

NEW VERSION

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UNIVERSAL PERIODIC REVIEW
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Address by
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Delegation of Finland

Opening Statement

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President of the Human Rights Council,
High Commissioner for Human Rights/Deputy High Commissioner,
Ladies and gentlemen,

It is a pleasure for me to appear before the plenary today. Two first sessions of the universal periodic review have now taken place, but it is still too premature to draw definitive conclusions of the process as a whole. Finland feels that a constructive and true dialogue between Member States as well as an effective involvement of the civil society is a prerequisite for a successful UPR. Similarly, it is crucial for the vitality of the UPR that the State under review takes recommendations seriously and gives them a careful consideration nationally. The UPR should be seen as a continuous process.

Finland values the UPR mechanism a lot and is committed to do its utmost to make this recently started process flourishing. Our aim is to turn the UPR into an active mechanism that could bring added-value to already existing monitoring mechanisms. Particularly by enhancing the follow-up to conclusions of the UN treaty bodies and Special Procedures.

The UPR provided us an excellent opportunity to assess our national human rights situation in a self-critical manner. In a very same spirit of openness and constructivism, recommendations and follow-up proposals made during the interactive dialogue were received by us, and we have naturally given our consent to fully follow up on them. The recommendations will form an integral part of the Government's comprehensive human rights policy report currently under preparation and to be submitted to the Parliament in spring 2009. That was one of the voluntary commitments we gave in the working group, the other being our devotion to reach the goal of 0.7% ODA by 2015, as set by the United Nations and 0.51% ODA by 2010, as set by the European Union.

In order to allow more time for the representatives of the civil society, I will shortly touch upon our views to follow-up measures. A comprehensive presentation of our plans on follow-up is circulated in a written form.

As to the first recommendation to increase targeted efforts to eliminate discrimination and to promote the rights of minorities Although public awareness of cultural diversity is increasing and the Government has worked persistently to integrate immigrants into Finnish society, there are still certain problems of racism and intolerance in Finland. Different measures are taken to address these challenges. The Non-Discrimination Act is currently under revision in order to strengthen the guarantees. In the Internal Security Programme, given on 8 May 2008, the security of immigrants and ethnic minorities is one of the key issues to be paid special attention in the forthcoming years.

Secondly, it was recommended to strengthen the efforts to restrict racism and xenophobia, particularly on the Internet. The Ministry of Justice is currently examining the need to amend the legislation that the service providers of Internet-sites are obliged to follow up and erase material amounting to hate speech and racist offenses.

To the recommendation to take effective measures to prevent violence against women and to compile information on domestic violence, only through a holistic approach we can put an end and eliminate this violation of human rights. First-hand data is important to better understand the context in which violence within families occurs so as to be able to provide better services, prevention and monitoring measures, advocacy as well as awareness-raising. Finland continues to strengthen its activities in this field and is carrying out the Council of Europe's campaign to combat violence against women in 2008. A comprehensive study on violence against children will be published in the autumn. It is also crucial to engage men in the efforts by enhancing positive male role models and engaging men in both prevention and advocacy.

Fourth recommendation was about considering ratifying the International Convention on migrant workers. The rights of immigrants are already covered by our national legislation, European Union legislation as well as by other human rights instruments, including the European Convention for the Protection of Human Rights and Fundamental Freedoms. The basic rights and freedoms of the Finnish Constitution protect everyone residing in Finland, including migrant workers. At this moment, it is not envisaged that consultations between ministries to revise our position towards the Convention will take place in the near future.

To the recommendation to consider ratifying ILO Convention No. 169, the Finnish Government pursues actively the enhancement of the rights of the Sámi people. The objective of the present Government is to solve the issue of the land use question during the current term of the Government. Another question related to the right of Sámi people is to participate in decision-making on the use of land in the Sámi homeland area. The aim of the Government is to find a solution that would include the prerequisites to ratify ILO Convention No. 169.

Sixth recommendation was to continue reviewing the procedures regarding requests for asylum in the light of the 1951 Convention. Finland is committed to the full and inclusive application of the Geneva Convention of 1951. The Ombudsman for Minorities has found that the accelerated asylum procedure, as a rule, safeguards the legal protection of an asylum applicant during the process. Furthermore, the Finnish Constitution and Aliens Act prohibit deportation of aliens to a country, where they could face death penalty, torture or ill-treatment.

Seventh recommendation relates to sexual orientation and the use of the Yogyakarta Principles. According to the Finnish Constitution everyone is equal before the law. Discrimination is further prohibited in several Acts of which some, such as criminal law, clearly mention sexual orientation and gender. We have initially studied the *Yogyakarta Principles* and recognize their usefulness in bringing greater clarity and coherence to States' human rights' obligations. Finland is committed in further enhancing the situation of the LGBT people in Finland and the possible role of the *Yogyakarta Principles* in this will be studied further.

And the last recommendation was to fully integrate a gender perspective into the follow-up process to the UPR review. The Government is preparing an action plan for gender equality, which key objectives are, among others, to mainstream the gender perspective, to raise awareness of gender equality in schools and to reduce violence against women. The final action plan will be adopted soon and carried out intersectorally by all ministries. This plan of action will be also taken into account while following up on the UPR.

To conclude my opening remarks, I would like to emphasise once more how much

Finland attaches importance to the UPR. We look forward today's discussion and possible concrete suggestions arising from it.

Thank you for your attention!