Government has made significant changes in the national monitoring and implementation of human rights in the past couple of years. The independent Human Rights Centre, established by law, began its work in 2012 and was granted A-status in 2015. The Centre, its Human Rights Delegation and the Parliamentary Ombudsman together form the National Human Rights Institution. Additionally, the Government Network of Contact Persons for Fundamental and Human Rights has been instrumental in activating human rights cooperation between the government ministries. One of the tasks of the Network is to monitor and assess the implementation of Finland’s human rights obligations and commitments as well as the UPR recommendations.

Our national UPR report was drafted simultaneously with the Government’s second National Action Plan on Fundamental and Human Rights allowing us to carry out a comprehensive assessment of our national human rights situation and engage in open discussions with numerous stakeholders. In preparing the Action Plan, the Government examined the recent recommendations given to Finland by international human rights bodies. The Action Plan aims to promote fundamental and human rights through concrete measures.

The Government’s Human Rights Report 2014 is another key instrument steering the implementation of human rights policies. The report addresses both Finland’s international human rights activities and the implementation of fundamental and human rights nationally. The report emphasizes that the coverage and universality of human rights and strong participation rights for civil society are important principles and objectives in the Government’s activities.

Mr. Vice President,

Finland promotes international stability, peace, democracy, human rights, the rule of law and equality. Human rights are an essential part of the foreign and security policy of the Government. Ensuring human rights will create a world of greater human dignity, fairness and security.

I would now like to highlight some issues which are particularly important to Finland. First of all, the free and active participation of civil society in all spheres of life, including political decision-making, has been — and continues to be — an important contributor to building our society. It is fair to say that a vibrant and pluralistic civil society has benefited Finland tremendously, including in terms of stability, equality and prosperity.

Secondly, in our international human rights policy, we are continuously working for non-discrimination, greater openness and inclusion of all people. The empowerment and inclusion of groups subject to discrimination is a top priority for Finland. Equal protection and the enjoyment of human rights must be ensured for all. We place particular attention on the rights of women and girls, indigenous peoples, minorities and persons with disabilities. These goals are mainstreamed into all of our foreign policy activities. Finland continues to systematically promote economic, social and cultural rights.

These long standing priorities guide our way when standing for membership in the 2021 Human Rights Council election.

Today, as we celebrate World Press Freedom Day, I would like to reaffirm Finland’s strong support for freedom of speech and freedom of expression. As with all human rights, these rights should be exercised by all individuals equally, universally and without discrimination.

Mr. Vice President,

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 Government 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 ‘Together’. The story of 100-year-old Finland is first and foremost a story of doing things together.

Major structural reforms are planned for social welfare and health care, and local and regional government. The key objective is to create regions that are responsible for providing health and social services across municipal borders. The purpose is to provide integrated and effective customer-oriented services, promote equal access and free choice, and slow down rising costs.

The Government is committed to promoting work-related migration and to granting international protection to those in need. The Government considers it very important to encourage open debate about migration policy but is, at the same time, committed to zero tolerance of racist speech and other hate speech.

Finland has created a new government anti-trafficking co-ordination structure and initiated also new effective anti-trafficking actions.

Finland will continue to actively promote and protect everyone’s freedom of religion or belief. We value dialogue between different cultures and religions. These have to be at the forefront when we try to find solutions to the very complicated and intertwined problems of our time.

Furthermore, Finland is committed to supporting the work of **human rights defenders. T**he Ministry for Foreign Affairs has published guidelines for protecting and supporting them, urging all its personnel to collaborate actively with human rights defenders.

In implementing the 2030 Agenda and its Sustainable Development Goals, the Government is committed to human rights-based approach to development commitments. In our efforts we focus especially on the rights of women and girls, as well as, for example, the strengthening of developing countries’ own economies as well as well-functioning and democratic societies.

Mr. Vice President,

Our third National Report and its annex deal in a detailed manner with all recommendations that were given to us in the second review.

Of the 78 clustered recommendations, Finland accepted 71 in their entirety and four in part. In 2014 Finland carried out a comprehensive assessment of the implementation and submitted a voluntary interim implementation report to the Human Rights Council.

The national UPR report contains two voluntary commitments. Finland aims in the long term to increase the development budget as the national economy recovers to 0.7 percent of the gross national income, in line with the UN goals. Also the percentage of funding to the least developed countries will exceed the internationally recommended 0.2 percent of the GNI during the current electoral term. Finland also commits itself to submitting to the Human Rights Council, in the summer of 2019, a voluntary interim report on implementing the recommendations of the third UPR round.

The Ministry for Foreign Affairs drafted and coordinated the third National Report and finalised it jointly with other Ministries. In December 2016, the Ministry circulated the draft report for comment to more than 130 stakeholders, including public authorities, the supreme guardians of the law and the special ombudsmen, advisory boards, the Association of Finnish Local and Regional Authorities, the Sámi Parliament, churches and religious congregations, and numerous NGOs. In addition, a stakeholder hearing was organised in December 2016.

Mr. Vice President,

Finland received several advance questions, to which I shall provide brief answers here.

**Slovenia, Sweden, Mexico and the Netherlands** all asked about **violence against women**. The implementation of the previous multiannual multisectoral Action Plan to Reduce Violence against Women initiated many concrete measures that support the implementation of the Istanbul Convention. Violence against women is now taken into account, *inter alia*, in national core curricula and in police reporting procedures. Other results of the Action Plan include quality recommendations on shelters, a permanent network of Multi-Agency Risk Assessment Conference Teams, awareness raising, training of key trainers and various guide books and manuals.

The responsibility for financing shelters was transferred to the State in 2015 and funding for shelters has increased. There are currently 22 [twenty-two] shelters providing 135 [one hundred and thirty-five] family places. We will have 143 [one hundred and forty-three] family places by the end of the year. The aim is to increase funding yearly by two million euros by 2019 to increase the number of shelters. This would be a fifty percent increase from 2016.

All state-funded shelters must be accessible. They can be used anonymously. There is also a secret shelter, serving also the needs of migrant women. In addition, the State provides special guidance on the needs of women belonging to certain minority groups in the shelters. Due to long distances and sparse population, we have also piloted a project whereby psychosocial support is provided via remote access to a shelter established in connection with a unit providing social and health services. A state-funded 24/7 [twenty-four seven] helpline for victims and survivors of violence, which operates in three languages, opened in December 2016.

Victim Support Finland, which is financed from the State budget, provides free and nationwide general victim support services such as a helpline, legal advice, support persons, online services (chat), witness support and peer support groups. Victims of violence may also be entitled to support and social services under the new Social Welfare Act. Civil society organisations complement the services for victims.

Last year, guidelines were published for social and health services on how to create a unified service chain for victims of sexual violence including acute and long-term medical and psychological support as well as access to legal aid. We have also launched a pilot project for publicly funded crisis centres for victims of sexual violence that provide acute walk-in services and direct the victim to follow-up treatment and other support services. The long-term aim is to have a crisis centre in each of the five university hospital districts.

The victim is at the core of all our measures to prevent violence against women. Further measures will be laid out in a four year plan on the implementation of the so called Istanbul Convention. The Plan is being prepared by the cross-sectoral coordination mechanism established in accordance with article ten of the Convention and will be finalised by the end of the year. The Coordination mechanism will also involve the civil society in the work. Action to prevent violence against women is further strengthened by the Government Action Plan for Gender Equality, one of the priorities of which is to prevent violence against women and to ensure the implementation of the Convention.

Further to the questions posed by **the United Kingdom, Mexico and Spain** about **the rights of the Sámi, their participation and the ratification of the ILO Convention No. 169**, the Government’s goal is to strengthen the participation of the Sámi and other local actors in the use and management of renewable natural resources in the Sámi Homeland. The new Act on the State Forest Enterprise includes measures to ensure the rights of the Sámi to participate in land use management planning on state-owned land in the Sámi Homeland. The Sámi are represented in the advisory groups that are in charge of dealing with the use of the state-owned land and waters and with the sustainable use and management of natural resources in the three northernmost municipalities.

The Government commissioned an international comparative study on the challenging issues on land rights and the definition of the Sámi. The study ‘Actualizing Sámi Rights’ that was published in January provides information concerning recent developments of indigenous peoples’ rights in international law as well as legal solutions in other countries. The Government will decide later this year whether it will further the ratification of the ILO No. 169.

As regards **Slovenia's** questions on **the right to self-determination in the care of older persons** and how the provisions of the National Action Plan on Fundamental and Human Rights promote their rights, Finland is currently in the process of preparing extensive legislation on the strengthening of the right to self-determination of social welfare and health care clients and on reducing the use of measures restricting that right. The aim is to present the Bill to Parliament this year.

The National Action Plan on Fundamental and Human Rights includes also other measures which promote the rights of older persons. These include developing the accessibility of digital services as well as promoting equality and non-discrimination, such as supporting equality planning and promoting equality in the working life.

With respect to **Sweden's** question about **the definition of rape**, the issue of consent was considered in detail when the provisions were revised in 2014. Although the lack of consent is not specifically mentioned, the legislation as a whole shows that the provisions are applied in cases where the victim has not given consent.

**The United Kingdom** asked about the participation of **persons with disabilities** in political and public life. Finland ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2016.

A coordination mechanism according to Article 33 of the Convention was set up in January 2017. The new Advisory Board for the rights of persons with disabilities consists of 18 members, of which eight are persons with disabilities. A human rights committee of persons with disabilities was established as a permanent division under the Human Rights Delegation for the inclusion and participation of these persons and their representative organisations.

Further, Parliament is currently debating a Government Bill on the social and health care reform. According to the proposal all 18 counties must set up a Disability Council in order to secure the participation of persons with disability. At present, disability councils are operating at the local level.

The recently adopted second National Action Plan on Fundamental and Human Rights also addresses the rights of persons with disabilities.

Finland has very few limitations concerning voting. Persons with disabilities have the right to vote and stand for election. The Government promotes the realization of this right, *inter alia*, through cooperation with disability organisations.

The Government has also adopted several digital platforms that promote civil society and public participation. The digital services allow persons with disabilities to participate in the decision-making processes and provide decision makers with the possibility to listen to their opinions on proposed amendments to legislation and suggested reforms.

## Further to Mexico's question regarding the Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families, the Government analysed the conditions for ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 1992, 2004 and in 2011. Based on comments received, the Government concluded that ratification of the Convention is not expedient. Our position has not changed.

**Mexico** also asked about Finland's initiatives to restrict **the outbreaks of racism and xenophobia, particularly on the Internet**. The Government has recently decided to allocate more resources for internet police activities preventing hate speech and for the investigation of hate speech offences. Racism and xenophobia are tackled also by teaching professionals, promoting equality and good relations as well as stepping up efforts to tackle hate crime.

Regarding **the Netherlands'** question, the study on the rights and experiences of **intersex children** will be initiated during the current year. The Government will assess the outcome and decide on relevant measures after the study has been completed.

With regard to **Norway's** question concerning **remand prisoners in police establishments**, a Government Proposal concerning this question has been given to the Parliament in December 2016. According to the proposal the present maximum duration for keeping remand prisoners in police facilities would be shortened from 30 to seven days and the conditions for placement would be tightened. At the moment there is only one prison with approximately 50 cells without toilet facilities. However, according to the new provision of the Imprisonment Act all prisoners must have access to toilet facilities without delay at all times. By 2019 the last cells without toilet facilities will be taken out of use in Finland.

**Norway** also enquired about **the National Non-Discrimination and Equality Tribunal and its possibilities to award compensation to victims**. The Non-discrimination Act of 2015 provides for sanctions and remedies in a comprehensive manner. The National Non-Discrimination and Equality Tribunal has powers to forbid discrimination and it may impose a conditional fine to ensure compliance with the prohibition it has issued. In addition, the person who has been discriminated against may be awarded compensation in a district court.

**Spain** enquired about the Government's measures to **prevent hate crimes and tackle bullying**. The Non-discrimination Act places an obligation upon authorities, schools and employers to promote equality. These bodies and organisations are thus not only required to treat everyone equally, but they are also under a legal obligation to take active steps to prevent discrimination and harassment and to promote equality in fact. For example, in schools the requirement to promote equality typically entails active measures to combat bullying as well as to foster diversity and tackle discrimination.

Finally, **Spain** also enquired about **migrants, asylum seekers and refugees, particularly unaccompanied minors and their integration** in the Finnish society. The Government has made a number of legislative changes to ensure the management of the increased number of asylum seekers in the demanding situation we faced in 2015. First steps toward integration of persons granted a residence permit are taken already at the reception stage, as the reception centers organize work and study activities to promote the asylum seekers' self-sufficiency. The measures set out in the Government Integration Programme for 2016-2019 aim at promoting immigrants' appropriate and rapid settlement in a municipality and their transition to education, training or employment.

These actions support the immigrant's ability to gain a secure income which is a requirement for granting a residence permit to other family members. Such a requirement may, however, limit the possibilities for family reunification and thus the integration of an unaccompanied minor. Therefore an exception may be made to this due to pressing reasons of or if the interests of the child demand it. It is, however, yet too early to assess the actual impact of this change.

Mr. Vice President,

The delegation of Finland today participating in this review includes representatives of eight different Ministries and the Permanent Mission in Geneva. I am particularly delighted to have two independent civil society observers in the delegation. The rest of our colleagues, representatives of civil society and diplomatic missions are following this review live in Helsinki.

Mr. Vice President, the Delegation of Finland is ready to begin the interactive dialogue.

Thank you.