



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

Distr.: General
5 August 2008

Original: English

**Committee on the Elimination of Discrimination
against Women**
Forty-first session

Summary record of the 842nd meeting

Held at Headquarters, New York, on Thursday, 10 July 2008, at 3 p.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Fifth and sixth periodic reports of Finland (continued) (CEDAW/C/FIN/5 and 6; CEDAW/C/FIN/Q/6 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Finland took places at the Committee table.*

2. **The Chairperson** invited Committee members to resume their questions and comments in relation to specific articles of the Convention.

Articles 7 to 9

3. **Ms. Neubauer**, noting that progress in raising the percentage of women in managerial posts and among the highest-ranking officials in State administration had been uneven, asked the delegation to explain why progress had been slow and what obstacles had been encountered. The remarkable progress achieved in women's positions in the Cabinet and elected positions had not served as the role model that might have been expected. Since the State party's reports under article 8 of the Convention had for many years been brief or non-existent, she would appreciate information on the number of women in the diplomatic services, particularly at the ambassadorial level.

4. **Ms. Belmihoub-Zerdani**, noting that the report showed great progress in women's participation in the Parliament and the Cabinet, asked what the figures were for women in the judicial and prosecutorial branch. With regard to nationality, she would appreciate clarification on the citizenship status of the Sámi, the Roma and other minorities or self-governing peoples in Finland, including their percentage representation in Parliament and in national and local government and their right to a passport and freedom of movement into and out of Finland.

5. **Mr. Flinterman** said that the State party was to be congratulated on increasing the number of women on boards of directors of State-owned or partly State-owned companies to 40 per cent on average, but it should bear in mind that maintaining those percentages was a continuing task. In relation to private companies the Government's approach to achieving gender equality was indirect and entailed

awareness-raising and cooperation. He would like to know if any time frames or benchmarks had been set for monitoring progress in gender equality in private companies. In the State party's responses it was stated that the Government would not be preparing legislation on gender quotas in public limited companies. He would like to know, first, whether the term "public limited companies" was synonymous with "private companies" or reflected an intermediate category; and, second, what the reasons were for ruling out legislation in that regard.

6. **Ms. Martikainen** (Finland) said that the percentage of women at the top levels in State administration was growing yearly; women currently filled 24.8 per cent of top positions. Progress, though steady, had been slow because there was little turnover in such posts. With regard to women's participation in the judiciary, the President of the Supreme Court and 28 per cent of its members were women. The percentage in the Superior Administrative Court was 30 per cent; in the courts of appeal 42 per cent; in the district courts 40 per cent; and in the administrative courts 53 per cent. Those figures showed that gender equality in the judiciary was on a satisfactory track.

7. **Mr. Kosonen** (Finland) said that he did not have figures for the Ministry of Justice before him, but he believed that the percentage of women was increasing.

8. With respect to the citizenship status of minorities, the Constitution provided that the Sámi were an indigenous people, with their own Parliament. When elections were held for the Sámi Parliament those entitled to vote were identified, and at last count there were about 5,000. There were also Sámi who lived in cities outside the Sámi homeland. In addition to the freedom of movement of ordinary citizens, the Sámi were allowed to travel freely across borders in their homelands in the Nordic countries and the Russian Federation to follow the reindeer herds. The Roma and other groups were considered minorities, but minorities in Finland were not registered as such, so that exact statistics were not available. It was estimated that there were some 10,000 Roma in Finland. Most individuals belonging to minority groups in Finland had Finnish citizenship. References to the Swedish population meant the Swedish-speaking minority in Finland, who were also Finnish citizens.

9. The Government was well aware that, although the target for the percentage of women on the boards of

State-owned companies had been achieved, the task of maintaining and increasing those numbers was ongoing. No time frames or benchmarks had been set for gender equality in the private sector, but if results were not forthcoming the Government would have to rethink its approach. In public companies where it owned a large share, it could of course have much greater influence than in privately held companies.

10. With regard to article 8, there had been progress in women's presence in the Ministry of Foreign Affairs. The number of women ambassadors was currently 22, compared to 57 men. Finland had long had women serving at the international level.

11. **Ms. Naclér** (Finland) said that she represented the Åland Islands in the Finnish Parliament. Her province had a special arrangement under the Constitution as a result of the settlement of a dispute decided in 1921 by the League of Nations whereby it was a self-governing province under Finnish sovereignty and sent one member to Parliament. The other minorities in Finland did not have special seats assigned to them in Parliament but were represented as part of the general population. Confusion arose because the words "Finns" and "Finnish" in English could refer either to those who had Finnish as their mother tongue or to Finnish citizens. The Sámi, the Roma, the Åland Islanders and the other Swedish-speaking minorities were not native Finnish speakers but were nonetheless all citizens of Finland.

Article 10 to 14

12. **Ms. Simms** noted that the State party had made great efforts with regard to education. However, since attitudes formed early in life tended to persist, she would be interested to know what actions were being taken to instil the value of gender equality at a young age, for example, whether textbooks and teaching aids used in kindergarten and primary school had been reviewed for their portrayal of women's roles.

13. **Ms. Halperin-Kaddari** said that the figures for women's participation at the higher levels of academia did not measure up to the high Finnish standard; for example, only 23 per cent of full professors were women. In its fifth periodic report, the State party had mentioned an equality plan to promote research careers for women, which referred to obligations, set quotas and tied compliance to funding. In the sixth periodic report, however, the recommendations of the working

group on careers in research did not include a mention of directives, monitoring or sanctions; it appeared that action for gender equality would depend on voluntary compliance by the research institutes. She wondered if that reflected a change in Government policy.

14. **Ms. Zou Xiaqiao** said that the State party's efforts in education were commendable, but she was concerned by the statement in the State party's fifth report (CEDAW/C/FIN/5) that the curricula of the schools did not include education in equality and the teaching did not necessarily support the development of gender sensitivity. She would like to know whether a review of the curriculum and teaching methods had been conducted since then or was being planned. Since the Act on Equality between Women and Men of 2005 obligated educational establishments to draw up an equality plan, she would appreciate information on which levels of education were covered by the obligation, what agency of Government was to monitor implementation and how many schools had so far formulated such an equality plan.

15. **Mr. Kosonen** (Finland) said that there were play cards at the kindergarten level and textbooks at the primary and secondary levels that addressed human rights issues, including gender equality.

16. **Ms. Martikainen** (Finland) said that the number of women holding full professorships was increasing; although the percentage was 23 per cent for Finnish universities overall, it was higher at the University of Helsinki. Change was slow because there were fewer women applicants than men for such positions. The Government had concluded that efforts should be directed not just to the appointment process but to boosting the number of eligible female applicants by providing mentoring and leadership training for women at lower levels of an academic career.

17. **Ms. Lönn** (Finland) said that the Act on Equality between Women and Men obliged over 1,000 educational institutions, including secondary schools, polytechnics and universities, to develop equality plans. Of the 36 vocational universities in Finland, 25 had implemented an equality plan, 10 had started to formulate a plan, and only one had not formulated a plan. The Government had also established guidelines for the basic education curriculum that obliged schools to promote gender equality and show respect for diversity. The principle of gender equality had been incorporated into the lessons, targets, examinations,

degrees and teaching of all educational institutions. National guidelines on the examinations of vocational courses were being prepared in 2008 and would also include the principle of gender equality.

18. The National Board of Education had prepared a manual on the equality plans in early 2008. The plans must be formulated in cooperation with the students and must focus on the following areas: career counselling, student selection, performance assessment, and prevention of sexual and gender-based harassment. She did not have much information on how institutions had succeeded in implementing legislation in the area of education but preliminary enquiries showed that they were not aware of their obligations with respect to the equality plans. An assessment would be carried out in 2009.

19. **Ms. Patten** commended the Government on the legislation aimed at promoting gender equality in employment. However, there were some gaps in that legislation, including the fact that it was not possible to reinstate a woman following illegal dismissal on the grounds of gender discrimination, or following unlawful dismissal due to pregnancy or maternity leave, or following unlawful dismissal due to family responsibilities. Clarification should be provided of the Government's plans to remedy that situation. Given that sexual harassment still existed in the workplace, it would be interesting to know whether the Government envisaged establishing harsher penalties. Furthermore, the Act on Equality gave some latitude to employers, who were generally men, which sent out a signal that sexual harassment was an issue that could be addressed internally by the company. In its next periodic report, the reporting State should provide information on the number of sexual harassment cases taken to court and the sanctions against employers.

20. Additional information should be provided on the Government's efforts to reduce the pay gap between men and women and on the enforceability of the decisions of the Ombudsman for Equality in cases of salary discrimination. It should be noted that article 2 (e) of the Convention obliged States to eliminate the pay gap in the private sector as well as in the public sector. With respect to fixed-term contracts, it should be clarified whether the provisions of the Employment Contracts Act were enforced and whether there was data on cases of non-compliance. It would also be useful to know whether women held high-ranking posts in the trade unions and whether they were able to

participate in the tripartite programmes on an equal basis.

21. **Ms. Schöpp-Schilling** said that the Government's efforts to increase salaries in the public sector, which was dominated by women, were to be commended. Additional information would be welcome on the types of justification used for offering fixed-term contracts. It would also be interesting to know how many women made complaints to their employers or to the Ombudsman for Equality. It should be clarified whether the salaries of fixed-term workers were comparable to the salaries of regular employees and what measures were being taken to protect those workers. Finally, the delegation should specify what action was being taken to eliminate the discrepancy between maternal and paternal leave benefits. It might be preferable that the State, rather than the employer, should be responsible for paying such benefits.

22. **Ms. Martikainen** (Finland) said that all labour market organizations participated in the Programme for Equal Pay for Work of Equal Value. The collective agreement system was very important in Finland because salaries were paid in accordance with a collective agreement. The Government had allocated funds to provide pay raises at the municipal level to employees in women-dominated sectors, including nursing and teaching. Furthermore, the Government had launched projects to improve the payroll systems in the public and private sectors and to ensure that the gender perspective was included in those systems. The Programme also contained measures in the areas of reconciliation of family life and work and women's career advancement.

23. **Ms. Lönn** (Finland) said that in 2005, the Ombudsman for Equality had recommended that the Employment Contracts Act should be amended to prohibit non-renewal of fixed-term contracts on the grounds of pregnancy or family leave. Those recommendations had not been incorporated into that Act, however, because Finland's legal system already prohibited and sanctioned the termination of contracts in those cases. The Government had also established working groups on fixed-term contracts and the fixed-term work force. Those working groups had taken steps to raise awareness among employers about the illegality of terminating such contracts on the grounds of pregnancy or family leave, but more work needed to be done. Labour organizations should provide employers with more information and

instructions on fixed-term contracts. With respect to temporary work, the Government had presented a bill on temporary agency regulations to Parliament with the aim of improving the working conditions of temporary workers.

24. **Ms. Arrhenius** (Finland) said that the Government had eliminated the discrepancy between maternal and paternal leave benefits. In 2007, the Government had established a committee to reform the social protection system with a view to ensuring that all citizens were provided with a basic level of social security.

25. **Ms. Nummijärvi** (Finland) said that the sanctions imposed in cases of sexual harassment varied but the employer could fire the guilty party. Many workplaces had formulated strategies to deal with sexual harassment, which was prohibited by law.

26. **Ms. Begum**, referring to the high suicide rate in Finland, asked what steps were being taken to provide psychological support to young women. Additional information should be provided on sexual health-care initiatives to discourage girls from smoking or taking drugs. With respect to the Sámi population, it would be interesting to know whether health centres were accessible and affordable in remote parts of the country. In addition, it would be useful to know whether there were health packages for elderly or disabled women.

27. **Ms. Pimentel** asked what steps had been taken to treat mental health problems, including eating disorders, and to provide elderly women with adequate mental health care. She wondered whether the Government had conducted a study on the health care provided to minority groups.

28. **Ms. Dairiam** asked whether there were any plans to establish an official poverty line for Finland. Clarification should be provided of how the Government intended to address the multidimensional aspect of poverty, including the gender aspect, and whether there were any plans to carry out a comprehensive study on poverty that used gender-disaggregated data.

29. **Ms. Tan** said that, in its concluding observations on previous periodic reports, the Committee had expressed concern at the continuing double discrimination against immigrant and minority women, based on both gender and ethnicity. Although some

account had been given of the situation of Roma and immigrant women, little information had been provided on Sámi women. She would like to know how their situation compared to that of Finnish women with regard to educational status, access to health care, employment opportunities and access to public funds. She also wondered whether the Government had a plan of action to improve the status of rural Sámi women.

30. She would appreciate information on any steps taken by the Government to integrate immigrant women into Finnish society and on subsequent assessments of the results of local integration programmes. Lastly, she would also be interested to know how many immigrant women had taken the Finnish language course offered by the Government, and whether that course was free of charge.

31. **Ms. Pelkonen** (Finland) said that her Government was well aware of the high incidence of depression and suicide among young women and girls. Government efforts to identify and treat depression included the introduction of a number of legislative acts that stipulated the provision of mental health services in schools, along with the establishment of quality standards for health examinations and counselling. Furthermore, the new national development plan for social and health-care services, which spanned the years 2008 to 2011, gave special attention to psychosocial services and provided support to children in their everyday environments, aiming for a gradual overhaul of the existing system. In order to raise awareness among the population, the National Public Health Institute had published informational materials on depression for parents and young people.

32. Turning to the issue of smoking, she said that a recent survey on adolescent health and lifestyle indicated that the situation was improving, as young people were starting to smoke at a later age and rates among girls 14 to 18 years old were in decline. Government measures such as the smoking ban in restaurants had been particularly effective in targeting young people. Since the ban on the sale of tobacco products to children under the age of 18 had been violated, a bill requiring a licence for tobacco sale had been proposed to Parliament. Drug use had stabilized and was also declining somewhat, although caution was still needed.

33. With respect to sex education, she noted that health education, which had been compulsory since

2006, had already yielded positive results in schools that had incorporated sex education into the curriculum, particularly among boys, whose awareness of sexual issues had lagged behind that of girls. The Government had introduced a national action plan promoting sexual and reproductive health for the years 2007 to 2011 that protected the rights of sexual minorities and guaranteed their access to health services.

34. Although it remained true that Sámi women had to travel long distances to maternity hospitals, placing maternal and infant health at risk, health workers serving Sámi regions, such as Lapland, were very qualified, having received training in both midwifery and public health. As to the provision of health services in remote areas, a major national programme included plans to reform health care and facilitate access to services nationwide.

35. **Ms. Arrhenius** pointed out that while the entire population, including minorities and the disabled, made use of existing health services — subject to specific time frame requirements — there was a need to address the language barrier faced by the Sámi population, along with the shortage of doctors in the northern region where they lived. Non-governmental organizations might supplement the mainstream hospital care received by Sámi and disabled patients. Additional Government funding was also allocated to provide social health services to the Sámi population.

36. With regard to poverty, the Government understood that unemployment was not the only determining factor; single parents and persons living alone were also at risk, and poverty rates among older female pensioners and the unemployed were generally higher. The 2005 pension reform had led to pension increases in 2005, 2006 and 2008. She hoped that the committee charged with reforming social security would adopt concrete measures to combat poverty.

Articles 15 and 16

37. **Ms. Halperin-Kaddari** noted with concern that the partner of the biological mother in a same-sex relationship could not legally adopt their child; she wondered whether proposed legislation intended to make such adoption possible had been enacted. She would also like to know whether there had been any amendment to the family law provision under which a child's rights were determined by the citizenship of the

father; she failed to understand why that should be the case for a child holding Finnish citizenship or residency. In its fifth periodic report, the State party had expressed its intention to reform that provision, but no mention of it appeared in the subsequent report. Lastly, she would appreciate more information on whether distribution of assets between spouses following a divorce included intangible assets such as pension rights, insurance and severance payments. Did the distribution take into account the disparity in earning potential that resulted from one partner — usually the wife — giving up career opportunities outside the home, which might account for the higher incidence of poverty among single mothers?

38. **Ms. Tan** said that it would be interesting to receive information on the divorce rate in Finland, as well as on any related trends. She wondered whether women had access to free legal aid for divorce proceedings, including custody disputes and distribution of matrimonial assets. It would be useful to know whether matrimonial assets included a husband's pension and property besides the marital home, and what percentage of said assets a woman was typically awarded. She also asked whether women were entitled to maintenance for themselves or their children, and if so, for how long. Did the State give child support to single mothers in the event of abandonment by or death of a spouse?

39. She would also like to know whether both partners in a lesbian relationship had the same rights as a wife. Furthermore, she would welcome data on older women, disaggregated by age, ethnicity, and rural or urban residence. Finally, she would appreciate information on the number of widows living in rural and urban areas, and on any need-based Government assistance provided to them, in the form of financial support, medical care and housing.

40. **Ms. Pulkkinen** (Finland) said that under the current legislation, only married couples were allowed to adopt children; however, a bill proposing intrafamilial adoption for registered same-sex partnerships would be presented to Parliament that fall. Although the Act on Registered Partnerships stipulated that all provisions concerning married couples applied to registered partners, the right to adopt was one exception.

41. Regarding legal aid, it was possible for a woman to receive assistance in divorce or child custody proceedings free of charge in cases of financial need.

42. **Ms. Lönn** (Finland) said that in Finland, according to current trends, a third of existing marriages would end within the next 15 to 20 years.

43. **Mr. Kosonen** (Finland) said that matrimonial assets were usually distributed equally between spouses, unless a pre-existing agreement stipulated otherwise. He also pointed out that collection of data based on ethnicity was prohibited in Finland.

44. **Ms. Pulkkinen** (Finland) said that a court might order a spouse to pay maintenance to the other. The distribution of assets might be adjusted to reflect the contributions of each spouse to the couple's shared property and household, particularly in cases where one partner had opted for child rearing at the expense of career advancement.

45. **Ms. Dairiam** commended the Government on its multisectoral delegation and was pleased to note the increasing cooperation between the executive and legislative branches of Government. Noting the increasingly important role of Parliament in assessing the success of gender equality measures, she asked what training was being given to Parliament, and particularly to the members of the Constitutional Committee, on the standards, provisions and requirements of the Convention.

46. **Ms. Naucélér** (Finland) said that while no specific training was being given to members of the Constitutional Committee, its members had a special responsibility to be informed on all international treaties and were therefore well aware of the issues requiring particular attention. As a member of the Constitutional Committee, she intended to report back to Parliament on the outcome of the session. Because Finnish law required the amendment of legislation relevant to a treaty prior to its ratification, international treaties were not more widely known and referred to in Finland.

47. **Mr. Kosonen** (Finland) acknowledged that significant progress had been made on some issues, while others, including violence against women, human trafficking and a lack of diversity in society, still required a considerable amount of work. The delegation would bring the conclusions of the session back to Finnish authorities, and it would also consult

with the relevant ministries on measures taken to implement the Convention.

48. **The Chairperson** thanked the delegation for its participation in the constructive dialogue and applauded the State party's achievements on the advancement of women at the national level, evinced by the unprecedented rate of 60 per cent female representation in Government. She also lauded the State party's commitment to implementation of the concluding observations of treaty bodies and looked forward to progress on the issues raised by the Committee in its observations. However, the Convention could still be used to a greater extent as a framework for legislative reform. As had been pointed out by a number of Finnish NGOs, gender could not be accepted as one basis for discrimination among others, since it was an integral part of every individual's life; therefore, efforts to implement the Convention and uphold the principle of substantive gender equality must continue.

The meeting rose at 5 p.m.