



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women Twenty-fourth session

### Summary record of the 494th meeting

Held at Headquarters, New York, on Monday, 22 January 2001, at 10.30 a.m.

*Chairperson:* Ms. Abaka

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*The meeting was called to order at 10.50 a.m.*

**Consideration of the reports submitted by States Parties under article 18 of the Convention (continued)**

*Third and fourth periodic reports of Finland (CEDAW/C/FIN/3 and CEDAW/C/FIN/4)*

1. *At the invitation of the Chairperson, Ms. Rasi, Ms. Mäkinen, Ms. Romanov, Mr. Ellisaari, Ms. Aalto, Ms. Suikkari and Ms. Rotola-Pukkila (Finland), took places at the Committee table.*

2. **Ms. Rasi** (Finland), introducing the third and fourth periodic reports of Finland, expressed her Government's appreciation for the valuable contribution of Finnish non-governmental organizations. The CEDAW Convention had had a significant impact on the development of national legislation and measures to promote gender equality in her country, such as the Act on Equality between Women and Men (the Equality Act), which applied to all sectors of society. Since her Government believed that it was important to strengthen the Convention, it had welcomed the entry into force of its Optional Protocol. It had signed the Optional Protocol in December 1999 and ratified it in December 2000.

3. As the reports submitted to Parliament by the Ministry of Foreign Affairs in November 1999 and in November 2000 on human rights and Finland's foreign policy respectively showed, the rights of women, children and minorities were a priority of Finnish human rights policy. Both women and men enjoyed economic independence and the Government attributed considerable importance to combating violence against women. Moreover, women enjoyed full participation in the political sphere and were currently represented at all levels of political life. Indeed, for the first time in Finnish history, the country had a woman President. Thirty-seven per cent of the members of Parliament were women as were two of its three Speakers. In the recent municipal elections, the number of seats held by women in municipal councils increased from 31 to 34 per cent. Indeed, as a result of the quota provision that there should be a minimum of 40 per cent of both men and women in governmental and municipal bodies, the number of women appointed to representative bodies, especially at the local level, had almost doubled since 1995.

4. Women's participation in the labour market was almost as high as that of men. Unfortunately, the problem of gender segregation persisted generally in the job market and also along vertical lines: there were few women in the highest positions in the public sector. Since the Government saw occupational segregation as an equality issue, it had included in its employment policy a large-scale strategic project aimed at creating an equal labour market for the period 2000 to 2003. As part of that four-year project, a cooperation programme would be launched with schools and companies, seeking new ways of choosing occupations that broke stereotypical norms.

5. Another challenge facing the Government was to remove inequality with respect to the remuneration of workers. Among the main reasons for the wage gap were gender-based job segregation and the fact that men did more paid overtime work. Statistics indicated a slight narrowing in the gender wage differentials in the 1990s, partly as a result of a deep economic recession at the beginning of the decade. The equality and low-pay supplements agreed upon through collective bargaining had also helped to narrow the wage gap.

6. To promote the principle of equal pay, the Ombudsman for Equality had launched a research project, in cooperation with researchers, representatives of labour market organizations and the statistics compilers, to examine the changes in, and reasons for, the gap. The findings of that study would be included in Finland's next report to the Committee. The economic recession had proved the vital importance of the Nordic welfare system, which had provided a safety net for citizens, maintaining the society's internal cohesion during the difficult employment situation.

7. The wide international attention given to violence against women, especially the Beijing Conference and its follow-up, had helped to raise public awareness of the problem in Finland. The Government was taking a number of steps in that regard, including a Project for the Prevention of Violence against Women. An extensive survey conducted under that project had found that 22 per cent of women living in permanent relationships experienced violence or the threat of violence by their male partners, and that in the general population 40 per cent of women had experienced physical or sexual violence or threat of violence by men. The results of a second survey had revealed that

the direct costs of violence against women to society — in terms of health care, social services and legal expenses — had amounted to Fmk296 million in 1998, and that the indirect costs of such violence, estimated at as much as Fmk660 million, included death and lost production. The project also included a survey of violence experienced by immigrant women. The Academy of Finland had also launched 10 projects at an estimated cost of Fmk10 million entitled “Power, Violence and Gender” spanning the years 2000 to 2003.

8. The Act on a restraining order was one of the new tools for combating domestic violence and violence against women. About 1,000 and 1,200 restraining orders had been issued in 1999 and 2000, respectively, clearly demonstrating the need for such orders and the willingness of the police and courts to take the necessary measures for using them. Moreover, under the 1997 Act on Criminal Proceedings, the victims of sex offences and domestic violence were entitled to free legal assistance.

9. The Government had taken special measures to address the problems of trafficking in women and prostitution, including a Project for the Prevention of Prostitution and the criminalization of the act of buying sex services from persons under 18 years of age. Moreover, a new provision of the Penal Code made sex offences related to child abuse liable to prosecution in Finland, even when the crimes were committed by Finnish citizens abroad.

10. An Act on the Integration of Immigrants and Reception of Asylum seekers had been promulgated to address the needs of the growing immigrant population. It harmonized measures taken by the immigration authorities and strengthened their mutual cooperation at all levels.

11. One of the Government’s main aims, as far as the promotion of gender equality was concerned, was the creation of conditions that would enable parents to share parental and care leaves. The new collective agreement between labour market organizations concluded in December 2000, contained provisions to that end.

12. In accordance with the Beijing Platform for Action, the Finnish Government was committed to carrying out a gender impact assessment of all new legislative initiatives, since it believed that mainstreaming the gender perspective in all policies was vital to the achievement of gender equality. It was

important to take advantage of the existing tools to measure equality, including comparative statistics, indicators and benchmarking. Her Government planned to renew the 13-year old Equality Act in order to correct its shortcomings and tailor it to present-day challenges.

13. Although significant progress had been made in Finland since the country ratified the Convention and introduced legislation designed to achieve equality for women in all fields of endeavour, considerable efforts were still required before full gender equality could be achieved. In that regard, the Committee’s recommendations would help the Government in its efforts to promote the rights of women.

14. **The Chairperson** noted that since developing countries tended to regard the Nordic countries as models for their own efforts to end discrimination against women, events there were of great importance to women throughout the world. She commended Finland for having been among the first States to sign the Optional Protocol, and for having ratified it. She hoped that Finland would take steps to publicize it in order to promote implementation of the Convention. Noting with appreciation the involvement of non-governmental organizations in the preparation of reports, she expressed her hope that Finland would continue its open dialogue with those organizations, which were important stakeholders in the implementation of the Convention. Finally, she commended the Government for its intention to hold a press conference regarding the Committee’s suggestions and general recommendations.

15. **Ms. Schöpp-Schilling** thanked the delegation of Finland for its answers to the list of questions and applauded that country for its steady progress in the achievement of women’s rights. She welcomed the amendments to the Constitution that incorporated economic, social and education rights in that instrument and provided for affirmative action in accordance with article 4, paragraph 1 of the Convention. Admittedly, the recession of the 1990s had hampered efforts to achieve equality. She was nonetheless concerned about the equality plan, and pleased that a reform of that plan was under way. It would be useful to know, in that regard, how many private institutions, cities, and universities had replied to the questionnaire of the Ombudsman for equality. She was under the impression that Finland had not instituted temporary special measures, and would like

to know whether there were any plans to include mandatory goals and targets in the equality plan. A stronger monitoring mechanism was needed, and the imposition of sanctions should be considered. The next report should include a detailed statistical analysis of the impact of the equality plan on the various sectors in which it had been applied.

16. Further information would also be welcome on the allocation of resources and benefits to working women, in particular with reference to the Committee's general recommendation No. 24 and to the economic, social and cultural rights newly incorporated in the Finnish Constitution. She was pleased by the renewed efforts to grapple with the issue of pay discrimination, but questioned whether further research should be conducted: it would be preferable, in her view, to take concrete action to resolve the differences in wages for men and women.

17. She would like to know the status of a scheme involving shared employer costs in cases where both parents took parental leave; she considered it to be a brilliant solution to the problem of discrimination against women of childbearing age. She encouraged the Finnish Government to incorporate that idea in future policy measures.

18. **Mr. Melander** said that, according to a chart included in the booklet entitled *Women and Men in Finland 1999*, which had been circulated by the delegation, the number of women in educational positions declined as the position level rose: only 14 per cent of Finnish professors were women. It would be useful to know how and on what basis professors were chosen. Apparently, women earned around 80 to 85 per cent of what men earned. He would also like to know whether women professors and ambassadors earned the same salaries and benefits as their male counterparts and whether the women members of Parliament, who made up 37 per cent of the membership of that body, belonged to a particular party, and which of the parties had a more balanced gender representation.

19. He inquired about the fate of rejected asylum seekers, and whether in some instances husbands were rejected but not their wives and children, or vice versa. Finally, he wondered whether the Government intended to translate, publish and distribute the Committee's concluding comments.

20. **Ms. Açar**, noting the relatively small number of women in public office and in professorships, urged the

Government to consider temporary special measures to restore the balance. Since the figures indicated a decline in the number of women in professorial positions she wondered what measures the Government had taken to tackle the problem. While Finland was justifiably proud of the excellence of its women's studies programmes, it was time to incorporate women's issues in the regular curricula. She would like to know what advances, if any, had been made in that regard. The "by invitation" appointment process was troubling, and proactive measures should be taken to eliminate the old-boy network in both the public sector and the universities.

21. She could not find an answer to the point raised in question 27 of the list of issues regarding the prosecution under Finnish law of Finnish citizens who engaged in sex tourism abroad.

22. **Ms. Ferrer** said that the difference in pay between men and women was a major problem in Finland. There was a preponderance of women in part-time positions, fixed-term positions, and job alternation schemes restricting their development potential and placing them in lower salary scales. The Government should pay greater attention to gender segregation in the labour market and its economic consequences. Professional segregation apparently began in schools, where girls and boys chose different subjects and fields of study. Interestingly, a study had shown that over 40 per cent of Finnish women considered their gender to be a disadvantage in the workplace, and that half of all young women felt that they had been victims of sexual harassment. A public debate on those matters in Finland would greatly further respect for the existing laws.

23. Since most professionals in the Finnish communications media were women and most of the teaching profession was made up of women, the Government should consider working with those two sectors to combat discrimination. That was especially timely since media images and advertising carried many sexist stereotypes and solicited business on a gender basis. The Government had indicated that it could take only an indirect role in achieving equality; in her view, although other actors could participate in that process, it was mainly a Government responsibility.

24. The report provided ample information on the Roma and Sami populations, national minorities whose

right to equality and development was protected under the Finnish Constitution. She would like to know whether members of those minorities sat on the Advisory Board established to eliminate discrimination against them, and how many council members were women. Furthermore, it would be helpful to know whether the 1998 study on the health and employment of the Roma and Sami minorities included a separate, specific chapter on women. She noted that there were no records or databases on the health, education and employment situation of Roma and Sami women or on their participation in society. It would be useful to learn about the results of the employment and training programme conducted in 2000, and to know whether the Government intended to pursue that programme further.

25. She would also like to know whether there were gross instances of discrimination against members of those minorities in Finnish society, whether organizations promoting such discrimination existed, and whether there were laws banning them. How was racism and xenophobia dealt with under the Finnish Penal Code? Finally, it would be helpful to know whether Finland was a party to Convention No. 64 of the International Labour Organization concerning the Regulation of Written Contracts of Employment of Indigenous Workers and whether there were programmes for judges and the police to raise awareness about the situation of those minorities.

26. **Ms. Hazelle** requested the delegation to elaborate on the status of gender mainstreaming in Finland, in particular how it was carried out and whether a specific Ministry was responsible for ensuring the incorporation of a gender perspective in all government programmes and policies.

27. **Ms. Gaspard** expressed satisfaction at the high quality of the third and fourth periodic reports of Finland and its responses to the list of issues and questions. She was impressed by the strong commitment of the Finnish Government and civil society to equality of men and women, both *de jure* and *de facto*, as demonstrated by the evolution of Finland's Constitution and legislation and the introduction of such initiatives as equality plans.

28. She was also pleased to note the Government's commitment to the development in universities of gender studies, which played an important role in raising awareness of the origins and causes of

discrimination against women. Young men should be encouraged to take such courses since male participation often helped to overcome the discipline's ghettoization. It would be interesting to know whether any research was being done on the construction of masculinity.

29. She welcomed the large number of women in decision-making positions, observing that, although Finland had been the first country in the world to accord women the right to vote in 1906, women had remained under-represented in elected bodies until the advent of the women's movement in the 1970s. She asked whether the 40 per cent quota provision of the Equality Act applied to elected as well as appointed bodies and how many Finnish women were members of the European Union's Committee of the Regions and its Economic and Social Committee.

30. She was concerned that military service was compulsory for men but voluntary for women since, as long as that anomalous situation persisted, the armed forces would continue to be an environment that reinforced gender stereotypes. She noted in that connection that the Government should be encouraging boys to enter professions in which women traditionally predominated, as well as steering girls towards jobs in technology and the sciences.

31. **Ms. Mäkinen** (Finland), replying to the questions posed by Ms. Schöpp-Schilling, said that the insertion into chapter 2 of the new Constitution of earlier amended provisions on fundamental rights, thus giving those provisions constitutional weight, was very important. The Supreme Court of Finland had recently ruled, in the first constitutional case brought before it, that the constitutional principle of equality of men and women took precedence over the constitutional provisions on freedom of religion and that the Evangelical Lutheran Church must therefore apply that principle in respect of the appointment of pastors.

32. Regrettably, while the Equality Act clearly stated that every employer with more than 30 workers must make an equality plan annually, it did not provide for the application of sanctions against those employers who failed to do so, nor did it set any minimum standards for such plans. As the Ombudsman for Equality, she was able to use the media to exert pressure on employers to comply with their obligations, but she agreed that it was necessary to strengthen the relevant provisions of the Act, to

establish mechanisms to monitor the implementation of equality plans and to take further measures to eliminate the wage disparity between men and women. There was also a need to conduct a new study of the pay gap since additional statistical data had been made available by employers' organizations. While she could confirm that single mothers were very active in the labour market, she had no data on the impact of the 1990s recession on low-income families and families with young children.

33. With regard to the question on parental leave, she said that most countries that had ratified the relevant European Union directive had elected to give each parent the right to take up to three months' parental leave. The Finnish Government, however, had stipulated that mothers and fathers should decide on the sharing of the six-month entitlement. Experience had shown that women were more likely to take the leave than men, with the result that, in most cases, the cost was entirely borne by the mother's employer. The Government was committed to introducing a system aimed at distributing the cost more evenly.

34. Replying to the question on education posed by Mr. Melander, she said that the arrangement whereby universities could "invite" eminent academics to take up professorships without advertising those posts was clearly discriminatory in its effects. Indeed, only 25 per cent of professors were women. It was difficult to square the universities' contention that they were simply appointing the best qualified individuals with the reality that women in Finland had actually obtained more university degrees than men.

35. The "glass ceiling" persisted in Finland in both the public and private sectors. For example, while around 75 per cent of employees in Government departments were women, there were few women in decision-making posts and only three women Ministers. The Government was currently developing measures to increase the number of women in senior civil service posts. As to women's representation in Parliament, 10 of the Green Party's 12 deputies were women and the Conservative and Social Democratic Parties had virtually achieved parity, whereas the Centre Party, one of Finland's largest, had few women members of Parliament.

36. As in the past, the Committee's observations and comments on the implementation of the Convention in Finland would be translated into Finnish and Swedish

and disseminated as widely as possible. That task would be facilitated by the Government's close cooperation with women's non-governmental organizations, which were represented on the Council for Equality.

37. Students could take gender studies at all of Finland's nine universities, although the subject was not always available as a major. The nine professorships in gender studies were being funded by the Ministry of Education for a five-year period, after which universities would be obliged to find their own funding for those posts. One institution had already done so.

38. Women ambassadors and professors enjoyed the same rates of pay as their male counterparts. The wage differential observed by the Committee was due to such factors as women's lesser seniority and the fact that men were more likely to work overtime. In order to close the pay gap in the private sector, some firms were developing more objective wage structures based on job evaluations. As a result, women's pay had already increased significantly in certain sectors, but the problem was a complex one and the process, which involved employers and workers' representatives, required a strong commitment on both sides.

39. Vocational segregation began in schools, where children encountered their first role models. The Government was taking steps to address the situation in the context of the National Action Plan on Employment. The problem was a difficult one since segregation was seen as a consequence of free individual choice and as having benefited women insofar as the female-dominated sectors offered good job opportunities for a large number of women.

40. Interviews for the second gender barometer were currently under way, and the findings would be available at the beginning of 2002. She agreed that a fair portrayal of women in the media would help change attitudes. The Government was cooperating closely with the media to that end, *inter alia*, in cooperation with the Finnish Broadcasting Corporation, in a special project concerning gender-sensitive news broadcasting on radio and television. Government responsibility for implementing the Convention in general was reflected in the current Government's strong commitment to incorporating more gender equality issues in its programme than ever before.

41. Regarding the representation of Roma and Sami women, she was able to say, pending further information in the next report, that the Advisory Board set up under the Ministry for Social Affairs and Health was chaired by a Roma woman, and the 40 per cent quota provision was likewise applicable to the Board.

42. The Government's gender mainstreaming programme was an interministerial programme coordinated and run by the Ministry for Social Affairs and Health. Each of the six ministries involved had developed tools, strategies and a specific project — an example being the assessment of gender impact in labour legislation — on the inclusion of gender mainstreaming into its activities. The results of the programme would shortly be presented at a press conference in Parliament and would be posted on the Ministry's Internet pages.

43. She had no data about the extent to which men were interested in women's studies. By way of further information about the quota provision under the Equality Act, she informed the Committee that the provision was not mandatory in elected bodies, but some political parties voluntarily appointed an equal number of men and women candidates for election. The direct voting system in Finnish elections explained why women had been so successful in recent elections. As a result of the application of the quota provision to municipal executive boards following local elections, the representation of women on those boards had risen to nearly 50 per cent. The provision had had a lesser effect at the State level, and efforts were currently being made to redress that situation in recognition of the importance of women's representation at the higher decision-making levels.

44. Questions were frequently raised in Finland about the fact that military service was mandatory for men but voluntary for women. The Equality Act stated clearly that the mandatory requirement for men was not tantamount to discrimination based on sex. The question of amending the mandatory system was therefore for the Parliament to decide, but at present the question was not high on its agenda. On the subject of encouragement given to young women to seek job opportunities in male-dominated sectors, she referred the Committee to the three-year training project designed to break down segregation in the labour market to which she had referred earlier.

45. **Ms. Aalto** (Finland) pointed out, in connection with the issue of double criminality, that the Committee's question 27 had in fact been answered under question 25 in Finland's written responses. By way of further explanation, she said that, among the amendments to the provisions of chapter 20 of the Penal Code on sexual offences which had entered into force in January 1999, offering money in return for sexual services from a person under the age of 18 was now a punishable offence and the requirement of double criminality was abolished where the victim was a child. Finnish citizens suspected of such a crime committed abroad could therefore be prosecuted under Finnish legislation even when the offence was not punishable in the foreign country in question. However, since it was difficult to adduce evidence in such cases, charges had been brought in only two cases so far, and the judgements were still pending.

46. On the subject of racism and racist organizations, she said that ethnic, including racist, agitation was criminalized under chapter 11, section 8, of the Penal Code, while all forms of discrimination, including discrimination on grounds of race, were a criminal offence under chapter 11, section 9, of the Penal Code. On the basis of those provisions, the Government had submitted a proposal to Parliament making participation in a criminal organization a punishable act. Under certain conditions, therefore, where organizations committing acts of ethnic discrimination were regarded as criminal organizations, participation in racist organizations would indeed be a punishable act.

47. **Mr. Ellisaari** (Finland) said, by way of preliminary comment on the question of asylum-seekers, that Finland had ratified the 1951 Geneva Convention relating to the Status of Refugees and that there were currently some 18,000 asylum-seekers in the country. He could not recall any case involving a risk of breaking up the families of asylum-seekers.

48. With regard to the question of the impact on society of the decentralization of the social security system, he outlined the social rights set forth in the Constitution. The social security system covered monetary benefits and a wide range of services to be provided by the 450 or so municipalities, and not the State. Within the framework of the law, the municipalities had considerable latitude in determining the mode and extent of the social welfare provided. In some instances, services were provided jointly by

several municipalities or purchased from others or from the private sector, or again from non-governmental organizations (NGOs). Funding came mainly from taxation, supplemented by government grants, which currently accounted for some 24 per cent. A new social welfare and health-care planning system, with a 4-year action programme covering the period from 2000 to 2003, defined objectives and targets and contained non-binding guidelines for the municipalities, which were responsible for their practical implementation.

49. The highly sensitive question of sex tourism was a multidimensional and global issue that needed to be addressed in conjunction with other areas such as prevention of the sale of and trafficking in women and children and the commercialization of sex. He drew attention to project STOP 1 initiated by the Ministry of the Interior which was referred to under question 23 of Finland's responses and described in the appendix to that document. Another European Union project, STOP 2, had been introduced to continue the work begun, the aims of both projects being to prevent child prostitution, including sex tourism, examine the extent of the phenomenon and develop cooperation and networking among the relevant authorities at both the national and international levels.

*The meeting rose at 1.05 p.m.*