



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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Draft concluding observations of the Committee on the Elimination of Discrimination against Women: Finland

1. The Committee considered the fifth and sixth periodic reports of Finland (CEDAW/C/FIN/5 and CEDAW/C/FIN/6) at its 840th and 841st meetings, on 9 July 2008 (see CEDAW/C/SR.827 and 828). The Committee's list of issues and questions is contained in CEDAW/C/FIN/Q/6 and the responses of the Government of Finland are contained in CEDAW/C/FIN/Q/6/Add.1.

Introduction

2. The Committee commends the State party for the submission of its fifth and sixth periodic reports, which followed the Committee's guidelines for the preparation of periodic reports and took into account the Committee's previous concluding observations. The Committee also commends the State party for the written replies to the list of issues and questions raised by the pre-session working group, and the oral presentation and further clarifications given in responses to the questions posed orally by the Committee.

3. The Committee commends the State party for its delegation headed by the Director of the Ministry for Foreign Affairs, which included representatives of various Government ministries and departments as well as a Member of Parliament. The Committee expresses its appreciation for the frank and open constructive dialogue held between the delegation and the members of the Committee.

Positive aspects

4. The Committee commends the State party for its legal reforms aimed at eliminating discrimination against women and promoting gender equality. In particular, it welcomes the reform in 2005 of the Act on Equality between Women and Men, which prohibits indirect discrimination, extends the quota provision to inter-municipal cooperation bodies and places the burden of proof on the defendant. It also commends the State party for the enactment in 2004 of the Non-Discrimination Act establishing a general framework for equal treatment between persons irrespective of racial or ethnic origin in employment and occupation.



5. The Committee welcomes the measures carried out by the State party to combat trafficking in women and girls, including the newly revised National Action Plan against Trafficking in Human Beings, the possibility of issuing residence permits to victims of trafficking and the ratification, in 2006, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

6. The Committee notes with appreciation that proportion of women parliamentarians in Finland amounts to 42 percent and women in ministerial positions account for 60 percent, both of which are among the highest in the world.

7. The Committee congratulates the State party for its international assistance and bilateral cooperation programmes designed to promote and protect women's rights. The Committee also congratulates the State party on its efforts, nationally and internationally, to enhance implementation of Security Council resolution 1325 (2000) on women, peace and security.

Principal areas of concern and recommendations

8. The Committee recalls the State party's obligation systematically and continuously to implement all the provisions of the Convention, and views the concerns and recommendations identified in the present concluding observations as requiring the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee urges the State party to focus on those areas in its implementation activities and to report on actions taken and results achieved in its next periodic report. It calls upon the State party to submit the present concluding observations to all relevant ministries, to the Parliament and to the judiciary, so as to ensure their full implementation.

9. While noting the recent initiative of the Government to reform the legislation on equality and non-discrimination and the establishment of the Equality Committee with the task of preparing options for such a reform, the Committee is concerned that a consolidation of the Act on Equality between Women and Men and the Non-Discrimination Act might lead to a loss of visibility of the issue of discrimination against women, including its cross-cutting nature and consequently to a lower level of protection for women. The Committee is also concerned that such a consolidation might lead to a decrease in available resources for work on gender equality and to a need to prioritization between different grounds for discrimination.

10. The Committee calls upon the State party to ensure that the issue of discrimination against women, including its cross-cutting nature, is given adequate visibility and attention in the work on the reform of the legislation on equality and non-discrimination and its final outcome. The Committee also recommends that the supervisory and monitoring authorities, in particular the Ombudsperson for Minorities and the Ombudsperson for Equality, be given additional resources to carry out any additional duties.

11. While welcoming the State party's efforts to ensure that the gender perspective is mainstreamed across all law drafting, budget procedure and other major projects right from

the outset and the State party's use of gender budgeting, the Committee is concerned that coordination and effective follow-up and monitoring of the use of the gender mainstreaming strategy in policies and programmes of different departments and at all levels is not ensured.

12. The Committee recommends that a mechanism, at a high level of the Government and with adequate resources, be designated and actively take up the responsibility and leadership role in coordinating the implementation of the gender-mainstreaming strategy in policies and programmes of all other Government departments at all levels of governance, as well as to ensure effective monitoring and evaluation of results achieved. It also encourages that such a mechanism ensure that knowledge of the Convention is effectively promoted at all levels and sectors of Government with the aim of promoting *de jure* and *de facto* equality between women and men.

13. While noting that information on the Convention and on its Optional Protocol is available on the website of the Ministry for Foreign Affairs, the Committee is concerned at the overall lack of awareness of the Convention, of the procedures aimed at addressing violations of women's rights via its Optional Protocol, of the Committee's General Recommendations which gives an authoritative interpretation of the Convention and of views of the Committee on individual cases of communication and inquiry.

14. The Committee recommends that the State party, in line with its obligation under article 13 of the Optional Protocol to the Convention, undertake concrete measures to make widely known and to give publicity to the Convention and its Optional Protocol as well as to facilitate access to information about the General Recommendations and the views and recommendations of the Committee regarding individual communications and inquiry.

15. The Committee notes the various efforts undertaken by the State party to combat violence against women and girls, including the introduction of restraining orders for persons living in the same household. However, the Committee remains concerned about the high incidence of violence against women, including high number of women killed in domestic violence, sexual harassment, the absence of a comprehensive strategy to combat all forms of violence against women and the lack of an effective institutional mechanism to coordinate, monitor and assess actions at the governmental level to prevent and address this scourge. The Committee is also concerned that the policy on violence against women is couched in gender-neutral language, which undermines the notion that such violence is a clear manifestation of discrimination against women. The Committee is further concerned that the new mediation procedure may lead to the re-victimization of women who have suffered violence. The Committee regrets that the number of shelters, many of which have been established and are operating on the initiative of NGOs, is insufficient to meet the needs of women, both in numbers and in their mode of operation.

16. The Committee calls upon the State party to intensify its efforts to prevent and address all forms of violence against women and girls, including domestic violence, in accordance with the Committee's General Recommendation 19 and the State party's reaffirmed commitment during the Universal Periodic Review of the Human Rights Council (A/HRC/WG.6/1/FIN/4, paragraph 50). It also calls upon the State party to put in place expeditiously a comprehensive strategy or action plan and a campaign to prevent and eliminate all forms of violence against women and girls, and an effective institutional mechanism at the Cabinet level to coordinate, monitor and assess the

effectiveness of measures taken. The Committee recommends that the State party carry out studies and monitor closely the new law on the mediation procedure in order to ensure that such procedure is implemented in a way that respects and promotes women's human rights and does not lead to perpetrators escaping prosecution. The Committee urges the State party to ensure that a sufficient number of shelters are available to women victims of violence, staffed by expert personnel, provided with adequate financial resources. It further recommends that shelters adhere to a strict policy of confidentiality to protect victim's identity and the locality of shelters. The Committee urges the State party to take steps towards enacting a legislation criminalizing sexual harassment.

17. While noting the enactment in 2005 of a Bill criminalizing the buying of sex from victims of human trafficking and procurement, the Committee regrets the lack of information and data on the prevalence of prostitution in the State party, including clandestine prostitution in massage parlors. The Committee is concerned at the proliferation of plans of actions against trafficking and the lack of coordination among them.

18. The Committee requests the State party to provide complete information and data as well as the result of an on-going study on the exploitation of prostitution of women in its next periodic report, including clandestine prostitution in massage parlors, and an assessment of the law's implementation to date. The State party is encouraged to continue formulating strategies and programmes to prevent women from entering prostitution and establish programmes of rehabilitation and support for women and girls who wish to discontinue their lives in prostitution, including information on and support in relation to alternative livelihood options. The Committee requests the State party to enhance cooperation among entities responsible for the monitoring of plans of actions against trafficking, including coordination with countries of origin and transit. .

19. The Committee is concerned that media and advertising in the State party are increasingly becoming pornographic, and that the over-sexualized depiction of women strengthens the existing stereotypes of women as sex object and girl's low self-esteem.

20. The Committee calls upon the State party to strengthen its strategies to combat pornography and sexualization in media and advertising and to report the results of the implementation in its next periodic report. It requests the State party to take proactive measures to ensure that media production and coverage are non-discriminatory and promote positive images of girls and women, as well as increase awareness of these issues among media proprietors and other relevant actors in the industry.

21. While welcoming the increase in the number of women board directors in State-owned or partly State-owned companies as a result of the measures contained in the National Action Plan to Implement Equality, the Committee remains concerned about the low percentage of women in high-ranking positions, in particular in the private sector, in the academia and in the diplomatic service. It notes the lack of statistics on the participation of migrant and minority women in political and public life and in academia.

22. The Committee urges the State party to strengthen its efforts to encourage an increase in the number of women in high-ranking posts, particularly in academia and in the private sector. It recommends the adoption of proactive measures to encourage more women to apply for high-ranking posts and encourages the State party to employ and effectively implement temporary special measures in accordance with article 4,

paragraph 1, of the Convention, and with the Committee's general recommendation No. 25, in order to accelerate the realization of women's de facto equality with men in all areas. It encourages the State party to ensure that the representation of women in political and public bodies reflects the full diversity of the population and includes migrant and minority women. The Committee requests the State party to provide data and information on the representation of women, including migrant and minority women, in political and public life, in academia and in diplomatic service, in its next periodic report.

23. The Committee notes with concern the lack of a gender perspective in early childhood education and the overall gender neutrality of the educational curriculum and teaching materials. It further notes with concern the high rate of girls experiencing sexual harassment at school and the lack of adequate training for teachers to address such phenomenon.

24. The Committee requests the State party to undertake a comprehensive curricula review and to introduce gender-sensitive curricula and teaching methods that address the structural and cultural causes of discrimination against women. It also requests that gender issues and sensitivity training be made an integral and substantive component of all teachers' training.

25. The Committee remains concerned about women's disadvantaged situation in the labour market, as reflected in the significant vertical and horizontal occupational segregation between women and men in the labour market. It is also concerned about the persistence of a gender-based wage gap of 20 percent, the predominance of women in fixed-term employment, illegal dismissal of women due to pregnancy and childbirth and the low rate of men who take parental leave.

26. The Committee urges the State party to prioritize the realization of women's de facto equality with men in the labour market, so as to achieve full compliance with article 11 of the Convention. It recommends that the State party take concrete measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and with the Committee's general recommendation No. 25, to eliminate both vertical and horizontal occupational segregation and close the gender-based wage gap between women and men, as well as measures to prevent the practice of illegal dismissal of women in cases of pregnancy and childbirth. Furthermore, the Committee recommends that the State party continue its efforts to ensure reconciliation of family and professional responsibilities and to promote equal sharing of domestic and family tasks between women and men, including by developing incentives to encourage more men to avail themselves of parental leave.

27. The Committee expresses its concern at the deteriorating mental health situation of girls, including depression, eating disorders, and increased alcohol and drug consumption. It is particularly concerned at the high suicide rate among girls.

28. The Committee urges the State party to take the necessary measures to address the deteriorating mental health situation of young girls, to prevent and combat the abuse of alcohol and use of drugs, and to prevent girls' suicide. It also recommends awareness-raising and educational campaigns, in particular through the media, targeted at adolescent girls.

29. The Committee is concerned that immigrant women continue to suffer from multiple forms of discrimination, including with respect to access to education, employment and health services. The Committee is particularly concerned at the high rate of unemployment among immigrant women. It is also concerned that immigrant women may be particularly vulnerable to poverty and various forms of violence, including domestic violence and female genital mutilation, and obtaining employment in jobs that are commensurate with their level of education, experience and qualifications.

30. The Committee calls upon the State party to keep under review and carefully monitor the impact of its laws and policies on women immigrants with a view to taking remedial measures that effectively respond to the needs of those women, including the clear adoption of a gender perspective in the action plan for immigrants. In addition, the Committee calls upon the State party to conduct regular and comprehensive studies on discrimination against immigrant women, to collect statistics on their situation in employment, education and health care and on all forms of violence that they may experience, and to submit such information in its next periodic report.

31. While noting the measures taken by the State party to enhance the awareness of Roma women of their rights and their integration into the Finnish society, the Committee remains concerned that they continue to face multiple forms of discrimination based on both their sex and their ethnic background, including high rate of unemployment, difficulty in accessing to services and discrimination within their own communities.

32. The Committee calls on the State party to implement effective measures to eliminate discrimination against Roma women and to enhance their enjoyment of human rights. It encourages the State party to be proactive in its measures to prevent discrimination against Roma women, both within their communities and in society at large, to combat violence against them, and to increase their awareness of the availability of social services and legal remedies as well as to familiarize them with their rights to equality and non-discrimination. The Committee requests the State party to provide, in its next report, information on the situation of women from ethnic minority groups, including with regard to access to education, employment and health care, and on the impact of measures taken to enhance such access and results achieved, as well as trends over time.

33. While acknowledging the increased supportive measures for Sami women regarding social and health services and the implementation programme drawn up by municipalities together with the Sami council, the Committee is concerned that Sami women continue to face multiple discrimination, including difficulty in accessing adequate health care due to lack of doctors in the Northern part of Finland. The Committee notes in particular the absence of gender perspective in Sami politics and the inadequate political representation of Sami women both in their communities and at the national level.

34. The Committee calls upon the State party to ensure that Sami women are provided with adequate social and health services, including reproductive health services. The Committee requests the State party to ensure that gender perspectives are mainstreamed in all policies and programmes regarding Sami people. It encourages the State party to develop measures to eliminate all forms of discrimination and violence against Sami women, including engaging proactively with the Sami community and

drawing up plans to increase women's representation in both their communities and in Finnish society at large.

35. The Committee is concerned that women with disabilities suffer from multiple forms of discrimination, including with respect to access to education, employment, health care and protection from violence, and that they are not seen as a particular group with particular needs. The Committee regrets the absence of sufficient information and data, including statistical data, on the impact of legislation and policies in the social sector on women with disabilities, as well as the lack of data on violence against those women.

36. The Committee urges the State party to intensify its efforts to eliminate discrimination against women with disabilities, to combat violence against them and to recognize them as a particular group with particular needs. The Committee calls upon the State party to take effective measures to integrate them into the Finnish labour market and to conduct regular and comprehensive studies on discrimination against them, collect statistics on their situation in employment, education and health and on all forms of violence that they may experience and submit such information in its next periodic report.

37. The Committee urges the State party to continue to utilize, in implementing its obligations under the Convention, the Beijing Declaration and the Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.

38. The Committee emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Goals and requests the State party to include information thereon in its next periodic report.

39. The Committee notes that States' adherence to the nine major international human rights instruments¹ enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of Finland to consider ratifying the instruments to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention on the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities.

¹ The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities.

40. The Committee requests the wide dissemination in Finland of the present concluding observations in order to make the people, including Government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women and the further steps that are required in that regard. The Committee requests the State party to strengthen the dissemination, in particular to women's and human rights organizations, of the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

[Follow-up to concluding observations]

[41. The Committee requests the State party to provide, within two years, detailed written information on the implementation of the recommendations contained in paragraph 16 above.]

42. The Committee requests the State party to respond to the concerns expressed in the present concluding observations in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its seventh periodic report, which is due in 2011.
