



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

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**Committee on the Elimination of Discrimination
against Women
Fifty-seventh session**

Summary record (partial)* of the 1202nd meeting

Held at the Palais des Nations, Geneva, on Friday, 20 February 2014, at 3 p.m.

Chairperson: Ms. Ameline

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* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

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The meeting was called to order at 3 p.m.

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

Seventh periodic report of Finland (continued) (CEDAW/C/FIN/7; CEDAW/C/FIN/Q/7 and Add.1)

1. *At the invitation of the Chairperson the delegation of Finland took places at the Committee table.*
2. **Ms. Martikainen** (Finland) said that her Government was working with the private sector to increase women's representation in management positions. The Government would be monitoring the number of women on the boards of private companies, which had increased in recent years and currently stood at 24 per cent, and legislative action would be taken if there was no improvement.
3. **Ms. Kaunismaa** (Finland) said that as part of its objective to achieve gender equality in tertiary level education, the Ministry of Education and Culture required universities and universities of applied science, or polytechnics, to submit reports on their activities to promote gender equality and the status of gender and women's studies. Women held around half of all doctoral, post-doctoral and independent research positions. The number of women with full professor status currently stood at 25 per cent and the number of women professors in the Academy of Finland at 27 per cent. Furthermore, recent statistics showed that research funding was awarded equally to men and women.
4. **Ms. Arrhenius** (Finland) said that legislation prohibited data collection based on ethnic origin but not on mother tongue. Finnish non-governmental organizations working with the Roma community were strongly opposed to any data collection disaggregated by Roma ethnicity. A survey on elderly women belonging to minority groups would soon be conducted to assess the extent to which they experienced multiple discrimination within social services.
5. **Ms. Huotarinen** (Finland) said that efforts were being made to strengthen political participation of all sections of the population, including persons with disabilities. Training in voting procedures had been provided to immigrants throughout the country, with women making up half of the participants, and relevant information on the website of the Ministry of Justice was available in over 20 languages.
6. **Ms. Reponen** (Finland) said that women accounted for 40 per cent of the heads of diplomatic missions, including in countries in crisis. In total, women made up 70 per cent of diplomatic mission personnel.
7. **Ms. Gbedemah** asked how the curriculum reform for gender-sensitive education would incorporate gender and human rights education, whether it would cover vulnerable groups, bullying, sexual harassment in schools and persons with disabilities, how the results would be evaluated and whether human rights indicators would be used for that evaluation. Did the Government plan to make the project on equality and gender awareness compulsory in all teacher training institutions to ensure that all teachers, including those trained after 2011 when the project had ended, received gender equality training? She asked what subjects were taught in vocational education and whether culturally sensitive education was provided in minority languages, especially for Sami and Roma children.
8. **Ms. Acar** asked for data on women's representation in higher education broken down by academic discipline. While the proportion of women in academia was relatively high compared to other European countries, with women holding less than a quarter of all professorships, it had remained unchanged for many years and more needed to be done to achieve equality. What was the Government planning to do to improve the situation?

9. **Ms. Jahan** said that although the employment ratio for men and women was exemplary, women's overall employment situation remained a cause for concern. She asked whether steps had been taken under the family leave system to address the low use of paternity leave and encourage more men to take advantage of it; whether the proposal by non-governmental organizations to provide for 18 months of parental leave to be shared by both parents, with each taking at least 6 months leave, might be considered; whether monitoring was carried out to ensure that paternity leave was used for its intended purpose; and whether there were measures to protect single mothers, including childcare allowances.

10. What was being done to tackle the structural causes of the gender pay gap? Did legislation on fixed-term employment prohibit employers from not renewing a contract or shortening the contractual period on the basis of pregnancy and family leave? How was the law on pregnancy discrimination enforced and how were offenders prosecuted? She asked about the role of the Ombudsman for Equality in enforcing compliance with the Equality Act, whether adequate resources were allocated to the Ombudsman for that purpose and how compliance with the requirement for employers with over 30 employees to implement a gender equality plan was monitored.

11. She would appreciate information on studies carried out within the framework of the integration policy to increase the employment of migrant women, including through self-employment, on actions to promote the employment of Roma and indigenous women, on employment training for women with disabilities and on the status of ratification of the Convention on the Rights of Persons with Disabilities. Did labour legislation cover women from ethnic and indigenous minorities and women with disabilities and include safeguards against sexual harassment?

12. **Ms. Hayashi** asked how the reform of the health-care system would improve equal access to health services for all, how women's health care in particular would be affected and how gender-sensitive health policies were included in the new Action Plan for Gender Equality 2012–2015. It would be helpful to have further details of the provision of gender-sensitive medical treatment and psychological support for substance and alcohol abuse and eating disorders among women. Might the delegation also provide information on the causes of the high suicide rate among girls and preventive measures in place?

13. In light of the recommendations of the Committee of Ministers of the Council of Europe to review requirements for legal recognition of gender reassignment and of the Convention against Torture to repeal laws allowing forced gender-normalizing surgery, details would be appreciated of legislation concerning transgender persons, particularly the requirement in Finland of sterilization as a condition of legal gender recognition. Lastly, could the State party provide clarification of reports that women with intellectual disabilities could be subject to forced sterilization under current mental health law? In that event, what domestic and international legal redress was available to those who underwent such sterilizations?

14. **Ms. Kaunismaa** (Finland) said that a review of the national curriculum was carried out every 10 years and the outcomes of the reviews were monitored. Monitoring was also carried out within the Organisation for Economic Co-operation and Development (OECD) Programme for International Student Assessment, which had recently revealed unequal literacy levels between girls and boys, and measures under the educational policy had therefore been adopted to bridge the gap. A programme to combat bullying in schools, which had been implemented in 90 per cent of the country's schools, was producing positive results. As part of a child and youth policy programme, a campaign had been launched by non-governmental organizations to challenge assumptions on gender, under which material would be distributed to educational establishments. Gender equality and the issue of gender segregation in education were incorporated into teacher training and taken into consideration in the reform of the early childhood education curriculum.

15. **Ms. Mäkinen** (Finland) said that employers must provide a valid reason for using fixed-term contracts and were liable for damages and subject to prosecution for violations under equality legislation. They were prohibited from using fixed-term contracts instead of permanent ones because an employee was pregnant. Dismissal because of pregnancy was illegal.

16. Women still took a greater share of parental leave and a recent study had revealed that they found it easier to do so than men. Nevertheless, it was increasingly easy for men to take leave, although no mechanism was in place to monitor whether they used it to care for their children. Taking leave was difficult for both men and women in industries dominated by men.

17. **Ms. Martikainen** (Finland) said that the gender wage gap had stood at 17 per cent in 2013. Given the numerous reasons for the gap, various projects had been undertaken to reduce gender segregation in the labour market, support women's career development and promote more equal sharing of parental leave. The Government's ability to promote equal pay in the private sector was limited because wages were negotiated between employers and trade unions; the gap was smaller in the State sector. A media campaign regarding equal pay had taken place in 2013 and another was planned to coincide with Equal Pay Day. Equality planning was effective in promoting equal pay and was monitored by the Office of the Ombudsman for Equality, which had found that smaller workplaces often lacked equality plans, even if they were legally required to produce one. Equality planning in workplaces, especially regarding pay, would be more clearly defined under the amended Act on Equality between Men and Women.

18. The Government had decided to grant all fathers 54 days' non-transferable paternity leave, and a working group was examining how to ensure that single mothers also benefited from that leave. Additionally, the childcare allowance would be divided equally between parents, with single mothers receiving the full amount.

19. **Mr. Kosonen** (Finland) said that he had chaired a working group that had produced a report on the Convention on the Rights of Persons with Disabilities. He hoped that the bill on that Convention would be submitted to the parliament by the end of the year.

20. **Ms. Oinonen** (Finland) said that the Government intended to ratify the Convention on the Rights of Persons with Disabilities during its current term. A working group on the Convention had been multisectoral, including NGOs and local and regional authorities. Ratification had been delayed because domestic legislation was being thoroughly reviewed and the necessary amendments were being made to the law, to ensure that the Convention made a positive difference to the lives of people with disabilities and that reservations were avoided.

21. **Ms. Arrhenius** (Finland) said that before it ratified the Convention on the Rights of Persons with Disabilities, Finland needed to adopt legislation on the use of restrictive measures and involuntary treatment in social and health-care services. To that end, a working group was finalizing proposals for a bill to strengthen patients' right to self-determination and minimize the use of restraints, particularly against patients with intellectual and/or psychosocial disabilities who could not give consent.

22. Members of the Sami community could receive training in three Sami languages at a polytechnics institute in Inari that offered courses on Sami languages, traditional handicrafts, media, social work and health care. Given that only 30 per cent of the Roma spoke the Roma language, their education needs related to vocational training rather than language issues. Young Romas received mentoring and were encouraged to follow mainstream vocational training rather than Roma-specific training. The approach had proved successful and courses in social work and health care were popular among the Roma community.

23. **Ms. Mäkinen** (Finland) said that sexual harassment in the workplace was defined as an act of discrimination under the Act on Equality between Women and Men and therefore prohibited; employers were responsible for ensuring that it did not occur.

24. Employment for migrant women was addressed through an integration programme for various migrant groups that provided language training, basic education, access to basic services and practical skills development. There were also education and literacy programmes aimed specifically at migrant women. Although the unemployment rate affected migrant women more than men, long-term trends suggested that their employment prospects had improved over time.

25. **Ms. Arrhenius** (Finland) said that health-care reforms mainly concerned the public sector. Health-care services would continue to be funded by the municipalities but would be organized into bigger health regions and grouped under five large catchment areas set up to coordinate activities in the regions. The reforms would provide more equal access to health care and standardize fees across the country. Furthermore, social and health services would be better integrated and the gap between primary and specialized care would be reduced. Because not all details of the reforms had been finalized, it was impossible to comment on the implications.

26. **Ms. Jahan** asked what measures the Government had adopted to help immigrant women to network with potential employers, introduce quotas and raise awareness of issues affecting such women.

27. **Ms. Halperin-Kaddari** said that the requirement for a “valid reason” for fixed-term contracts was vague and allowed employers to cite financial reasons, which, she had been informed, were often invoked, including when fixed-term contracts were offered to pregnant women. She asked whether the Government would consider closing such loopholes in the law.

28. **Ms. Kaunismaa** (Finland) said that immigrant women with higher education qualifications were mentored by Finnish women with similar qualifications under a project to improve their skills and give them opportunities to network. The employment project had produced significant results.

29. **Ms. Mäkinen** (Finland) said that women were most concerned by fixed-term contracts, as they were common in the public sector, the majority of which was made up of women. The grounds for termination or non-renewal of fixed-term contracts were clearly set out in law, and the courts developed jurisprudence and handed down rulings in various cases involving such contracts.

30. **Ms. Hayashi** said that the periodic report did not address questions regarding article 13 of the Convention and referred instead to the previous periodic report. She would like to have more detailed information regarding Government support for women entrepreneurs and innovators and the situation of minority women. She asked whether ongoing local government reform would have an adverse effect on cultural resources such as libraries.

31. **Ms. Pomeranzi** said that the State party’s comprehensive rural policy should address access to housing, childcare centres and social services and the prevention of domestic violence, which was prevalent in remote areas. She asked what specific services had been established under the policy, how the Government coordinated its implementation with local authorities and who assessed its gender impact. She also asked what effect the policy had had on Roma, Sami and migrant women, all of whom were subject to multiple discrimination. Noting that there was a dearth of statistics on women with disabilities, she requested data on the level of participation by such women in Government workforce integration programmes. She wished to know what had been the impact of the Act on the Promotion of Integration, the Act on the Reception of Persons Seeking International

Protection and initiatives aimed at improving services for women of the lesbian, gay, bisexual, transgender and intersex community.

32. **Ms. Arrhenius** (Finland) said that, by law, sterilization and contraception were administered only with the consent of patients or their legal representatives. The Act on the Status and Rights of Patients would be reviewed at some point in the future. A working group in the Ministry of Health was looking at the legal aspects of sex change operations and would submit its findings by the end of 2014. Statistics were available on special services used by people with disabilities. The Government planned to dismantle all mental institutions by 2020 and was working with municipalities to provide them with specially adapted housing. In recent years, the range and quality of social services available to people with disabilities had improved at a greater rate than those for the general public.

33. **Ms. Mäkinen** (Finland) said that a series of programmes had been established since the 1990s to provide women entrepreneurs with business advice and credit services.

34. **Ms. Kaunismaa** (Finland) said that public libraries played a key role in promoting media literacy among schoolchildren. Funding for libraries came directly from the national budget and was therefore guaranteed.

35. **Ms. Mäkinen** (Finland) said that finance would be made available to businesses, especially those run by women, under the rural development plan for 2014–2020. Analysis of the plan's gender impact would be conducted in line with the Government's gender mainstreaming policy.

36. **Ms. Halperin-Kaddari** said that the failure of the State party to address articles 15 and 16 of the Convention either in its seventh periodic report or in several previous reports was regrettable, because there had been significant changes in marital law. She asked the delegation to clarify whether the 2011 Act on the Dissolution of the Household of Cohabiting Partners complied with general recommendation No. 29. Although statistics were unavailable, it appeared that single mothers in Finland were economically worse off than their male counterparts. A contributing factor appeared to be the fact that most divorce or separation settlements in the State party were based on the notion of the separation of assets. In many cases, couples signed prior agreements renouncing any claim to each other's property in case of separation. Most divorces were settled on that basis, which almost invariably left women at a disadvantage. Was the State party aware of the difficulties most women faced after divorce or separation? It appeared from research carried out in the State party that the courts tended to ignore the issue of domestic violence, whether directed at the former spouse or children, when ruling on custody of children. Had the Government examined that research and was it planning to adopt a more robust approach to the matter of domestic violence?

37. **Ms. Huotarinen** (Finland) said that the provisions of the Act on the Dissolution of the Household of Cohabiting Partners were not binding. However, provision was made in the Act for compensation in order to prevent the unjust enrichment of either spouse. Marital law provided for the separation of assets in order to prevent the loss by either spouse or cohabiting partner of their property upon the dissolution of the union.

38. **Mr. Kosonen** (Finland) assured the Committee that the State party's next periodic report would contain information on articles 15 and 16 of the Convention.

39. **Ms. Halperin-Kaddari** asked which assets were considered to be marital property when a couple separated or divorced and whether intangible assets such as pension, insurance and other benefits accumulated during the period of marriage or cohabitation were taken into account. She also asked whether future earning capacity, which as a rule was greater in the case of the male partner, was taken into consideration.

40. **Mr. Huhtamäki** (Finland) said that, under the Act on the Reception of Persons Seeking International Protection, all persons seeking international protection were entitled to access to housing, health care and social services. There was a particular focus on vulnerable persons but no one was discriminated against.

41. **Ms. Martikainen** (Finland) said that the average yearly income of single mothers and single fathers was €26,000 and €34,000 respectively. Most single mothers were in that situation as a result of divorce.

42. **Ms. Huotarinen** (Finland) said that future earnings were not taken into account when assets were divided after separation or divorce. Courts could, however, order the payment of maintenance.

43. **Ms. Halperin-Kaddari** said that such court orders were made only in exceptional cases in the State party. Moreover, obliging the parties to go through litigation was a poor solution and incompatible with general recommendation No. 29.

44. **Ms. Manns-Haatanen** (Finland) said that a report on the issue of custody and domestic violence had been released in 2013 and that working groups had studied the matter closely. Social welfare and child protection officers, working with the justice system, intervened in such cases. The best interests of the child were paramount. There were no imminent plans to amend its legislation on child custody.

45. **Ms. Naucclér** (Finland) said that the State party's approach to the division of marital property was based on the principle of emancipation. Litigation was the exception rather than the rule. She conceded that, in times of economic difficulty, the approach on the division of marital property could be reviewed.

46. **Mr. Kosonen** (Finland) said that the provisions of the Convention were so fully integrated into the daily life of Finnish society that it was considered unnecessary to invoke it repeatedly in the courts.

47. **The Chairperson** stressed the importance of the State party's ongoing work towards ending violence against women and expressed her appreciation for the productive dialogue with the delegation.

The discussion covered in the summary record ended at 4.55 p.m.