

**COMMITTEE ON THE
RIGHTS OF THE CHILD**

**WRITTEN REPLIES BY THE GOVERNMENT OF FINLAND CONCERNING
THE LIST OF ISSUES (CRC/C/Q/FIN/3) RECEIVED BY THE COMMITTEE ON
THE RIGHTS OF THE CHILD RELATING TO THE CONSIDERATION OF THE
THIRD PERIODIC REPORT OF FINLAND
(CRC/C/129/Add.5)**

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COMMITTEE ON THE RIGHTS OF THE CHILD
Fortieth Session
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IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD
List of issues to be taken up in connection with the consideration of
the third periodic report of **Finland** (CRC/C/129/Add. 5)

Replies by the Government of Finland
to the
Committee on the Rights of the Child
2 September 2005

Part I

A. Data and statistics, if available

The following statistics only provide detailed answers to part of the questions put forward by the Committee. In some areas there are no disaggregated statistics, whereas in some others they are not available for various reasons. Furthermore, for ethical reasons, there are no statistics (disaggregated) by minorities or ethnic groups.

1. Please provide disaggregated data (by gender, age, minority and indigenous groups, urban and rural areas) covering the years 2002, 2003 and 2004 on the number and percentage of children under 18 living in Finland:

See annex no. 1

2. In light of article 4 of the Convention, please provide additional disaggregated data for the years 2003-2005, on budget allocations and trends (in percentages of the national budget or GDP) regarding the implementation of the Convention, evaluating also the priorities for budgetary expenditures given to the following:

- a) education (different types of education, i.e. pre-primary, primary and secondary education);

Support for public education (million euros)			
Type of Education	2003	2004	2005
Pre-Primary Education	229,71	236,52	253,04
Basic Education	2687,09	2732,94	2828,72
Upper Secondary Education (general)	440,22	438,33	446,61
Upper Secondary Education (all vocational)	217,43	215,16	198,25
TOTAL public	3574,45	3622,95	3726,62
State support for private institutions (all levels)	653,22	684,28	not available
TOTAL education (million EUR)	4227,67	4307,23	
GDP in Finland (billion EUR)	142,5	147	153

- b) child care services, including day care centres;

Expenditure of child care services; including day care centres			
	2003	2004	2005 (estimation)
percentage of GDP	1.17	1.17	1.18

- c) health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children);

Expenses on the vaccination programme			
	2003	2004	2005
EUR million	6.1	11.2	9.4

Vaccination programmes are funded from the state budget. The major part of the allocation is used for purchase of vaccinations for children.

- d) programmes and services for children with disabilities;
-
- e) support programmes for families;
-
- f) support for children living below the poverty line (please also specify the criteria for 'poverty' and indicate the number of children living below the poverty line);
-
- g) the protection of children who are in need of alternative care including the support of care institutions;
-
- h) programmes and activities for the prevention of and protection from child abuse, child sexual exploitation and child labour;
-
- i) juvenile justice;
-
- j) juvenile crime prevention and rehabilitation;
-
- k) other social services.

The expenditure for children and families was EUR 4.169 billion (11,3% of total social expenditure) in 2002 and EUR 4.281 billion in 2003 (11 % of total social expenditure).

Please also indicate the estimated expenses of the private sector, in particular for health and education.

The amount of expenses in the private sector is hard to estimate by the Government. However, the support paid to the private sector is mentioned, where statistics are available (see education).

3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by gender, age, minority and indigenous groups, urban and rural areas) for the last three years on the number of children:

Approximately 59,900 children and young people were covered by child welfare services in 2004. Of them, approximately 14,700 were placed away from their own homes (1.1 % of the population under 18 years).

Following statistical data includes children placed in residential care either based on taking into care decision or on an agreement with the child's parents as a part of the non-residential support services.

Children and young people placed outside of their own homes by gender in 2002-2004			
	2002	2003	2004
boys	7 506	7 580	7 728
girls	6 654	6 784	6 976
total	14 160	14 364	14 704

a) separated from their parents;

Children separated from their parents			
	2002	2003	2004
total	14 187	14 392	14 704
urban	10 657	10 793	11 001
semi-urban	1 769	1 814	1 849
rural	1 761	1 785	1 854
boys	7 506	7 580	7 728
girls	6 654	6 784	6 976

b) placed in institutions;

Children placed in institutions			
	2002	2003	2004
total	5.907	6.335	6.774
urban	4.809	5.088	5.332
semi-urban	573	653	772
rural	525	594	720

c) placed with foster families;

Children placed with foster families			
	2002	2003	2004
total	6.037	5.751	5.553
urban	4.195	4.035	3.910
semi-urban	888	815	781
rural	954	901	862

Children placed in so-called professional family homes			
	2002	2003	2004
total	2.243	2.306	2.377
urban	1.653	1.670	1.759
semi-urban	308	346	346
rural	282	290	272

d) adopted domestically;

Children adopted domestically			
	2002	2003	2004
	205	165	207

e) adopted internationally.

Children adopted internationally to Finland			
	2002	2003	2004
Country			
China	64	61	133
Russia	53	26	41
Thailand	45	64	36
South-Africa	17	23	24
Colombia	37	37	22
Philippines	7	12	12
Ethiopia	11	6	7
India	1	6	8
Estonia	6	2	4
Poland	5	1	2
TOTAL	246	238	289
gender			
girls	130	119	147
boys	116	119	142
age			
under 1	55	52	96
1	65	59	94
2	54	69	46
3	31	26	14
4	13	12	17
5	12	10	7
6 and over	16	10	15
TOTAL	246	238	289

4. Please specify the number of children with disabilities, disaggregated by gender and age, covering the years 2002, 2003 and 2004:

Statistics on children are not compiled according to disability as such. However, a disabled or ill child under 16 years of age can receive additional childcare allowance for the special costs caused by the care or the rehabilitation the child needs. Child care allowance is granted only for children under 16 years of age.

Children receiving special childcare allowance on the basis of a disability or illness			
	2002	2003	2004
girls	14 964	15 845	not available
boys	24 209	25 609	
TOTAL	39 173	41 454	

Children with disabilities			
	2002	2003	2004
6 years	1 514	1 502	1 462
7-12 years	19 843	21 163	22 598
13-15 years	12 280	13 777	15 362

16 years	380	397	376
TOTAL	34 017	36 839	39 798

Children with disabilities			
girls	32 %	32 %	33 %
	10 885	11 788	13 133
boys	68%	68%	67%
	23 132	25 051	26 665

a) **living with their families;**

Children with disabilities usually live with their parents.

b) **in institutions;**

Children with disabilities usually live with their parents. However, to certain degree, children with severe intellectual disabilities live in institutions or housing units with 24-hour assistance. Approximately 8 % of people living in institutions and 3 % people living in housing units are minors.

Intellectually disabled children under 18 years of age living in institutions for people with intellectual disabilities			
	2002	2003	2004
girls	87	88	84
boys	111	119	125
TOTAL	198	207	209
Intellectually disabled children under 18 living in smaller housing units for people with severe disabilities with 24-hour assistance			
	2002	2003	2004
girls	41	37	43
boys	85	73	83
TOTAL	126	110	126

c) **attending regular schools;**

Children with disabilities attending regular school			
	2002	2003	2004
	23 168	26 378	29 755

d) **attending special schools;**

Children with disabilities attending special school			
	2002	2003	2004
	10 849	10 461	10 043

e) **not attending any school.**

Children with disabilities not attending any school		
compulsory education	2002	2003
delayed	1 527	1 429
neglected	63	79
TOTAL	1 590	1 508
total amount of pupils		597 414

Furthermore, there were 158 pupils who had passed the age of compulsory education and received a certificate of resignation from basic education; 98 pupils resigned without a certificate. Because the number is so small, the statistics do not divide these pupils into specific groups.

5. Please provide information on the number of children abducted from or to Finland.

Finland is a party to two international conventions which aim at restoring abducted children to other Contracting States:

- the Convention on the Civil Aspects of International Child Abduction, i.e. the Hague Child Abduction Convention (Treaty Series 57/1994), and
- the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children, i.e. the Council of Europe or Luxembourg Convention (Treaty Series 56/1994),

The provisions on child abduction are included in the Child Custody and Right of Access Act (361/1983, amended 186/1994).

Child abduction matters are dealt with by two separate authorities. When the child is taken to a Contracting State to the Hague Child Abduction Convention, the competent authority is the Ministry of Justice, in other cases the Ministry for Foreign Affairs. However, in some cases the whereabouts of the child are not known and both authorities are involved. Therefore the statistics can be somewhat overlapping at times.

Children abducted to and from Finland				
Country	Cases pending	Number of new cases in 2004-2005	Number of children involved	Concluded in 2004-2005
unknown	1		1	
unknown	1		1	
Iraq	1	(1 in 2005)	1	
Egypt	1		1	
Tunisia	1		2	
Tunisia	1		1	
Morocco	1		1	
Russia	1		1	
Russia	1		1	
Russia		1	1	
France		1	1	
Israel		1	1	
India		1	1	(1 in 2005)
Total	9	4 (+1)		1
Pending to non contracting states		13 (+1)	14	
Pending to contracting states		10	10-14	
Total abducted from Finland			24-28	
Total abducted to Finland			3-5	

Additional information on child abductions can be found in www.om.fi/9604.htm, a guide book provided by the Ministry of Justice

6. With reference to child abuse, please provide disaggregated data (by age, gender, minority and indigenous groups and types of violations reported) covering the years 2002, 2003 and 2004 on the:
- a) number of reported cases of child abuse;

Reported cases of child abuse			
	2002	2003	2004
Sexual abuse and aggravated sexual abuse of a child	625	744	846

- b) number and percentage of reports which have resulted in either a court decision or other types of follow-up.

Reports resulting in a court decision			
	2002	2003	2004
Sexual abuse of a child	123	125	not available
punishable attempt	6	4	
Aggravated sexual abuse of a child	24	32	
punishable attempt	1		
TOTAL	154	161	

7. Please provide disaggregated data (including by gender, age, minority and indigenous groups, urban and rural areas) covering the years 2002, 2003 and 2004 on:
- a) the enrolment and completion rates in percentages of the relevant group in pre-primary schools, in primary schools and in secondary schools;

In the statistics pupils are not separated by ethnic background.

Roma children

According to a survey by the National Board of Education, 859 Roma pupils were attending school in 2000-2001, out of which 41 pupils (c. 5 %) dropped out of school that year. In 2002 instruction of Roma as mother tongue was provided for 234 pupils in nine municipalities.

The Sámi languages in education

Just above one half of the Sámi people speak one of the three Sámi languages, North Sámi, Inari Sámi and Skolt Sámi. In Finland, Sweden and Norway, the principal language is North Sámi, which is spoken by approximately 70 per cent of all Sámi-speaking people.

The Sámi language can be studied in basic and upper secondary education within the Sámi area as mother tongue or as an optional language. In addition, Sámi can be the language of instruction in basic education. The right for instruction in one's own language is materialised in all lower-level comprehensive schools in the Sámi area. The amount of instruction given in the Sámi language to the pupils attending Sámi-language instruction has increased especially in Inari and Enontekiö. The predominant Sámi language is North Sámi, but the schools in the municipality of Inari offer instruction of Inari and Skolt Sámi as well. The number of pupils attending instruction given in the Sámi language has increased up to last school year.

The Sámi Parliament is granted 253,000 euros a year for the production of study material.

Instruction in and of the Sámi language		
	instruction given in Sámi language	instruction of the Sámi language
1982	64	337
1983	43	307
1984	58	375
1985	53	405
1986	66	425
1987	59	364
1988	67	440
1989	86	557
1990	90	590
1991	76	553
1992	94	552
1993	109	597
1994	114	625
1995	113	602
1996	115	571
1997	115	593
1998	114	602
1999	135	574
2000	154	533
2001	143	500
2002	141	477
2003	151	498

Sámi (also Inari Sámi) can be chosen as a foreign language (since 1980) or as the mother tongue (since 1994), in which case Finnish can be chosen as a second language or a mother tongue-like language.

Inari Sámi language in the matriculation examination			
	2001	2002	2003
as mother tongue	4	10	2
as foreign language	16	12	17

General education statistics

Enrolment rate in primary and lower secondary school in 2002-2004					
Class level	Total number 2002/ percentage of all of the age group	girls	Total number 2003/ percentage of all of the age group	girls	Total number 2004
pre-primary	n.a. / 94 %	5 839	55 068/ 96,2 %	5 813/ 10 %	n.a.
1	63 574/ 99,5 %	30 869/ 48 %	61 300/ 99 %	29 813/ 48 %	59 823
2	65 465/ 99,5 %	32 028/ 48 %	63 720/ 99 %	30 946/ 48 %	61 309
3	65 133/ 99,5 %	31 924/ 48 %	65 072/ 99 %	31 893/ 48 %	63 444

	99,5 %	49 %	99 %	49 %	
4	66 852/ 99,5 %	32 518/ 48 %	65 087/ 99 %	31 887/ 48 %	65 040
5	65 771/ 99,5 %	32 237/ 49 %	66 894/ 99 %	32 568/ 48 %	65 156
6	65 973/ 99,5 %	32 190/ 48 %	65 861/ 99 %	32 344/ 49 %	67 013
7	64 420/ 99,5 %	31 397/ 48 %	66 428/ 99 %	32 415/ 48 %	66 227
8	64 619/ 99,5 %	31 661/ 48 %	64 570/ 99 %	31 535/ 48 %	66 641
9	61 578/ 99,5 %	30 106/ 48 %	64 587/ 99 %	31 675/ 49 %	64 546
extra class	1 605	785/ 48 %	1 461	735/ 50 %	1 614
TOTAL	597 356/ 99,5 %	291 554/ 48 %	593 148	291 624/49 %	580 813

Enrolment rate after lower secondary school: (% from total generation/from which females)			
	2002	2003	2004
Upper secondary school (general)	55 % / 57,9 %	55 % / 57,5 %	not available
Upper secondary school (vocational)	37 % / 49,1 %	37 % / 49,5 %	
Extra class (10th grade)	2 % / n.a.	2 % / 50,0 %	
Did not continue studies immediately	6 % / n.a.	6 % / n.a.	

Enrolment rate after upper secondary school (general)			
	2002	2003	2004
Vocational school	4 %	4 %	not available
Polytechnic	16 %	15 %	
University	19 %	19 %	
did not continue immediately	61 %	62 %	

Number of students from countries other than Finland			
	2002	2003	2004
Upper secondary education (general)	1,5 % (1815)	1,6 % (1891)	not available
Upper secondary education (vocational)	2,7 % (4550)	2,8 % (4878)	
TOTAL	6 365	6 769	

Enrolment rate by students of foreign origin, upper secondary education (general)			
	2002	2003	2004
EU countries	0,2 % (189)	0,2 % (425)	not available
Sweden	0,1 % (109)	0,1 % (242)	
Russia	0,6 % (630)	0,5 % (658)	
Estonia	0,3 % (281)	0,2 % (292)	
Africa	0,2 % (119)	0,1 % (139)	
North-America	0,0 % (22)	0,0 % (13)	
Latin America and Karibia	0,0 % (8)	0,0 % (13)	
Asia	0,2 % (271)	0,3 % (331)	
China	0,0 % (16)	0,0 % (32)	
Oceania	0,0 % (3)	0,0 % (5)	
Unknown	0,1 % (104)	0,0 % (56)	
TOTAL			

Enrolment rate by students of foreign origin; upper secondary education (vocational)			
	2002	2003	2004
Europe	1,8 % (3053)	1,9 % (3311)	
EU countries	0,2 % (380)	0,2 % (425)	not available
Sweden	0,1 % (206)	0,1 % (425)	
Russia	0,9 % (1579)	1,0 % (1699)	
Estonia	0,5 % (764)	0,5 % (803)	
Africa	0,3 % (479)	0,2 % (426)	
North-America	0,0 % (20)	0,0 % (26)	
Latin America and Karibia	0,0 % (54)	0,0 % (52)	
Asia			
China	0,3 % (538)	0,4 % (638)	
Oceania	0,0 % (3)	0,0 % (8)	
Unknown	0,2 % (403)	0,2 % (417)	
TOTAL			

Completion rate of all the students ** from all who graduated that percentage were females			
	2002	2003	2004
Pre-primary school	94 %	96,2 %	not available
Primary school	99,5 %	99 %	
Lower secondary school	99,5 %	99 %	
Upper secondary school (general)	79 % (58,9 female**)	80 % (58,7 % fem**)	
Upper secondary school (vocational)	62 % (53 % female**)	66 % (51 % female**)	

Upper secondary education (general) completion rate by age in 2002				
Age group	Total number of completion	Total percentage	female	percentage of females of all completion
up to 17	1	0,0 %	1	100%
18	359	1,0%	233	64,9
19	28 293	78,1%	16 814	59,4 %
20	5 574	15,4 %	3 004	49,8 %
21	627	1,7 %	312	49,8%
22 and older	1 370	3,8 %	947	69,1 %
TOTAL	36 224		21 311	

Upper secondary education (general) completion rate by age in 2003				
Age group	Total number of completion	Total percentage	female	percentage of females of all completion
up to 17	5	0,0 %	4	80,0 %
18	420	1,2 %	264	62,9 %
19	27 499	78,2 %	16 263	59,1 %
20	5 208	14,8 %	2 833	54,4 %
21	684	1,9 %	347	50,7 %
22 and older	1 366	3,9 %	931	68,2 %
TOTAL	35 182		20 642	

b) rates of literacy under 18 years old;

Literacy rate in Finland is 99 %.

c) rate of children completing primary and secondary school;

Children completing primary and secondary education			
	2002	2003	2004
Primary school	65 973	65 861	67 013
Lower secondary grades 7-9 and 10	61 450	60 831	
Upper secondary education (general)	36 224	35 182	
Upper secondary education (vocational)			

d) number and percentage of drop-outs and repetitions;

Number and percentage of drop-outs			
	2002	2003	2004
Upper secondary school (general)	2581 / 2,2 %	2147 / 2,0 %	not available
Upper secondary school (vocational)	12050 / 10,8 %	11855 / 10,2 %	
Polytechnic	7048 / 6,0 %	7807 / 6,2 %	
Universities	6608 / 4,8 %	6257 / 4,5 %	
Repetition rate in primary education (c. 1 700 children/year) and lower secondary education (c. 1 100 children/year) is approximately 1 % .			

e) teacher per child ratio;

Child per teacher ratio			
	2002	2003	2004
Pre-primary education	12,7	not available	not available
Primary education	15,8		
Lower secondary education	10,6		
Upper secondary education	16,0		
Tertiary education	12,6		

f) number of children attending school abroad.

Children attending primary and lower secondary school abroad			
	2002	2003	2004
	492	578	not available

8. Please provide disaggregated statistical data (including by gender, age, minority and indigenous groups, urban and rural areas) on early pregnancy, sexually transmitted infections (STIs), mental health problems (e.g. suicide rates, eating disorders, depression), drug use, alcohol and tobacco abuse covering the years 2002, 2003 and 2004. Please also provide numbers of health professionals working in the health care services for children.

Early pregnancies and abortions (per one thousand girls of the same age)			
	2002	2003	2004
15-17 years			
births	3.8	3.3	3.3
abortions	11.9	11.6	11
18-19			
births	21.6	20.3	21.2
abortions	20.8	19.7	21.7
15-19			
births	11.2	10.4	10.6
induced abortions	16.2	15.3	15.7

Source: National Research and Development Centre for Welfare and Health, STAKES

Sexually transmitted infections							
		2002		2003		2004	
	age	B	G	B	G	B	G
Chlamydia trachomatis	0-14	7	72	7	62	8	65
	15-19	807	3 102	711	2 796	762	2 712
total		814	3 174	718	2 858	770	2 777
Neisseria gonorrae	0-14	1	0	0	0	0	2
	15-19	7	7	5	5	17	10
total		8	7	5	5	17	12
Treponema pallidum (syphilis)	0-14	3	2	1	1	1	0

	15-19	4	2	1	1	0	0
total		7	4	2	2	1	0
overall total		829	3 185	725	2 865	788	2 789

Source: National Public Health Institute, Communicable diseases register

Suicide rates among 10-19 year-olds/100,000 inhabitants				
	1995	2000	2002	2003
boys	13.1	10.5	8.4	12.3
girls	1.9	4.1	1.9	3.5

Source: Nomesco (Nordic Medico-Statistical Committee)

Less serious or serious depression (self-reported, based on a questionnaire)				
	2002		2004	
age	B	G	B	G
14-15	7.7	15.8	8.2	16.9
16-17	6.9	12.7	7.5	12.7

Experimented with illegal drugs at least once (self-reported, based on questionnaire)				
	2002		2004	
age	B	G	B	G
14-15	11.7	10.1	9.3	8.5
16-17	18.5	16.9	16.5	14.9

Seriously intoxicated at least once a month (self-reported, based on questionnaire)				
	2002		2004	
age	B	G	B	G
14-15	21.8	18.1	23.0	22.0
16-17	28.8	18.2	34.8	25.8

Daily smokers (self-reported, based on questionnaire)				
	2002		2004	
age	B	G	B	G
14-15	22.9	21.7	18.5	18.9
16-17	18.2	20.6	14.5	16.8

Source: National results of the school health questionnaires in 1999-2004, Themes 12/2005, National Research and Development Centre for Welfare and Health (wellbeing indicators)

9. Please provide disaggregated statistical data (including by gender, age groups, minority and indigenous groups, urban and rural areas) on children infected or affected by HIV/AIDS.

Children infected by HIV/AIDS Cumulative figure by July 11, 2005			
age	boys	girls	total
0-14	9	11	20
15-19	13	15	28

HIV infections. Age of the infected person in the year the infection is diagnosed									
Cases reported by 11 July 2005									
	Reported infections			Manner of infection					
Age group	Total	Women	Men	Homosex	Heterosex	Blood products*	IV drugs	From mother to child	No data
	1818	454	1364	602	639	14	304	12	240
<1	4	2	2	0	0	0	0	4	0
1-4	8	5	3	0	0	0	0	4	4
5-9	5	3	2	0	0	0	0	4	1
10-12	1	1	0	0	0	0	0	0	1
13-14	2	0	2	0	0	0	0	0	2
15-19	28	15	13	3	11	1	6	0	6
20-24	195	83	112	54	76	1	42	0	22
25-29	349	104	245	125	123	1	54	0	46

Source: National Public Health Institute, Communicable diseases register

10. Please provide appropriate disaggregated data (including by gender, age and type of crime) covering the years 2002, 2003 and 2004, in particular on the number of:

a) persons below 18 who have allegedly committed a crime, reported to the police;

Children under 15 years of age are not criminally liable according to the legislation and therefore they are not subject to criminal proceedings. See annexes nos. 2-3

b) persons below 18 who have been sentenced and type of punishment or sanctions related to offences including length of deprivation of liberty;

Courts of first instance:			
sentences of imprisonment imposed on persons between 15 -17 by type, total amount and average length of sentence			
Type	2002	2003	2004
sentences total	999 /4,4 months	888/ 3,4 months	not available
unconditional sentences total	101/ 15,2 months	71/ 9,3 months	
imprisonment	55/ 25 months	43/ 13,3 months	
community service	46/3,4 months	28/ 3,2 months	
conditional sentences total	898/ 3,2 months	817/ 2,9 months	

Courts of first instance:			
summary penal judgements and fines imposed on persons between 15-17 by average number of day fines and their average monetary amount (EUR)			
Type	2002	2003	2004
sentences total	11 481/ 16/ 6,00	11 977/ 15/ 6,00	not available
sentences at trial	3 185/ 30/ 6,10	3 063/ 30/ 6,10	
summary penal judgements	8 296/ 10/ 6,00	8 914/ 10/ 6,00	

Juvenile punishments			
Type	2002	2003	2004
total amount as principle sanction	34	40	28
average length of juvenile service in hours	39,4 h	35,6 h	not available

c) **persons below 18 who have been tried as adults;**

Persons under 18 years of age cannot, according to the legislation, be tried as adults.

d) **detention facilities for juvenile delinquents and their capacity;**

There are six penitentiaries that contain separate departments for young offenders. The capacity of the departments is not pre-defined.

e) **persons below 18 detained in these facilities and minors detained in adult facilities;**

No convicted minors are being held in adult facilities. In average, there are 4-5 minors at any given time that have been sentenced to prison.

f) **persons below 18 kept in pre-trial detention and the average length of their detention;**

See annex no. 4

g) **reported cases of abuse and mistreatment of children occurred during their arrest and detention.**

No reported cases.

11. With reference to special protection measures, please provide statistical data (including by gender, age, minority and indigenous groups, urban and rural areas) covering the years 2002, 2003 and 2004 on:

a) **the number of children involved in sexual exploitation, including prostitution, pornography and trafficking and the number of those children who were provided access to recovery and reintegration services;**

Children as victims in the cases involving sexual abuse and rape.			
Type	2002	2003	2004
sexual abuse	635	744	791
rape	551	579	n.a.
total	1186	1323	

The number includes all the suspected cases irrespective of whether the suspicions were confirmed or not.

According to the Finnish Plan of Action against Trafficking in Human Beings the possibility of child exploitation in the form of trafficking in minors cannot be rule out in Finland. Unaccompanied minor asylum seekers are considered particularly vulnerable to child trafficking. It is conceivable that child exploitation in the form of child trafficking occurs also in Finland. It is, nevertheless, certain that Finland is a country of transit for trafficking in children.

b) **the number of children involved in substance abuse and the number of those children who received recovery and reintegration services;**

Drug abusers are relatively young in Finland; almost one half of them are aged under 25 year of age. The questionnaire however obviously refers to children, i.e. those under 18 years of age. There are no specific statistics on minors, but in the age group those under 25 years of age, illegal drugs (mainly cannabis) have been experienced with by more than 20 per cent.

In 2003, 80 per cent of children under 18 years of age had consumed alcohol during the previous year, 70 per cent had smoked cigarettes occasionally, cannabis had been experimented with by 11 per cent and other drugs by 3 per cent. Eight per cent reported to have experimented with inhalants (sniffing thinner etc.) and 6 per cent with medicines (ESPAD 2003 study).

In 2003 there were 130 clients under 20 years of age in the service centres for alcohol abusers, 2.130 in youth centres and 340 in rehabilitation facilities. Hospital treatment periods in this age group were in total of 2 750, out of which the main diagnosis was alcohol in 930 cases, prescription medicines in 1 180 cases and illegal drugs in 640 cases.

- c) the number of migrant unaccompanied minors, asylum-seeking, refugee children, as well as the number of children awaiting expulsion;

Migrant minors					
	2001	2002	2003	2004	2005 (1-6)
migrant unaccompanied minors	34	70	110	140	99
decisions on asylum (same year application)			78	55	22
processing time	target time 6 months in average				2,8 months

- d) the number of children involved in labour who are under 16;

Children involved in labour		
2004	15 years of age	16 years of age
total	70 400	64 400
belonging to labour force	9 600	14 200
actually working	6 100	9 100

B. General Measures of Implementation

1. The Committee would appreciate receiving information on intended or planned activities related to recommendations contained in the Committee's previous concluding observations (CRC/C/15/Add.132 of 16 October 2000) on the second periodic report of Finland (CRC/C/70/Add.3) which have not yet been fully implemented, in particular those contained in the following paragraphs.

Paragraph 11-12 (coordinated policy relating to children);

Family and Social Affairs Department

The structure of the Ministry for Social Affairs and Health has been reorganised and the family matters have been transferred to a separate Family and Social Affairs Department. The matters relating to family policy, well-being of the children, early education, child protection and international adoption are dealt within the Family unit of the department. The department also includes a separate Advisory Board for Early Childhood Education and Care, having as its responsibility to coordinate activities in the field of early education, submit proposals for reforms and follow the international developments in this field. The Advisory Board consists of experts representing various bodies working to enhance the wellbeing and early education of children, such as state and local authorities, educational institutions, other professionals and non-governmental organisations.

Ombudsman for children

Finland has established the post of an Ombudsman for Children and the first national Ombudsman for Children has taken office on 1 September 2005. The Ombudsman for Children and her Office operate in conjunction with the Ministry of Social Affairs and Health as an independent authority. The Ombudsman for Children is assisted by a broad-based Advisory Board with a maximum of 16 members, who represent different authorities, NGOs and other stakeholders. Also the regional and local levels are represented in the Advisory Board. The Ombudsman for Children is appointed for five years at a time and the same person can be appointed for a maximum of two terms.

The task of the Ombudsman for Children is to influence national politics so that the child's rights and best interest are sufficiently taken into account. The Ombudsman for Children is also a central authority in promoting the implementation of the United Nations Convention on the Rights of the Child. The objective in establishing the post of an Ombudsman for Children and the Advisory Board is to enhance the realisation of the child's status and rights in all the administrative fields as well as to improve the cooperation between different authorities and other stakeholders.

Experts from different administrative fields will be temporarily assigned to the Ombudsman's Office so that the Ombudsman for Children will have access to expertise in the different Ministries.

The tasks of the Advisory Board include reinforcing the child's status in the society and enhancing more child-friendly attitudes in the society, and ensuring that information about the child's status and rights is available.

Paragraph 15-16 (Budgetary allocations);

The Finnish municipalities have the obligation to provide statutory social welfare and health care services. The municipalities receive central government transfers for the expenses of organising the services. The central government transfers are general transfers, which are computationally determined with parameters describing the circumstances and inhabitants in the municipalities and not strictly on the basis of the measures a municipality has taken with regard to social welfare and health care.

The municipal inhabitants have the right to the statutory social welfare and health care services. As clients of social welfare and health care services, the inhabitants may always get an outsider's assessment of whether the services provided by the municipality are adequate in relation to the obligations prescribed in law. Clients have the chance to appeal a municipal decision concerning services, and in certain cases, bring action against a municipality for neglecting its statutory obligations.

Majority of the legislation in the field of social welfare and health care is framework legislation without any specific and detailed provisions on the contents of services. Several sectors in the field of social welfare and health care have launched a new kind of quality steering where different kinds of recommendations are used to steer municipalities to better meet the clients' needs. At the same time, the clients get a benchmark for the requirements on the contents of services.

Through national development programmes on social welfare and health care, municipalities aim at establishing a permanent restructuring of services as well as uniform activities in the different sectors. During 2005–2007, the State will allocate a total of EUR 110 million to different kinds of development projects in the field of social welfare and health care in order to support the restructuring of services and the development of the contents of services equitably throughout the country.

With regard to children with disabilities, there is a separate project on case management and service coordination for supporting the families of children with disabilities or long-term illnesses. The

project uses case management to bundle up the support and services the client needs from different service providers and to create an entity of services that best serves the client in his/her life situation. This new working method is based on a client-oriented approach, especially with regard to long-term client groups that need a variety of services.

Paragraph 21-22 (training and dissemination of the Convention);

The Convention on the Rights of the Child is included in the National Core Curriculum for Basic Education. In basic education the rights of children are dealt with in an integrated way through cross-curricular themes. These themes are essential focus areas of educational work, the objectives and contents of which are included in several subjects. Cross-curricular themes help to unify education and instruction, and they are also a means to respond to the educational challenges of today.

The opportunities of children to participate and contribute are developed as part of the national Civil Participation Policy Programme. The objective is to support growing up into active and democratic citizenship according to the principle of life-long learning. In autumn 2005 the Ministry of Education will launch a project related to the Civil Participation Policy Programme. The name of this project translates as "Participating student - Communal school", and its objectives are to support the development of various municipal systems of contribution for children and young people, to construct networks of activity and cooperation, to develop cooperation with authorities, to develop the communal working culture of schools, to develop student association activities, to provide national and regional education as well as supplementary education for personnel, and to produce support material.

It is a question of a pedagogic guidance system in which student association activities become part of the municipal system of participation and contribution for children and young people. The challenge is to establish the participation of pupils and students in the planning, implementing, and assessing of the operation of schools as part of the working culture of schools. The objective is to establish the practise in at least 100 municipalities by 2008.

The Ministry of Education provides funding for further and supplementary education for education personnel on the significant focus areas in terms of education policy, in the realms of the annual allocation in the government budget. One of the focus areas is the development of subject and theme-specific skills and the basics of learning.

Paragraph 33-34 (support to families with children);

The present Government, in office since 2003, has increased the current transfers relating to family policy for the first time since the mid-1990s. The family allowance given to all families with children has been raised from the beginning of 2004. In addition, also the allowance allocated to children in single-parent families has been raised. Child home care allowance, the economic benefit for parents who stay at home to look after their children under the age of three, was raised from the beginning of 2005 and, at the same time, the minimum amount of maternity and parental allowances was raised.

The Government is at present preparing measures to allocate additional funding to families with the most limited means and families that are in the greatest risk of marginalisation. The Government has appointed a separate working group to review the development of the subsistence of families with children in the 1990s and the early 2000s. Based on the review, the working group will propose legislative reforms for ensuring adequate subsistence to all families with children. The implemented and planned measures aim at preventing an increase of the poverty rate of children, which at the moment is relatively low, as well as a deterioration of the subsistence of families with children.

Paragraph 35-36 (placement of children in alternative care);

The number of clients in child welfare has increased year after year and this is reflected also in the increasing number of children in substitute care. Children are placed outside the home only after a long period in community care, often in situations where the child's well-being has been under a threat for a long time. Consequently, children could be placed outside the home earlier than is the case at the moment. Duration of the placement depends on the family's difficult and long lasting problems, from which it can take years to recover – if recovery is at all possible. It is in the child's best interests that parents receive rehabilitation and that the biological parents can stay in contact with the child during the placement outside the home.

The Development Programme on Child Welfare (2004–2007) carried out by the Ministry of Social Affairs and Health aims at influencing the entire child welfare process so that support interventions in community care become more planned, systematic and more family-supportive. If a prolongation of problems can be prevented, long-term placements of children outside the home could be avoided. Support interventions in community care require effective methods to deal with the child and the entire family, since this is a way to prevent an increase in the number of substitute care clients. The Development Programme is at present improving methods of taking a child into care: tools for better implementation alternative forms of care are being investigated so that in the process the rehabilitation of the parents could be intensified. Well-planned measures are needed even after a child has been placed outside the home. The Development Programme also deals with substitute care separately with the aim of developing the quantity and quality of substitute care. There is a need for new forms of substitute care where rehabilitative methods can be used to shorten the length of substitute care. It has become more common that children have multiple problems and, therefore, their needs with regard to substitute care are more varied.

Alongside the Development Programme, a total reform of the Child Welfare Act is under way with the aim of reinforcing support interventions in community care with legislative means as well as improving the entire child welfare process with regard to child welfare staff and especially the services provided to the clients.

The Child Welfare Act is being revised, see Part III below.

Paragraph 37-38 (family reunification);

Under the Aliens Act, children who have been issued a residence permit on the basis of refugee status, need for protection or temporary protection, has the right to family reunification without the requirement for means of support being applied, provided that the other conditions for family reunification are met. The family members of minors who have been issued a residence permit on the ground of individual humanitarian reasons, may also be issued a residence permit within the framework of family reunification. The provisions of the Aliens Act still require means of support in respect of family members, but this requirement may be derogated from pursuant to section 39, subsection 1. The latter provision contains an explicit reference to the best interests of the child. In this respect, the existing provisions make it possible to facilitate the entry into the country of family members of minors. In respect of siblings of minors who have arrived into the country alone, there is no requirement of adequate subsistence (section 52, subsection 4 - situations where the parents are no longer alive or their whereabouts are unknown). Persons who have been given a temporary residence permit because they cannot be removed from the country (under section 51) have no right to family reunification.

When the bill for the enactment of the new Aliens Act was prepared, the question was raised whether the family reunification of an unaccompanied minor should primarily take place in his or her country of origin or permanent residence or in Finland, in cases where it may be considered to be safe for the child to return and the child's parents or other custodians have been found. In the same way as decisions on asylum, the decisions on residence permit based on family reunification require an overall assessment of the family situation, to ensure that the decisions made are in the

best interests of the child. Once the whereabouts of the child's parents have been found out and it has been made sure that the child may safely return, the family reunification shall be implemented in the country where the parents reside. However, the family reunification may also take place in Finland if it is in the best interests of the child. In such a case, the length of the child's residence in Finland, school attendance in Finland and other factors speaking in favour of family reunification in Finland are taken into account.

The provisions on DNA tests are included in sections 65 and 66 of the Aliens Act. The use of DNA tests for the purposes of family reunification is often necessary in those cases where there is no written documents proving the family ties or no other reliable evidence that may be obtained e.g. by the hearing of the persons concerned. Examples of such cases include those where the child applying for family reunification in Finland is very young and those where the parties concerned provide contradictory information on the family ties.

The average length of processing the applications of refugees or other persons in a comparable situation for residence permit on the basis of family ties was 9.1 months in respect of decisions given between January and June 2005 (including all the relevant authorities). In 2004, the average length was approximately 24.7 months. There are no separate statistics available on those cases where the family reunification has been applied for by a child residing in Finland. The Directorate of Immigration has set an objective of further reducing the time spent on the processing of applications of refugees for family reunification.

Paragraph 39-40 (violence against children, including sexual abuse);

Prevalence of physical abuse

There is no exact information on all cases of abuse of children in the criminal statistics since the acts have not been grouped according to the age of the victim. Fatal violence against children has markedly decreased since the 1950s. One cause for this change has been the diminishing age groups, but violence has reduced in relative terms. At the end of 2001 there were less than 914,000 children aged under 15 years in Finland. Five – four boys and one girl – died as a result of murder, homicide or other deliberate act of violence. Parents were the offenders in three cases. (Statistics on cause of death 2001)

Children dead as a result of violence between 1950-1999					
per 100 000 children					
Age	1950-1959	1960-1969	1970-1979	1980-1989	1990-1999
under1	16,8	11,4	6,6	4,6	2,6
1-4	1,3	0,8	0,9	0,9	0,8
5-9	0,9	1,0	0,7	0,5	0,4
10-14	0,7	0,4	0,3	0,5	0,6
15-19	1,3	1,1	2,0	1,7	1,3

(Source: Rikollisuustilanne 2000, Oikeuspoliittinen tutkimuslaitos).

Prevalence of sexual abuse

In 2002 – 2004 on average 375 sexual offences against minors came to the knowledge of the police per year. The number of offences varied from 265 to 774 cases. In 2002, the number of such cases was 560.

Helping the victims of sexual abuse

In 2003, a renewed guidebook was published for social welfare and health authorities to ensure detection, investigation and adequate treatment of child victims of physical abuse and sexual exploitation.

The main recommendations contained in the guidebook were:

- The suspected cases should be reported to the child welfare authorities who in turn report them to the police. (According to the Finnish law, there is no obligation to report

crimes, nor is it clear if the health authorities would have the mandate to make such a report directly to the police; however reporting to child welfare authorities is mandatory for social, health and school personnel)

- There are recommendations for collection of data from the parents, guidelines on the physical examination of the child as well as a model form for interviewing the child. The interview has to be videotaped.
- The investigations asked by the police should be made merely in central hospitals or in such big child guidance and family counselling centres which have psychologists, social workers and medical doctors trained in this field.

The guidelines have been very well received and they have unified the procedures over the field. There still are problems with the resources to investigate the suspected cases.

Almost all sexually abused child victims receive therapeutic treatment, mostly in child guidance and family counselling centres, hospitals or other institutions.

The National Research and Development Centre for Welfare and Health, STAKES, is conducting a two-year training programme (2004-2005) for the development of the therapy of children and adolescents who have been sexually abused. The programme is divided into two groups: a) for 16 psychotherapists who are treating sexually abused children and abusing youngsters, and b) for 105 other persons working in social and health care institutions where the personnel meet such children.

Prevention of abuse

There are many features in Finnish culture that obviously tend to reduce child abuse and sexual abuse, such as

- the high general level of education and literacy;
- women's independence and high employment rate, which involve possibilities and give self-confidence to object to tyranny at home;
- uniform culture and the relatively high morals of the media;
- sauna culture, which reduces tensions related to nakedness; and
- tolerant sexual climate, in which it is possible to obtain matter-of-fact information about sexual matters and openly mix with persons of the other sex..

In Finland, there are several channels of preventive social and health care: the network of maternity and child health clinics and child guidance and family counselling centres covering the whole country and pupil welfare at schools, as well as many social welfare and health care NGOs. From the point of view of families, elements that are essential to the prevention of abuse and sexual abuse include information directed to parents on child development and upbringing, various types of support for families in crises, as well as reliable information on sex life given in schools and the media.

Lasten turvataito – Safety skills for children is a Finnish programme to prevent violence against children. Its purpose is to prevent that children are subjected to physical, psychological or sexual violence. The programme has been developed inspired by the British *Kidscape* programme since 1991. Its operational model and teaching material have been developed in multi-professional co-operation, with representatives of child day care, schools, pupil welfare, child guidance and family counselling centres, health care, youth services, child welfare, the police and the services for substance abusers.

A central part of the Safety skills programme is the *safety skills education* provided for children. It strengthens children's self-appreciation and self-confidence and promotes their interaction skills and good relations with friends. This education promotes in particular children's skills to protect themselves in situations where they are tried to be bullied, harassed or treated violently. The purpose is to encourage children to learn life skills starting from their own experiences, needs and interests.

They are encouraged to ponder themselves different issues and to seek solutions together with other children.

Safety skills education is provided in schools, child day care, parishes' work for the welfare of children, hobby circles and care institutions for children. It is pondered together with parents how the safety of children can be promoted in the own area and how to act in situations in which there are suspicions about abuse or sexual abuse of a child. Homes are involved in the work for strengthening children's safety skills and planning the related education through homework, written information and discussions.

The experiences and feedback from safety skills education from children, parents and others concerned have been exclusively positive and encouraging. Children have benefited from the teaching, and adults' skills in coping with situations where there are suspicions about violence have been strengthened. There have been no overreactions or false accusations that had been feared. The aim is that in the future this education should be included in schools' and day care centres' curricula and pedagogical plans as a part of the teaching in health education.

Paragraph 51-52 (asylum-seeking and refugee children);

Processing of applications of unaccompanied minors applying for asylum

The Directorate of Immigration interviews all the asylum-seekers concerning the grounds on which they are applying for asylum. As of the spring of 2005, when the organisation of the Directorate of Immigration was changed, the interviews of minors now take place in the same place. Children at school age are usually interviewed on the premises of the Directorate. Children under or over school age are interviewed, on a particular request made by a social worker, at the reception centre (group home) where the child resides. In case the interview takes place at a group home, an official of the Directorate of Immigration and a police officer shall go to the group home where the police officer shall first verify the child's identity, itinerary and reasons of arriving in Finland, and thereafter the official of the Directorate shall interview the child. Specific instructions have been issued for the interviews of minors and training has been provided for the staff of the Directorate of Immigration to prepare them to face minors applying for asylum.

In addition to the official of the Directorate of Immigration and the police officer, the child and an interpreter, there is always a person representing the child on the order of the district court present in the interview concerning the application for asylum. Furthermore, a social worker is always provided with a possibility to be present. Usually, there is also a lawyer from the Refugee Advice Centre present. The person carrying out the interview may allow the presence of a relative or friend of the child, provided that this does not cause disturbance to the interview and there is no legal obstacle to his or her presence.

In the preparation of the new Aliens Act, particular attention was paid to the important role of the social workers in the assessment of whether the decisions made by the authorities are the best interests of the child. In respect of unaccompanied minors, the Directorate of Immigration requests an opinion from a social worker concerning the best interests of the child. In addition, the Directorate provides a social worker with a possibility to be present when the child is interviewed. Usually, however, the social workers only give a written opinion.

A working group set up by the Ministry of the Interior assessed in 2004 the communication between authorities and the tracking of family members in respect of minors applying for asylum in Finland. In addition, the working group assessed the special measures required by the return of minors, to ensure that the return is in the best interests of the child. The working group ended up with proposing that specific provisions on the requirements of communication and the tracking of family members be included in the Aliens Act, and also proposed certain other measures.

Paragraph 59-60 (children belonging to an ethnic minority or an indigenous group).

The main goal in the Ministry of Education's *Education and Research 2003-2008* development plan is to ensure that basic security in education is realised. The aim is to prevent exclusion and to intervene at the earliest possible stage in risk factors. Also the possibilities of school attendance for Roma children and other children with a distinct linguistic or cultural background are to be enhanced.

A development programme is being prepared to improve the participation of Roma children in pre-primary education and the conditions of Roma children and young people for succeeding in basic education and pursuing further studies. A working group has been appointed to discuss different ways to develop the instruction of Roma children. The group consist of experts of pre-primary education, special needs education, guidance counselling, student welfare, teacher training, morning and afternoon activities, and the cooperation between home and school. The working group discusses, among other things, the improvement of communication and interaction with the parents of Roma children, the possibilities of child health clinics to recognise learning difficulties at the earliest possible stage, day care as an activity supporting the child, and the increasing of the number of special needs assistants and support personnel as a means to support the school attendance of Roma children. The group works in cooperation with the *Rom Equal* project.

In the field of social welfare and health care, maintaining and developing Roma language skills among Roma children is most closely connected to pre-school education and care. It is possible for municipalities to apply for project funding from the National Development Project for Social Services launched in 2003 for development of services aimed at linguistic and cultural minorities.

Currently, the Ministry of Social Affairs and Health is funding three projects on pre-school education and care for Roma children. The projects aim at increasing the participation of Roma children in pre-school education and care. The objective is to develop services in pre-school education and care so that they support the Finnish/Swedish and Roma language development of Roma children.

According to a review carried out by the National Board of Education in 2000–2002, only 2 % of Roma children per age group participate in pre-school education. The ongoing projects on pre-school education and care have reached good results. For example, over 90 % of Roma children in the age group participated in pre-school education in Turku (one of the project areas) in 2004. In addition, children aged 2–4 years have attended child day care. Teaching in Roma has been provided for Roma children in Turku. In connection with the 5-year check-up at child health clinics, effective information has been provided for Roma parents about the available services in pre-school education and care.

Lack of pre-school teaching material in Roma is a problem: For children under school-age there is no teaching, playing or other material in Roma or for the support of learning Roma. In 2005, the Ministry of Social Affairs and Health will publish a pre-school education and care handbook in Finnish and Roma titled *Lue Lapselle (Read for your child)*. Allocation of special funding for publishing other supportive material should be reconsidered.

The long-term objective of the projects on pre-school education and care for Roma children is to create nationally applicable models for pre-school education and care for Roma children. The national pre-school education and care programme from 2003 considered for the first time the needs of Roma children in pre-school education and care as children coming from a different linguistic and cultural background. The programme highlights the importance of establishing co-operation networks between representatives of the Roma population, increasing the participation of Roma children in pre-school education and supporting language learning.

Lack of teachers in Roma is a practical obstacle for providing teaching in Roma even if the local government was willing to organise teaching in Roma and basic teaching material existed. One solution with regard to kindergarten teacher training could be to have a quota in specific years for students with Roma background, who then would also study Roma. This is in practice the only way to have qualified kindergarten teachers in Roma.

An objective to highlight the status of Roma children and women during the Finnish EU Presidency in 2006 was included in the Action Plan for 2004–2007 of the Advisory Board on Roma Affairs operating in conjunction with the Ministry of Social Affairs and Health. In addition, the Advisory Board on Roma Affairs will arrange a seminar in co-operation with the projects on pre-school education and care for Roma children in order to present results from the projects.

The Committee has in its conclusions proposed the development of pre-school education for Roma children. From the perspective of integration development, the school attendance of Roma children is better enhanced by individually assessed pupil welfare services and for example by the system of school assistants than by focusing on pre-school education. Pre-school education can be used to support the pupil, in addition to the afore-mentioned measures, in accordance with the pupil's individual needs.

The Advisory Board on Roma Affairs considers that at the moment there is no need to have different human rights conventions translated into Roma.

2. Please indicate whether the Convention on the Rights of the Child has been invoked directly in domestic courts during the reporting period, and if so, please provide examples of such cases.

There is no information whether the Convention has been invoked directly in court proceedings.

3. Please provide additional information on measures taken to improve the system for collection of disaggregated data on children under 18 in all areas under the Convention.

The next comprehensive report "Children in Finland" is to be prepared in 2006 and it will consist of indicators and general statistics about demographic and social conditions of the child population. An earlier, corresponding report was published in 2000. In addition, surveys on reconciliation of work and family life and generational transmission of poverty are on the work programme. Recently general surveys on time use and free time activities as well as specific surveys on living conditions of immigrants have been conducted.

Since 2003, development efforts have been focused on the enhancement of usability of the various statistical databases. Concrete result of this activity is the creation of two large research data bases:

- total register of household income distribution for studies of child poverty and
- total register of family dynamics for studies of family formation, dissolution and social conditions related to the dynamic changes.

These databases are updated yearly and will yield data for various research and statistics. This will result in better use of child-specific data.

In addition, Statistics Finland supplies statistics into a database operated by the National Research and Development Centre for Welfare and Health. This database is distributed to policymakers to provide data and indicators on general welfare and social and health affairs on a municipal level.

The social welfare and health care statistics are based on data from different registers. The recent information reform (*Tieto 2005*) project in the administrative sector was completed in 2004. A gap in information mentioned in the project's final report is that the data on, in particular, children's and young people's wellbeing and health and use of social and health services is inadequate at the moment. The information on the health of children under 12 years is not comprehensive. A great deal of information is collected at child health clinics and in school health care, but it has not been possible to use that nationally. A problem is also to obtain data that presupposes getting information

directly from children or their parents. The working group put forward several proposals for bridging these gaps.

There are four questionnaire surveys for collecting data on young people:

- the school health questionnaire by the National Research and Development Centre for Welfare and Health, Stakes (every year),
- a survey on health habits among youth by the University of Tampere (every other year),
- a survey on health behaviour among pupils compiled in cooperation by the University of Jyväskylä and the WHO (every fourth year) and
- the ESPAD European School Survey Report on Alcohol and Drug Use Among 15 to 16-year-olds compiled in cooperation by Stakes and the EU.

These surveys provide data on school satisfaction, problems in school environment, food consumption and nutrition intake, physical activity, sexual behaviour, obesity, smoking, alcohol use, drug use, subjective health status, long-term morbidity and the major health problems among youth. Data collection is, however, overlapping and the funding of two of the surveys is relatively uncertain at the universities.

Further sample interviews for households as well as data based on periodical health examinations are needed to supplement the data on the health of children and young people.

A challenge in monitoring the health of children is to collect data on the development of features related to children's physical, mental and social development and differences between population groups even before teenage. It should be studied how the data gathered at child health clinics and in school health care can be used to improve the production of similar indicators. Other ways to collect data should be examined in addition.

The child's wellbeing is affected by family members, relationships between the family members, family income, employment and housing conditions. These are relatively well documented but there are usually no statistics based specifically on the child's point of view. Also, it can be difficult to describe modern family types with statistics.

Data on children and youth is usually related to reception of social benefits. Data on children's health is based first and foremost on mortality statistics. There is no up-to-date and comprehensive data on children's health, morbidity, lifestyles and wellbeing. The information system being prepared for outpatient care and particularly for child health clinics will help to bridge the present gaps in data production. Health interviews and examinations based on samples are needed in addition.

Compared to children, there is more data available on the health of young people thanks to the abovementioned four surveys. A central problem is the insecurity of the future of these surveys. The surveys should be complemented by health examinations.

Data is also needed on services for children and families. With regard to children, there are pressures to increase statistics and registers regarding child health clinics, child day care, child guidance and family counselling, child welfare, school health care and pupil welfare services. Children, young people and families with children visit child health clinics and school/student health care services periodically, but at the moment the data collected in connection with these services is inadequate for local, regional and national use.

4. In paragraph 498 of the State party's report it is stated that the Government should have submitted to Parliament, in the course of 2004, proposal for an amendment of the Act on the Integration of Immigrants and Reception of Asylum Seekers, taking note of some Parliament suggestions concerning the need to improve the position of asylum-seeking and refugee children. In this regard, please inform the Committee whether the Amendment of the Act has been approved and the changes it has brought to the situation of children, if any.

Amendments to the Act on the Integration of Immigrants and Reception of Asylum Seekers

The Act on the Integration of Immigrants and Reception of Asylum Seekers (Integration Act) has last been amended by Act No. 362/2005 (Government Bill HE 280/2004) that entered into force on 10 June 2005. The purpose of the amendment was to improve the legal status of children seeking asylum and to ensure that more attention is paid to their interests and special needs (section 19, subsections 3 and 4). The principal aim of the Act is to incorporate Council Directive 2003/9/EC laying down minimum standards for the reception of asylum seekers into Finland's national legislation (sections 19d and 19e). The Directive gives special attention to the needs of vulnerable asylum seekers.

The Act now incorporates the requirement that accommodation must be organized so that family members can live together. This simply formalizes the existing practice.

Special needs arising from the age, insecurity and physical and mental condition of asylum seekers must be taken into account in the organizing of accommodation and other aspects of reception. The Act contains a special provision on the consideration of children's needs and on providing suitable advice to children requiring special support, rehabilitation and mental-health services.

Reception of underage asylum seekers arriving without a guardian takes place in family community homes. The care and livelihood of such children is mainly in accordance with the Child Welfare Act, while the staff at family community homes must meet the qualification requirements laid down in the Act on formal qualifications for social welfare personnel (272/2005).

A court shall assign a representative for a child without a guardian. In the period between the arrival in the country and the assignment of the representative, the child's right to be heard is exercised by the director of the reception centre in which the asylum-seeking child arriving without a guardian or the child receiving temporary protection is registered as a resident.

For a child who is not provided accommodation in a reception centre or a family community home, the reception centre must give the social welfare officials of the municipality in which the child resides details of the persons with whom she/he is staying. When the municipality has been notified of the child residing within its boundaries it is also in a position to supervise the child's interests.

If the child is without a guardian, the notification must include an assessment by the reception centre and the child's representative of whether the child can be taken care of and raised in a private household and whether the person assuming responsibility for the child is able to care for and raise the child. The reception centre must also provide the persons assuming responsibility for the child with guidance in the care and raising of the child in accordance with the applicable provisions of the Child Custody and Right of Access Act (361/1983).

5. Please provide information on the expected amendments of the criminal legislation concerning trafficking in persons and child pornography mentioned at paragraph 578 and 579 of the State party's report.

A new legislation including human trafficking provisions and changes concerning child pornography entered into force on 1 August 2004. The relevant provisions of the Penal Code are attached. See annex no. 5

6. Please provide updated information on the new Government Bill on the use of Sámi language.

The new Sámi language Act (1086/2003) entered into force 1 January 2004. The Act was prepared on the basis of a proposal submitted by the Sámi Parliament in 2002 and the content of the proposal was discussed with the Sámi Parliament prior to the submission of the government bill.

The new Sámi Language Act guarantees the right of the Sámi, under the Constitution of Finland and in compliance with international agreements binding on Finland, to maintain and develop their own language and culture and to use their own language (Inari, Skolt or North Sámi) in court and before other authorities.

The scope of application of the new Act in different authorities mainly corresponds to that provided in the former act. The Act obligates not only the state and local authorities in the Sámi Homeland but also some key authorities from the point of view of the legal safety of citizens that are operating outside this area. The scope of application also covers the Skolts' village assembly, the Minority Ombudsman and Reindeer Herders' Association. The Act is binding on public utilities and, under certain preconditions, on bodies other than the authorities that, commissioned by an authority, offer services to the Sámi people in the Sámi Homeland. Purchase of public services from the private sector does not have an effect on the linguistic rights.

The Sámi people are entitled to use either Finnish or Sámi before state and local authorities in the Sámi Homeland. These authorities are under an obligation to promote the linguistic rights of the Sámi in their activities. They shall also use Sámi in their written communications, addressed to parties or a person who according to law must be informed about a matter that is or will become pending. Sámi shall be used also in answers to written contacts received in Sámi. Local authorities shall complement their use of Finnish with Sámi to the extent they consider appropriate in protocols and other documents that are not addressed to private parties and that are of general significance. In municipalities where the proportion of speakers of Sámi exceeds one third of the whole population, as in the city of Utsjoki today, such documents shall always be in the Sámi language.

The Sámi Language Act provides for the Sámi language qualification requirements of State and local authorities in the Sámi Homeland. The authorities shall see to it that in each office in the Sámi Homeland customer service can be given also in the Sámi language. In addition, the authorities shall provide training or take other measures in order to ensure that the personnel have the knowledge of the Sámi language necessary for the performance of the functions of the authority. Officials employed by a state authority in the Sámi Homeland shall be entitled to a paid leave of absence in order to study Sámi.

Every authority shall supervise compliance with this law in its own field of administration. The Sámi Parliament shall follow the application of the Act and, as required, issue recommendations and initiatives. The Sámi Language Bureau and the Sámi Language Council shall issue a report on the application of the legislation in the Sámi language and the enforcement of the linguistic rights of the Sámi to the Sámi Parliament once during every election period. The report is appended to the annual report to Government of the Sámi Parliament. The first such report will not be submitted until in 2006.

The Sámi Language Act is available in Finnish and Swedish as required by section 51, subsection 2 of the Constitution but also into Inari, Skolt and North Sámi as well as English. See annex no. 6

7. Please inform the Committee on the findings of the interagency working group chaired by the Foreign Ministry's Human Rights Unit and set up in September 2004 to develop a new national plan of action to combat trafficking.

In its report on the human rights policy of Finland, submitted to Parliament in March 2004, the Government expressed its commitment to the preparation of a national programme of action against trafficking in human beings. In August 2004, the Ministry for Foreign Affairs set up an interagency working group to prepare a draft plan of action and the National Plan of Action was adopted by the Council of State on 25 August 2005.

The plan of action is based on three points of departure that are mainstreamed throughout the text

- a human rights and victim-based approach, paying special attention to the children,
- the gender aspect and
- comprehensive and multidimensional approach.

In its findings, the working group sets five clear objectives that are to be achieved in the fight against human trafficking.

- to enable rapid identification of victims so as to make it possible to resort to the planned assistance measures without delay,
- to prevent trafficking as effectively as possible,
- to assist victims in different ways, with the aim of their empowerment,
- to lower the threshold of victims to participate in criminal proceedings and to ensure the safety of victims and witnesses, and
- to suppress trafficking in human beings through the dissemination of information and the increasing of awareness

A follow-up mechanism based on cooperation among the relevant entities will be created for the national plan of action against trafficking in human beings. The follow-up mechanism is meant to ensure the appropriate implementation of the objectives and proposed measures set forth in the plan of action. The follow-up will be based on a system where Ministry of Social Affairs and Health and Ministry of the Interior will chair a steering group by turns. The chairmanship entails responsibility for the coordination of the implementation, whereas each relevant Ministry is responsible for the implementation and monitoring of measures within its own field of activity.

The summary of the Plan of Action has been translated into English, see annex no. 7. The Plan of Action as a whole is to be translated into English in the near future.

8. Please provide information on the role of non-governmental organisations in the implementation of the Convention as well as in the process of preparation of the State party report, if any.

Non-governmental organisations have a vital role in the process of preparation of the State party report. The Foreign Ministry of Finland prepares the report by collecting information from all relevant ministries as well as from a wide variety of NGOs. For the third periodic report on the rights of the child statements were requested from 14 NGOs, of which 9 provided information. After a draft report is prepared on the basis of the information provided, an open hearing or discussion is organised, where NGOs and government representatives can provide corrections or additional information to the draft report. Furthermore, some NGOs submit parallel reports to the committee.

9. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

In the spring of 2003 the Government set up a broad-based national committee to prepare an action plan for promoting the implementation of the Convention on the Rights of the Child. The committee grouped its proposals for measures under eleven main headings:

1. partnership for upbringing in primary services for children;
2. working life should bear responsibility for families' wellbeing;
3. the child's best interests should even in practice be of primary importance when deciding on the child's care and taking into care;

4. communality and caring;
5. responsibility of the media for children's security;
6. long-term and well structured family policy;
7. children's and young people's wellbeing should be monitored;
8. child impact assessment should be integrated into decision-making;
9. children and young people should be given more possibilities for participation;
10. making the child's rights known by a specific communication strategy; and
11. children's point of view in development co-operation.

The National Plan of Action was published in August 2005 (see annex 8). The Plan of Action includes 5 goals that are considered as main priority for the implementation of the Convention:

1. The child receives love and care at home,
2. The child has safe and long -lasting relationships and an environment that reinforces a sense of security,
3. The child has the basic and special services he or she needs and guaranteed income,
4. The child enjoys increased participation in everyday situations, and
5. The rights of the child are widely known

Also the abovementioned 11 measures were included in the Plan of Action as recommendations for action.

Part II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

See annexes nos. 9-10, 11 in paper format

Part III

Under this section, the State party is invited to briefly (3 pages maximum) update the information provided in its report with regard to:

- **New bills or enacted legislation**

Child Welfare Act

The Government Bill to amend the Child Welfare Act was introduced to Parliament in October 2004 (Bill No. 225/2004).

With a view to improving the legal protection of the child the bill proposes specifying and supplementing the present provisions of the Child Welfare Act (1683/1983) concerning the *sanctions and restrictions* aimed at children taken into care and placed in a child welfare institution. At the same time, the powers and possibilities of the directors of institutions to use the restrictions laid down in the law would be clarified in regard to all child welfare institutions.

In the bill the present concepts *sanction and restriction* in the Child Welfare Act are proposed to be replaced by the concept *restrictive measure*. Restrictive measures would be taking possession of substances and objects, frisk and bodily search, checking of possessions and deliveries and not forwarding the deliveries, physically holding the person, limiting the right of movement, isolation, and special care. Totally new concepts among these are bodily search, leaving deliveries unforwarded, holding physically, and special care.

Restrictive measures can be aimed at a child taken into care and placed in an institution. The major objective of the measures is to ensure that the purpose of the taking into care is achieved and, at the

same time, to protect the child and other persons. The proposed concept represents the aim of the measure better than the current one.

It is proposed that the obligation to record the restrictive measures should be specified, the impact of the restrictive measures on the care plan should be increased, the monitoring and supervision obligation of the State Provincial Offices should be specified and the provisions on appeal should be clarified. Furthermore, it is proposed that the child should be given increased opportunities to take part in discussing issues related to implementation of the placing in substitute care and the restrictive measures aimed at the child.

Also the provisions of the Child Welfare Act on contacts between a child placed in foster care or residential care and his/her parents and other significant others and their limitation are to be specified. The significance of the care plan and the decision-making obligation in the matter should be emphasised and the right of appeal clarified.

The Act is aimed to enter into force as soon as possible after it is adopted and approved, in practice at the latest on 1 January 2006.

Employment Contracts Act

Provisions on family leave are contained in Chapter 4 of the Employment Contracts Act (55/2001). The eligibility for partial child-care leave was broadened as of 1 November 2003, under the changes made in the Employment Contracts Act and the Seamen's Act (870/2003 and 871/2003).

The purpose of the reforms is to make it easier for the parents of small children to reconcile the needs of working life and family life. An employee may be on partial child-care leave until the end of July of the year in which his/her child ends the second year of basic education. The parents of a child eligible for extended compulsory school attendance are entitled to partial child-care leave until the end of the child's third year of basic education. Both parents may not take a partial child-care leave at the same time. However, they can share their care responsibility in such a way that one of them takes care of the child in the mornings and the other in the afternoons, or they can take care of the child during alternate days or weeks. The duration of the employment relationship laid down as an eligibility requirement for partial child-care leave was also shortened from 12 to six months. The employee must submit an application to take partial child-care leave to her/his employer two months before the start of the proposed leave period.

Morning and afternoon activities for children

- Act on the amendment of the Basic Education Act 1136/2003,
- Act on the amendment of the Act on checking the criminal background of persons working with children 1138/2003;

The instruction of health education

- Act on the amendment of Section 11 of the Basic Education Act 453/2001,
- Act on the amendment of Section 7 of the General Upper Secondary Schools Act 454/2001

The development of student welfare

- Act on the amendment of the Basic Education Act 477/2003,
- Act on the amendment of the General Upper Secondary Schools Act 478/2003

The transportation benefit in pre-primary education

- Act on the amendment of Section 32 of the Basic Education Act 1139/2003

National Guidelines for School Curricula

- The National Guidelines for Curricula in Basic Education 1/01/2004; 3/011/2004;
- The National Guidelines for Curricula in Pre-school Education 64/011/2000; 42/011/2003;

- The National Guidelines for Curricula in Morning and Afternoon Activities for School Children 5/011/2004

New Aliens Act

New Aliens Act (301/2004 See annex no. 12) entered into force 1 May 2004. Questions relating to minors have received special attention (general provision on applying the Act to minors (section 6), requirement for means of support and its restrictions (section 39) as well as family reunification of children who have arrived alone and who have, on compassionate grounds been issued residence permit (section 52). The Government monitors the implementation and application of the new Aliens Act, particularly with regard to various issues relating to the situation and best interests of children.

The third periodic report of Finland contains also references to certain other repealed provisions of the Aliens Act. In respect of them, the Government wishes to note the following:

- Page 41 contains a reference to the principle of non-refoulement. In the earlier Act, this principle was referred to both in the provisions on refusal of entry (section 38, subsection 2) and expulsion (section 41, subsection 2). In the new Aliens Act, it is only referred to in one provision (section 147), although it is closely related to a provision on the implementation of decisions on the removal of aliens from the country (section 200), which requires that the principle of non-refoulement be taken into account in the implementation of decisions which otherwise may be enforced.
- Page 79 contains a reference to the role of the Minority Ombudsman as a provider of opinions on cases of asylum applications and expulsion of aliens (section 33, subsection 2, and section 42, subsection 2, of the repealed Act). In the new Aliens Act, this role of the Minority Ombudsman is provided for in section 209, according to which, at the request of the Ombudsman for Minorities, the Ombudsman has the right to be heard in an individual matter concerning an asylum applicant or deportation of an alien
- Page 80 contains information on the detention of minors pursuant to the provisions of the Aliens Act (section 46, subsection 2 of the repealed Act). New section 122 of the Aliens Act requires that the social welfare authorities be heard before a person under the age of 18 years is detained.

Abduction

There are approximately 20 new abduction cases to or from Finland each year. Based on a parliamentary initiative, a draft proposal for a new provision on abduction is being prepared. According to the existing provision in the Penal Code, the applicable punishments for child abduction are a fine or imprisonment for at most six months. According to the draft proposal, abduction should be punished more severely.

Under the proposed new provision, cases where a child is wrongfully removed from his or her country of residence to abroad or retained abroad, in violation of rights relating to child custody, are also considered child abduction. Child abduction would be punishable by a fine or by a maximum of two years' imprisonment.

The possibility for a more severe punishment is meant to underline the reprehensible nature of child abduction and to increase the use of sentences of imprisonment in such cases. The more severe punishments may also enhance international cooperation in the investigation of cases of child abduction and enhance the bringing to justice of persons guilty of such offences.

Under the new provisions, the public prosecutor could decide on non-prosecution or the court could refrain from imposing a sentence if the perpetrator has voluntarily returned the child.

- **New institutions**
Ombudsman for Children,
See above page 18.
- **Newly implemented policies**
-
- **Newly implemented programmes and projects and their scope.**

Immigration policy programme

A proposal for a Government programme on immigration policy was submitted on 15 June 2005 to the Minister of Labour, and is now being circulated for comments. The matters covered by the programme include underage asylum seekers. The working group that drafted the programme concluded that when the needs of the child are assessed, it is essential to rely on the expertise of the child- protection officials and to ensure unhindered exchange of information between different authorities. According to the working group, children's needs should form the underlying principle in the asylum and refugee policy.

Cooperation between authorities

The various administrative sectors of government cooperate closely in questions concerning underage asylum seekers and refugees. Prompted partly by the disappearance of refugee children, the Ministry of Labour set up a network in the mid-1990s with the purpose of investigating the disappearances of underage refugees and preventing such occurrences in the future. The network participants familiarized themselves with the problem and drew up a memorandum on the cooperation between different authorities. At the beginning of 2004, the Ministry of Labour relaunched this cooperation on disappearances and other problems affecting children. The network involves different ministries, central government authorities, the police, the Frontier Guard and various organizations. The purpose of the network is to bring the cooperation guidelines up to date.

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD
List of issues to be taken up in connection with the consideration of
the third periodic report of **Finland** (CRC/C/129/Add. 5)

Replies to the Committee, List of Annexes

2. Disaggregated data on the number and percentage of children under 18 living in Finland
3. Persons below 18 who have allegedly committed a crime, reported to the police
4. Persons below 18 detained in juvenile facilities
5. Persons below 18 kept in pre-trial detention and the average length of their detention
6. Penal Code; trafficking in persons and child pornography
7. Sami Language Act
8. National plan of action against trafficking in human beings
9. National plan of action for children
10. CRC in Finnish
11. CRC in Swedish
12. CRC in Sami
13. Aliens Act -selected sections