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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thirty-eighth session

SUMMARY RECORD OF THE 11th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 7 May 2007, at 10 a.m.

Chairperson: Mr. PILLAY
(Vice-Chairperson)

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The meeting was called to order at 10.05 p.m.

CONSIDERATION OF REPORTS:

- (a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Fifth periodic report of Finland (E/C.12/FIN/5; E/C.12/FIN/Q/5 and Add.1; HRI/CORE/1/Add.59/Rev.2)

1. At the invitation of the Chairperson, Ms. Karvo, Mr. Keisalo, Ms. Koivuranta, Mr. Kosonen, Ms. Kröger, Ms. Majuri, Mr. Manninen, Ms. Merilampi, Ms. Puro, Ms. Rotola-Pukkila and Ms. Silfverberg (Finland) took places at the Committee table.
2. Mr. KOSONEN (Finland), introducing his country's fifth periodic report (E/C.12/FIN/5), said that Finland supported the formulation of an optional protocol to the Covenant and was already a party to the Additional Protocol to the European Social Charter (revised) of the Council of Europe, establishing a collective complaints mechanism.
3. The underlying values of the action plan of the recently elected Government included a balance between man and nature, Government accountability, citizen participation and an ongoing commitment to developing Finland's welfare society. In January 2007, the Ministry of Justice had set up a committee on equality to make proposals for comprehensive legislation on equality based on Finland's system of fundamental rights.
4. The objectives of the employment policy programme, which was implemented through four strategic subprojects, included lowering structural employment, increasing the supply of labour - particularly skilled labour - and raising productivity. For the period from 2003 to 2007, improvements had been registered in various employment figures, such as fewer unemployed job-seekers, fewer job-seekers who were difficult to employ and a higher percentage of young people in the labour market. The employment policy programme also addressed issues relating to access to education, training and employment by young people; its goal was to ensure that 96 per cent of young people finishing comprehensive school would continue their studies. Minimum wage levels were generally set by sector-specific collective agreements; in the absence of such agreements, they were established on the basis of employment contracts and the local level of salaries generally applied to the type of work in question. A Penal Code provision criminalized the payment of remuneration that was below the general salary level.
5. A working group had been set up by the Ministry of Labour to consider legislation on fixed-term employment contracts, and a number of steps had been taken to increase the level of protection afforded to workers concerned by such contracts. The Act on the Reform of the Structure of Municipalities and Services, whose objective was to guarantee access to health and social services of the same quality in all regions of the country, had entered into force in February 2007. Its purpose was to anticipate the rising needs of Finland's ageing population. Provisions on various types of family leave had been improved in the past two years, including an increase in paternity leave and more generous conditions of childcare leave for adoptive parents.

6. Reducing violence was one of the objectives of the current Government, and several programmes to combat violence were being implemented. In 2004, the Government had adopted an internal security programme aimed at increasing citizen security, including in the area of domestic violence. A comprehensive cross-sectoral national plan of action against trafficking in human beings had been completed in 2005, and the relevant ministries had used it to draw up their own more detailed plans of action. Various services and support measures had been organized for victims of trafficking and were coordinated by two asylum reception centres. The Government had intensified preventive efforts both domestically and in source countries and had ceased deporting victims of trafficking. Finland had become a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. In 2005, it had signed the Council of Europe Convention on Action against Trafficking in Human Beings.

7. The national education policy aimed to ensure that the education system guaranteed equal opportunities for all children from preschool to higher education. Under the policy, efforts were made to ensure that every school leaver was offered a place in further education or training and had access to sufficient guidance and support services. The Ministry of Education had published a national global education programme based on the United Nations Millennium Declaration, whose purpose was to inculcate the knowledge, skills and attitudes needed in a multicultural society. The excellent results achieved by young Finns in the Organisation for Economic Co-operation and Development Programme for International Student Assessment were attributable to the fact that the Finnish education system guaranteed equal opportunities for all children in basic education, irrespective of their social and ethnic background and gender, and offered effective teacher training.

8. In April 2005, the Minister of Culture and Sport had initiated a project for reviewing the ethics and ethical dimensions of a cultural policy, with cultural rights as a starting point. Several initiatives had been taken for establishing international indicators of cultural policy ethics.

9. Mr. ATANGANA requested information on the respective roles of the Supreme Court and the Chancellor of Justice and asked which one was the highest judicial authority in Finland. He wished to know which articles of the Covenant had been invoked in the cases enumerated in paragraph 12 of the fifth periodic report and what issues had been addressed in those cases.

10. Ms. WILSON asked what was the policy of the recently elected Government concerning land ownership within the Sami Homeland and what were the latest developments in that regard. The delegation should comment on the acts of discrimination that reportedly took place in both the public and private sectors against members of minority groups in Finland, particularly against the Roma and against Russians. She wondered whether the Government expected the newly established committee on equality to improve that situation. Although it was commendable that women in Finland held high-level positions in both the public and private sectors, there were relatively few women professors in institutes of higher learning and universities. She wished to know whether any steps were being taken to encourage women to apply for such positions, given that their participation at that level was an important factor in attaining gender equality.

11. Mr. RIEDEL commended Finland on the exemplary manner in which it had supported the Committee's efforts to improve the justiciability of economic, social and cultural rights, particularly by taking a leading role in promoting the adoption of an optional protocol to the Covenant. He asked whether the Government had formulated a policy on the objective of allocating 0.7 per cent of gross domestic product (GDP) to official development assistance (ODA). He questioned the logic of the legislative proposal drawn up by the Ministry of Justice, which aimed to ensure the Sami the right to land utilization in the Sami Homeland to meet their livelihood needs but did not consider issues relating to land ownership. He asked whether that apparent conflict underlay the fact that Finland had not ratified International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. He wished to know what measures had been taken since March 2007 to translate the legislative proposal into compromises that both landowners and the Sami could accept.

12. Mr. SADI asked to what extent the Covenant was taken into account by policymakers in Finland, given Finland's relatively long experience as a signatory to the Covenant. He requested examples of cases in which the provisions of the Covenant had been invoked and enquired whether such cases fell into categories other than those mentioned in the replies by the Government of Finland (E/C.12/FIN/Q/5/Add.1) to question 1 of the list of issues (E/C.12/FIN/Q/5). It would be interesting to learn to what extent the efforts of the Minority Ombudsman had changed societal attitudes and succeeded in eliminating the causes of discrimination. The delegation should clarify Finland's position on ratification of ILO Convention No. 169.

13. Ms. BRAS GOMES asked whether the action plan of the recently elected Government, which sought a balance between man and nature, meant that it offered a fresh perspective and a more effective approach to addressing the land rights of the Sami. She enquired whether the land ownership study commissioned by the Ministry of Justice had been published and what were its conclusions. She wished to know what progress had been made to date in reaching the Government's objective of increasing its ODA to 0.44 per cent of GDP by the end of 2007. She requested additional information on the issue of the double discrimination suffered by Roma women in traditional costume in Finland. She asked what was the Government's position concerning a future national human rights institution. She wondered to what extent the decisions and findings of the Parliamentary Ombudsman had influenced legislation and programmes in improving social welfare and health services, which were the subject of many of the complaints filed with the Ombudsman.

14. Mr. ZHAN Daode commended Finland for the excellence of its fifth periodic report and also the high level of success it had achieved in meeting its obligations under the Covenant. Finland was a prime example of how social and cultural rights could be implemented only on the basis of a firm economic foundation. Given its high level of advancement, Finland had a responsibility to provide technical assistance to other countries in order to stimulate their economic development. In view of the fact that the Government had prepared national criteria for non-urgent medical care, he would be interested to know what measures were used to settle disagreements between doctors and patients.

15. Mr. DASGUPTA said that Finland had a commendable record in fulfilling its obligations under the Covenant. According to the information contained in paragraphs 56-58 of the report, it had increased its fairly low budgetary allocations for ODA in recent years, and intended to increase them further so as to reach 0.48 per cent of GDP in 2009, and 0.7 per cent in 2010. He asked for further details on the subject, particularly since there was a considerable increment between the target figures set for 2009 and 2010.
16. Mr. KERDOUN said that he looked forward to Finland achieving the target of 0.7 per cent of GDP for ODA by 2010. The State party made a major contribution to overseas development aid and promoted multilateral cooperation through its membership of many international and regional financial institutions. It would be interesting to know more about its bilateral cooperation with different countries and regions.
17. He sought clarification of the statement in Finland's reply to question 4 of the Committee's list of issues to the effect that the issue of changing the definition of Sami was no longer pertinent. Perhaps it meant that appropriate legislative solutions for the issue had been found? Finland seemed to support the self-determination of the Sami people. He also enquired about the Government's position concerning the situation in Western Sahara.
18. Mr. KOLOSOV asked whether Finnish citizens had brought any cases before the European Court of Human Rights and, if so, with what results.
19. He also enquired whether the human rights situation in the Åland Islands was comparable to that on the mainland.
20. Mr. ABDEL-MONEIM asked to what extent Finland's decision to provide development aid to a given State was determined by the latter's respect for human rights and to what extent human rights factors were taken into account in trade negotiations.
21. Ms. BARAHONA RIERA said that the mandate of the Parliamentary Ombudsman seemed to be different from that of similar institutions in other European countries. She asked what the differences were, and whether there had been any changes to the mandate in recent years.
22. She also wished to know more about the Minority Ombudsman, in particular whether his sphere of competence extended to all economic, social and cultural rights. It would be useful to have information on the type of cases the Minority Ombudsman dealt with and whether they included gender discrimination issues. Lastly, she enquired as to the outcome of recent legislative reforms in the area of gender equality.
23. Ms. BONOAN-DANDAN said that Finland was to be congratulated on its many achievements in the area of economic, social and cultural rights as well as on its unflagging support for the drafting of an optional protocol to the Covenant. It was also to be commended on its detailed report and written replies. However, more information could have been provided in response to question 1 of the list of issues concerning best practices. It was a question that the Committee addressed only to those States parties with a good record of compliance with the Covenant. The aim was to provide guidance to other States parties which were having difficulty

in fulfilling their obligations. Specifically, she would welcome some elaboration on the phrase used in the second part of the reply: “a strong inclusion of linguistic and cultural consideration in teaching”.

24. Ms. MAJURI (Finland) said that there had clearly been some misunderstanding concerning the phrase in the written replies to the effect that the definition of Sami was no longer pertinent. The definition was no longer pertinent as far as elections to the Sami Parliament were concerned; it did not mean that the land-title issue had been resolved. With regard to the latter, several rounds of negotiations between the Sami Parliament and the Ministry of Justice had been held. The basis for discussion was how to preserve the culture of the Sami people, which was an obligation under the Constitution. That meant the right to use natural resources on their homelands so that they could continue their traditional way of life (livestock-breeding, hunting and fishing). It was considered that their culture could be preserved without touching the land ownership issue.

25. A ministerial working group had been established in 2005 to prepare a bill that would comply with the provisions of ILO Convention No. 169. The aim was also to ensure that the local and Sami people had an equal say in determining their living arrangements and that the rights of private individuals would not be affected. Owing to time constraints, work on the bill had not been completed.

26. The land ownership study commissioned by the Ministry of Justice had been published in October 2006. Its purpose was not to settle land ownership issues or any private claims in that regard, but to clarify matters relating to land use, ownership, habitat and population from a historical perspective.

27. It should also be noted that the programme of the recently elected Government contained a statement on the status of the Sami people, which referred to their right to maintain and develop their own language and culture on the basis of their right to self-government, as provided by the Constitution. The question of how that statement would be reflected in Government programmes remained to be seen; thus far, the Government had issued no guidelines on the subject.

28. Mr. KOSONEN (Finland) said that the Supreme Administrative Court had dealt with many complaints concerning the definition of the Sami people, but that the issue had now been resolved, including in the eyes of the Sami.

29. Over the years, a number of communications involving the Sami had been submitted to the Human Rights Committee. The most recent case concerned forestry measures taken in the north of the country, with respect to which the Committee had requested the application of interim measures. The Government was of the opinion that domestic remedies had not been exhausted, and the case was thus once again before the domestic courts.

30. Ms. ROTOLA-PUKKILA (Finland) said that the new Government had recently approved budgetary allocations for development aid which would bring Finland closer to the target set by the United Nations in the framework of the Millennium Development Goals. In 2000, funds allocated for ODA had represented 0.4 per cent of GDP, and in 2007, 0.43 per cent of GDP. By 2011, the figure should stand at around 0.55 per cent.

31. Finland focused its development aid on a few countries and organizations in order to ensure effective results. Its bilateral cooperation was based on the development plans of the partner countries concerned. The countries with which it had long-standing cooperation were Ethiopia, Kenya, Mozambique, Nicaragua, the United Republic of Tanzania, Viet Nam and Zambia. It also cooperated with countries in transition including Egypt, Namibia and Peru, as well as other States including Afghanistan, South Africa and Timor-Leste. In 2007, the Ministry of Finance had supported NGO activities for development cooperation by allocating funds amounting to €74 million.
32. Respect for human rights was one of the guiding principles for Finland when selecting development partners. The human rights situation of the country concerned was monitored closely, and although Finland was committed to long-term cooperation with its partners, serious human rights problems could result in the termination of the partnership.
33. Mr. KOSONEN (Finland) said that the Parliamentary Ombudsman had greater powers than his counterparts in other States and could even press charges. However, the Parliamentary Ombudsman could not overturn judicial decisions or interfere in proceedings.
34. Ms. MAJURI (Finland) said that the judiciary in Finland was independent and that the highest judicial bodies were the Supreme Administrative Court and the Supreme Court. The function of the Chancellor of Justice was to monitor the legality of Government decisions; he had the power to bring charges against civil servants for professional misconduct.
35. Responding to questions on relevant case law, she said that, in a case concerning a residence permit brought before the Supreme Administrative Court in 2003, an explicit reference to article 10 of the Covenant had been made in the explanatory note to the Court's judgement.
36. The rights enshrined in the Covenant were relevant to another case brought before the Supreme Court in 1998 concerning patient safety and alleged misconduct of medical staff. However, she would need to verify whether any direct reference to the instrument had actually been made in the documentation relating to the case.
37. Ms. KRÖGER (Finland), replying to a question on income support and social assistance, said that Finland had a long-standing tradition of positive discrimination measures. One example was a Government recommendation for municipalities to provide income support to help Roma women with the purchase of their traditional costumes.
38. Mr. KOSONEN (Finland) said that a case involving the fishing rights of a landless Sami had been brought before the European Court of Human Rights, which had referred to provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms. While the case had been found inadmissible, the Court's extensive examination of that situation had provided useful ideas.
39. Ms. MERILAMPI (Finland) said that the issue of the lack of women professors in higher education institutions was being studied by the University of Helsinki, although the results from that study were not yet available. However, as 53 per cent of university students were female, and 51 per cent of doctoral dissertations were prepared by women, the problem would soon be resolved.

40. Ms. KRÖGER (Finland), replying to a question on social and health matters, said that the Parliamentary Ombudsman could make proposals to amend the law, upon which the Government set up a working group to draft relevant legislation. Every year, the Ombudsman's opinions on social welfare matters were used as a tool to help redress any shortcomings in social security and health care. Those opinions were then reflected in the Government's development plans and could lead to legislation or to recommendations addressed to municipalities.

41. Ms. MAJURI (Finland), replying to the question on Finland's best practices in guaranteeing economic, social and cultural rights, said that the Covenant rights had been incorporated into Finland's Constitution in 1995. There were two "subjective rights" to which everyone was entitled and in relation to which individuals could refer directly to the Constitution: the right to free basic education and the right to receive indispensable subsistence and care.

42. Replying to a question on gender equality, she said that a gender equality committee had been set up by the Ministry of Justice in order to unify gender equality legislation, which was currently dispersed into various laws on matters ranging from non-discrimination to employment contracts to the civil service, each overseen by a different authority with different powers and ways of monitoring implementation and each involving different legal remedies.

43. Mr. KOSONEN (Finland) said that Finland endorsed the work being done on the elaboration of an optional protocol to the Covenant and was a party to a variety of regional and international human rights conventions. It attached great importance to the rights under the Covenant, even more so since its adoption of its new Constitution, and had been adopting a holistic approach to human rights ever since becoming a member of the Council of Europe and ratifying the European Convention on Human Rights. Finland had a number of institutions to address human rights, including that of the ombudsmen and various committees.

44. It was too soon to assess the progress made with regard to Finland's focus on the achievement of a balance between man and nature as part of its new programme, which had been launched only recently.

45. Ms. KRÖGER (Finland), replying to a question on doctor/patient disputes, said that in Finland, doctors, not the patients, decided on the care that patients needed. However, patients could communicate any complaints on possible improper treatment to the relevant ombudsman, who would make recommendations on measures the health-care unit could take. Patients could then take up their complaints with the medical director of the health centre or hospital, or appeal to the State provincial office, responsible for supervising health care.

46. Mr. KOSONEN (Finland), replying to a question on the Åland Islands, said any problems there had been were few and far between. One case still under consideration by the European Court of Human Rights related to the health board's non-implementation of a ruling by the Supreme Administrative Court.

47. The Åland Islands had been granted autonomy in 1921, partly due to the need of the Swedish-speaking population of the islands to preserve their culture.

48. Ms. MAJURI (Finland) added that the Åland Islands had extensive self-government and legislative powers, and enacted most of their legislation, including on economic, cultural and social rights. As a measure to protect the Swedish-speaking population on the islands, only persons having “homeland rights” had the right to acquire real estate there.
49. Ms. ROTOLA-PUKKILA (Finland) said that the issue of Western Sahara was being addressed mainly through the Common Foreign and Security Policy of the European Union.
50. Mr. KOSONEN (Finland), replying to a question on the inclusion of linguistic and cultural considerations in teaching, said that the language of instruction in Finnish schools could be Finnish, Swedish, Sami, Roma or sign language. Students had the right to be schooled in their mother tongue. Moreover, there were nine different curricula, one main one which immigrants had the right to study in their mother tongue.
51. Ms. MERILAMPI (Finland) added that another example of a best practice was the measure adopted by the provincial State office in southern Finland to provide special needs assistance for the education of Roma adults.
52. The CHAIRPERSON invited members of the Committee to ask follow-up questions.
53. Mr. SADI said he wished to know what was preventing the issue of land ownership, in relation to Sami use of land, from being settled. He also asked whether marriage between a Sami and non-Sami entailed loss of Sami status.
54. It would be interesting to know why the Government of Finland appeared to view Swedish-speakers in the country as an ethnic minority, since the Finnish and Swedish cultures seemed to him to be very similar.
55. He also requested clarification on why women had such a significantly higher life expectancy than men.
56. Ms. BONOAN-DANDAN requested further clarification on the issue of Sami use of land, and on whether the Sami were able to use land that was privately owned.
57. Ms. BRAS GOMES said that the example of financial support to Sami women for the purchase of their traditional costumes was interesting, as it constituted a positive discrimination measure. Yet it seemed that the Government of Finland needed to step up advocacy efforts in that regard, in the light of reports that women were discriminated against on the very basis of wearing such traditional costumes.
58. On the issue of development assistance, she wondered whether the Government of Finland was proactively ensuring that its development aid, provided on the basis of recipient countries’ compliance with human rights norms, was being used effectively.
59. Ms. BARAHONA RIERA enquired why the ombudsman institution was not in line with the Principles relating to the Status of National Institutions (the Paris Principles).

60. In spite of Finland's commendable legislation on gender equality, the most recent Human Development Report of the United Nations Development Programme revealed that Finland had low statistics with regard to women's participation in high-level employment positions, compared with other countries of similar economic situation and legislation. Finland appeared to be reticent to adopt a policy of positive discrimination or quotas in that regard, whereas such measures would help redress the situation.

61. Mr. KOSONEN (Finland), referring to the question of Finland's Swedish-speaking population, said that the Government of Finland had always considered that linguistic group as a de facto minority, a view shared by the Swedish-speaking population itself.

62. He said that the men's life expectancy had recently increased, narrowing the life expectancy gap between women and men.

63. The institution of the ombudsman had been established long before the adoption of the Paris Principles. The Government of Finland was considering extending the ombudsman's powers, for example, in relation to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

64. Ms. MAJURI (Finland), replying to a question on land ownership, pointed out that there were large groups aside from the Sami who lived in parts of the Sami Homeland area, and also practised reindeer-herding as their livelihood. The Sami Homeland was mostly publicly owned, but also had privately owned parts. The question of whether the Sami could use the privately owned land could not yet be answered, as new legislation was still in the drafting stage.

65. Marriage between a Sami and a non-Sami would not entail loss of Sami status.

66. Ms. KOIVURANTA (Finland) said that the regional advisory boards for Roma affairs played an important role in enabling Roma to find employment and in helping to reduce prejudice. A significant development concerning gender equality had been the 2005 reform of the employment pension scheme, whereby pension would in future accrue during leave taken for the purpose of childcare, as well as for periods when earnings-related maternity, paternity and parental benefits were paid. Efforts were also being made to mainstream gender equality in administrative and other practices and monitor the impact of the relevant decisions on the situation of women and men. Attention was also being given under gender policy to the situation of men, including questions relating to paternity leave, attitudes to work and preventive health care.

67. Mr. RIEDEL, referring to the statement to the effect that there was no separate act on minimum pay in Finland (E/C.12/FIN/Q/5/Add.1, para. 76), observed that the Committee had twice recommended that Finland should address the issue of minimum pay. In interpreting article 7 of the Covenant, the Committee had consistently laid stress on the mechanisms whereby the "decent living" requirement was met. He was not clear that the role of the Finnish courts in determining whether the agreed pay was reasonable satisfied that requirement. He wished to know the criteria applied by the courts and whether the Covenant was cited in that connection.

68. Concerning questions of physical and mental health, he asked what was being done to combat the reported increase in obesity. He asked what were thought to be the causes of the decrease in lung cancer among men and the increase among women; whether the delegation could clarify the statement that mental disorders had become the major cause of work disability pensions; and why the suicide figures remained high when suicide mortality was said to have decreased through improved treatment of depression. He hoped that in its next periodic report the State party would provide disaggregated, comparative year-by-year data on such questions, as it had done in connection with the incidence of HIV/AIDS. Finally, he would appreciate having the latest figures on waiting times for elective treatment such as plastic surgery, orthopaedic treatment and hearing-aid services.

69. Ms. BRAS GOMES expressed the hope that the next periodic report would provide disaggregated data on how many men took up parental and paternity leave in relation to women and on the relationship between the take-up rate and the gender wage gap.

70. Unemployment remained disproportionately high among minority populations. She enquired what was being done to help such groups, particularly the Roma, who in many cases no longer had access to their traditional types of work but lacked the qualifications for skilled employment.

71. Despite Finland's concern with gender mainstreaming, there was evidence that women still found it difficult in some sectors to break through the glass ceiling. For example, while the problem had been resolved in the academic sphere, women were relatively less well represented in managerial posts. Vertical and horizontal discrimination still existed. Further efforts were needed to overcome the gap between the measures taken and the results achieved.

72. With regard to article 9 of the Covenant, it was well known that the Nordic countries had one of the best social security systems in the world. She wondered how Finland's universal system was faring in view of the increasing trend towards targeted benefits in other countries. What was the situation in Finland concerning sustainability? Questions had been raised by the European Committee of Social Rights on the low level of benefits - particularly basic unemployment benefit, the minimum pension, maternity benefit and the minimum guaranteed income. Did the reported decline in the number of individuals and households receiving income support mean that there was less need or that more stringent standards were being applied in granting it?

73. Ms. BARAHONA RIERA requested more information on temporary contracts, which could create employment but also generate insecurity. She asked what administrative or legal instruments existed to control their indiscriminate use and what data were available concerning their use in particular sectors or among particular categories such as young people, ethnic groups, women and mothers. She would like to know the Government's policy in the matter.

74. Concerning article 10 of the Covenant, she asked what were the results of measures to curb domestic violence and what specific programmes had been developed to that end. She wondered why she could find no reference to legislation or specific penal provisions to combat violence against women. She would also like more details concerning plans to make the buying of sexual services a punishable offence.

75. Mr. RZEPLINSKI asked whether, when a patient was involuntarily confined in a psychiatric institution in a case where no criminal behaviour was involved, there was a requirement for the case to be reviewed by a judge and whether the judge acted ex officio or at the request of the patient or a family member or representative.
76. Ms. BONOAN-DANDAN said that she could not find in the new Constitution of Finland any reference to the right to food, while the right to housing was subsumed under the section dealing with social security. What was Finland's policy on the right to food and did its support for the right to housing go beyond the constitutional provision concerning its promotion by the public authorities? She drew attention to the Committee's general comment No. 12 on the right to adequate food, in particular discrimination in access to food, and underlined the connection with the issue of the land rights of the Sami. Did they or did they not have the right to use land that was the source of their livelihood and was thus fundamental to their right to food?
77. Ms. WILSON expressed concern about violence against children, corporal punishment and physical and sexual violence within the family more generally. It was reported that violence was decreasing and that a number of programmes had been introduced to combat violence with regard to women. She wished to know what was being done regarding children, which was a matter calling for urgent attention.
78. She noted that the State party's report said little on the right to housing. The Roma in particular found it difficult to secure adequate housing in both the public and private sectors because of discriminatory and xenophobic attitudes. She asked what was being done to inform the public and penalize individuals who practised discrimination. Given the very low number of people charged with discriminatory acts, could it be that the Penal Code was not sufficiently severe with regard to discrimination against minorities?
79. Mr. TIRADO MEJIA said it was surprising that in a highly developed country such as Finland family violence directed against women and children was apparently on the increase. He asked for an explanation of that trend and what specific policies were being adopted to combat family violence, deaths among women and child abuse.
80. The periodic report also referred to the high incidence of alcoholism and use of drugs, including heroin. He enquired how such problems were being addressed, whether the emphasis was placed on suppression, treatment or a mixture of both, and what was the approach to drug trafficking.
81. Ms. BRAS GOMES, referring to the problem of ageing, requested more information on the incidence of physical and mental dependency in Finland, the existence of a dependency benefit and the health and social services catering for long-term dependency. On the issue of alternative care for children, she would welcome the delegation's response to the expressed concern that not enough was being done in such cases to respect and improve the links with the child's biological family. Finally, she would like to be given some percentages concerning the reported increase in child poverty and details of what was being done to offset it by way of family assistance and what more could be done to reduce it.

82. Mr. KOLOSOV asked whether any regulations existed in Finland applicable to genetically modified products, some of which were imported into his own country.

83. Ms. BARAHONA RIERA enquired about the impact of the 2005 Act on the Integration of Immigrants and Reception of Asylum-Seekers. She would like to know what system existed for the protection of vulnerable immigrant families and whether the State party was considering ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

84. Mr. KERDOUN noted the low participation and high dropout rate of Roma students in secondary education and suggested there might be a case for giving them special social and financial support to persuade them to pursue their studies. He would also like to understand why so few Roma students entered higher education, despite the fact that it was free and that student study grants were available.

The meeting rose at 1 p.m.