



## International Covenant on Civil and Political Rights

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### Human Rights Committee

#### **List of issues to be taken up in connection with the consideration of the sixth periodic report of Finland, adopted by the Committee at its 106th session (15 October–2 November 2012)**

##### **Constitutional and legal framework within which the Covenant is implemented (art. 2)**

1. Please indicate whether the State party envisages withdrawing or limiting the scope of its reservation to article 10, paragraphs 2 (b) and 3, article 14, paragraph 7, and article 20, paragraph 1, of the Covenant (CCPR/CO/82/FIN, para.7). What progress has been made in lifting the reservations to article 14, paragraph 7, and article 20, paragraph 1?
2. Please cite examples, if any, of cases in which the provisions of the Covenant have been invoked before and by the courts, and to what effect.

##### **Counter-terrorism measures and respect for rights guaranteed in the Covenant**

3. Please comment on reports containing new evidence that a significant number of aircraft connected to the US rendition and secret detention programmes had landed in Finland between 2001 and 2006. What are the outcomes of the examination of a complaint by an individual with regard to the alleged rendition flights (A/HRC/WG.6/13/L.6, para.70)?

##### **Non-discrimination, equality between men and women (arts. 2, para.1, 3, 20 and 26)**

4. Please update information on the ongoing reform of non-discrimination legislation, (CCPR/C/FIN/6, paras.69-70), including the proposed amendment to the Act on Equality between Women and Men (609/1986) relating to equal pay for women and men. Please describe the steps taken to remedy the shortcomings in the State party's non-discrimination legislation, which is disconnected and complicated as indicated in paragraph 68 of the sixth periodic report. What measures have been taken to provide adequate human and material resources to the office of the ombudsman to enable it to carry out its work effectively?
5. Please provide information on the measures taken to address reported multiple discrimination faced by women belonging to minority groups, including the Roma and Sami communities, and immigrant women (CCPR/C/FIN/6, paras.75-76). Please describe progress made in that regard, if any.
6. Please explain the steps taken to combat the reported persistence of racist and xenophobic attitudes among many sectors of the population as well as the reported increase of racist or xenophobic language and incitement to racial hatred on the Internet and in the press.

7. Please provide information on the existing legislation and strategies to combat discrimination based on sexual orientation and gender identity, and their compatibility with the Covenant. Please comment on reports that persons belonging to gender minorities face diverse forms of discrimination, inter alia, in the area of the labour market, education, the provision of services, and in the gender reassignment process.

8. Please provide information on the progress made by several measures taken to ensure integration of immigrants, including the reform of the Act on the Integration of Immigrants and Reception of Asylum Seekers as well as the development of a monitoring system for integration and ethnic relations by the Ministry of Interior (CCPR/C/FIN/6, paras.255 et seq.). Furthermore, please update the information on measures taken or envisaged to combat negative attitudes and de facto discrimination against immigrants in a number of areas, including employment.

**Violence against women (arts. 3, 7 and 26)**

9. Please provide information on the practical steps taken to combat domestic violence, such as awareness-raising campaigns and training for the police, prosecutors, judges and health officers. In addition, please provide information on: (a) the number of complaints received; (b) investigations carried out; (c) the types of penalties imposed; (d) compensation awarded to the victims; and (e) the number of safe shelters, and any other resources allocated to assist victims of domestic violence.

**Elimination of slavery and servitude (art. 8)**

10. Please provide detailed information on the implementation of measures and new plans to combat sexual exploitation and trafficking in human beings and to assist and protect the victims of trafficking. Please also provide recent statistical data, disaggregated on the basis of gender, age and country of origin, on persons trafficked for the purpose of sexual exploitation, as well as information on prosecutions and convictions, and on the sanctions imposed on perpetrators.

**Right to liberty and security of person, treatment of persons deprived of their liberty and fair trial (arts. 9, 10 and 14)**

11. Please provide (a) detailed information on the administrative detention of asylum seekers and irregular migrants, including detention conditions, their right to legal aid and judicial remedies and their right to be informed of the reasons for their detention, and (b) statistical data on administrative detention of irregular migrants and asylum seekers, including the number of those detained, disaggregated on the basis of gender, age and country of origin, as well as the length of, and grounds for detention. Please comment on reports that the only detention unit for aliens in Finland, the Metsälä reception centre, is frequently overcrowded and that many are held in police detention facilities for immigration purposes, and that vulnerable asylum seekers, including pregnant women and persons with serious medical conditions, are also being held there (CCPR/C/FIN/6, para.132).

12. Please provide updated information on the length of custody in police cells and pretrial detention. Do persons held in pretrial detention at police stations have access to a lawyer during the initial period of interrogation, as provided for in articles 9 and 14 of the Covenant?

13. Please provide information on the implementation of the proposals made in the report of the working group established by the Ministry of Justice, relating to the placement of remand prisoners (CCPR/C/FIN/6, para.21).

14. Please provide detailed information on the measures taken by the State party to improve the conditions of persons deprived of their liberty, especially to reduce overcrowding in a number of closed prison establishments and the immigration detention

facility, as recommended by the European Committee for the Prevention of Torture and Inhuman or Degrading treatment or Punishment (CPT).

15. Please provide information on measures taken (a) to reduce incidents of juveniles serving their sentences together with adult prisoners and (b) to protect such juveniles from violence and sexual abuse.

**Freedom of religion (art. 18)**

16. Please provide up-to-date information on the progress made in the consideration of possible amendments to the Act on the exemption of Jehovah's witnesses from military service under certain conditions (645/1985) (CCPR/C/FIN/6, para.35). Please comment on (a) cases of conscientious objectors to military service who are reported to be imprisoned for refusing alternative services and (b) the compatibility of duration of alternative services with the Covenant.

**Expulsion of aliens (arts. 2, 7 and 13)**

17. Please comment on the reported difficulties faced by inadequate protection for asylum seekers in presenting their claims, under the accelerated procedure provided in the Aliens Act. Please provide statistical information about applications for asylum and refugee status received and processed under the normal and accelerated procedures as well as about countries of origin. Please comment on how accelerated procedures ensure full respect of the principles of non-refoulement mandated by article 7 of the Covenant. Please also comment on reports before the Committee that the State party forcibly returned asylum seekers to Iraq despite the real risk of persecution or other forms of serious harm people could face upon their return.

18. Please indicate measures taken to ensure foreigners are not ill-treated during deportation operations and have access to an effective remedy and compensation, if such ill-treatment occurs. Please provide the number of complaints lodged, proceedings instituted, and information on convictions and penalties handed down.

**Protection of the family and minors (arts. 23 and 24)**

19. Please explain how the recent amendments to the Aliens Act, the 2011 Act on Integration and the new Act on Reception of Asylum-Seekers providing conditions on residence permits and family reunification are consistent with the rights guaranteed under the Covenant. Furthermore, please explain the measures that have been put in place to ensure that the best interests of the child are taken into account whenever a decision to deport his/her parents is being made by the authorities.

20. Please update the information on measures taken to eliminate corporal punishment of children in practice in all settings.

**Rights of persons belonging to minorities (arts. 26 and 27)**

21. Please provide updated information on the measures taken to clarify and legally protect Sami rights to land and resources and to ensure special protection for Sami reindeer husbandry. Please update information on measures taken to eliminate discrimination against members of Sami peoples, in the fields of employment, education, and housing.

22. Please update information on measures taken to eliminate discrimination and the social exclusion of the Roma people, in the fields of employment, education, and housing. Please provide information about the outcomes of the study on the housing problem of the Roma population, if available (CCPR/C/FIN/6, para.43).