



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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COMMITTEE AGAINST TORTURE
Thirty-fourth session
Geneva, 2-20 May 2005

**List of issues to be taken up in connection with the consideration
of the fourth periodic report of FINLAND (CAT/C/67/Add.1)**

Article 2

1. What is the status of the report presented in the form of a Government Bill submitted in June 2001 containing proposals for a new Act on Imprisonment and a new Act on Detention, as well as for new provisions concerning release on parole, to be included in the Penal Code? What will be the maximum duration of pre-trial detention in police establishments once the new Detention Act enters into force?
2. Has the bill prepared by the Ministry of the Interior to consolidate the provisions on the treatment of detained persons found in different acts entered into force? Please clarify its content and the differences with the two Acts mentioned in question 1 above.
3. What is the situation at present with regard to the separation of minors from adults in the prison wards?
4. What was the Government's decision with regard to the Committee's proposal on parole?
5. What is the situation with regard to the Ombudsman's recommendation that a legal representative should always be present during the interrogation of a minor? Please also provide current information on the situation with regard to detained minors who are not accompanied by a custodian: are they all now kept in a special detention unit?

Article 3

6. Please further elaborate on the information that under the “accelerated procedure”, if the application of asylum is rejected the decision can be enforced, irrespective of an existing appeal, which would not have automatic suspensive effect, unless enforcement is prohibited by the Helsinki Administrative Court.

7. Please comment on the information that, outside Helsinki, persons detained under aliens legislation continue to be held in police establishments. Please provide information on the opening of a new facility in Metsala for the Helsinki Custody Unit for Aliens to replace the facility in Katajannoka.

8. Please describe the policies guiding detention and the use of force, including the use of sedatives and other medication, in preparation and execution of deportation orders involving foreigners, including rejected asylum-seekers.

9. Please provide information on any measures taken to eliminate undue delays in the processing of asylum and citizenship applications at the Directorate of Immigration, in accordance with the request of the Parliamentary Ombudsman.

Article 11

10. Please comment on the information that persons may be held on remand in police establishments, often for lengthy periods of time. Please provide information on proposed new legislation regulating the duration and place of detention of remand prisoners.

11. Please further elaborate on the information given in the report that under the amendments to the Aliens Act, a decision on temporary detention of a foreigner not exceeding 48 hours may be made either by the police or by a high-ranking frontier guard officer.

12. Please comment on the problem of overcrowding that apparently exists in Kuopio prison and the former Turku remand prison, and the practice in some prisons of using solitary confinement cells to accommodate inmates. What measures have been taken to improve the standards in terms of living space in cells?

13. What measures have been taken to improve the hygienic conditions of certain prisons and to eliminate the practice of “slopping out” that seems to exist in some places of detention. In this context, please provide information on the findings of the Criminal Sanctions Agency in Turku prison regarding the request of information submitted by the Parliamentary Ombudsman.

14. What measures have been taken to improve the provision of and access to medical services in Kuopio, Sukeva and Turku prisons? Please provide information on the practice of initiating medical treatment, including treatment of withdrawal symptoms and mental disorders, by nursing staff in these prisons.

15. Have any steps been taken to improve generally prison guards' basic knowledge of health care and first aid? Have accessible guidelines been issued on what to do when a prisoner announces that he or she is ill?
16. Please describe steps taken in connection with the ongoing problem of interprisoner intimidation and violence, especially at Sukeva and the former Turku remand prisons.
17. Did the working group set up on the basis of the report "Roma in Finnish Prisons" complete its work? Please elaborate on its findings and/or achievements, as well as on measures taken to address the problems that Roma still face in prison.
18. Please give information on measures taken in response to the suggestion made by the Deputy Ombudsman that deaths in custody should always be investigated by an external police unit and should be led by an independent authority. Have specific measures been taken to improve the level of training of law enforcement officers?
19. Please provide information on the status of the draft Police Cell Act relating to the treatment of persons remanded in custody or otherwise detained.
20. What steps have been taken to improve the monitoring of persons in detention in the light of the findings of the Parliamentary Ombudsman that detainees are often left unsupervised in police stations.

Article 12

21. Please provide information and statistical data on any investigations carried out into acts of torture or cruel, inhuman or degrading treatment or punishment, and their results since the last appearance before the Committee.

Article 14

22. Please provide information on cases where compensation was provided following investigations into torture or cruel, inhuman or degrading treatment or punishment.

Article 16

23. What were the findings of the Parliamentary Ombudsman's report on the methods of education applied at community homes and on the use of isolation?
24. Please provide updated information on whether any measures have been taken to implement the proposals arising from the report on the use of involuntary measures within social welfare and health care. Have more specific provisions on the involuntary care of the disabled and involuntary treatment of intoxicant abusers been enacted? Please provide information on the practice involved with the involuntary hospitalization and treatment of psychiatric patients and comment on the suggestion that they should have a right to request a second independent medical opinion before consenting to treatment.

Other

25. Please indicate whether Finland envisages ratifying the Optional Protocol to the Convention against Torture, following its signature in 2003. If so, has Finland taken steps to establish or designate a national mechanism to make periodic visits to places of deprivation of liberty with a view to preventing torture and other cruel, inhuman or degrading treatment or punishment?

26. Please provide information on the legislative, administrative and other measures the Government has taken to respond to the threats of terrorism, and please indicate if, and how, these have affected human rights safeguards in law and practice.

27. Please indicate whether there is legislation in your country aimed at preventing or prohibiting the production, trade, export and use of equipment specifically designed to inflict torture or cruel, inhuman or degrading treatment. If so, please provide information about its content or implementation. If not, please indicate whether the adoption of such legislation is being considered.
