



Генеральная Ассамблея

Distr.: General
30 April 2024
Russian
Original: English

Совет по правам человека

Пятьдесят шестая сессия

18 июня — 12 июля 2024 года

Пункт 3 повестки дня

**Поощрение и защита всех прав человека,
гражданских, политических, экономических,
социальных и культурных прав,
включая право на развитие**

Посещение Финляндии

Доклад Специального докладчика по вопросу о праве на образование Фариды Шахид*

Резюме

Специальный докладчик по вопросу о праве на образование Фариды Шахид посетила Финляндию с 20 по 29 ноября 2023 года. Цель визита — собрать информацию из первых рук об обеспечении и реализации права на бесплатное, качественное и инклюзивное образование для всех, а также провести диалог с правительством и другими заинтересованными сторонами и предложить им рекомендации по этому вопросу.

Государственная система образования Финляндии заслуженно пользуется высокой репутацией во всем мире. Основываясь на ключевых ценностях, включающих принцип равенства, система образования была создана таким образом, чтобы учитывать различные потребности и обстоятельства, помогать людям полностью раскрыть свой потенциал и предлагать обучение на протяжении всей жизни без каких-либо тупиковых ситуаций. Система характеризуется наличием высококвалифицированных преподавателей и высоким уровнем каскадной автономии: от национальных образований к региональным органам власти, муниципалитетам, директорам школ и, в конечном итоге, отдельным учителям. Она полностью опирается на преданный и увлеченный персонал и получает от него пользу.

Сегодня система, которая так замечательно работала в прошлом, сталкивается с серьезными проблемами, вызванными изменениями как в самой финской системе образования, так и во внешнем окружении, такими как старение населения, большее разнообразие жизненного опыта и растущее присутствие цифровых технологий в образовании, как и во всех других областях. Сейчас самое время подумать о том, как лучше действовать дальше. С точки зрения права человека на образование вопрос заключается в том, насколько современная система образования отвечает разнообразным потребностям каждого учащегося, чтобы никто не оставался позади на любом этапе жизни и каждый мог полностью реализовать свой потенциал.

* Резюме доклада распространяется на всех официальных языках. Сам доклад, прилагаемый к резюме, распространяется только на том языке, на котором он был представлен.



Приложение

Доклад Специального докладчика по вопросу о праве на образование Фариды Шахид о посещении Финляндии

I. Introduction

1. The Special Rapporteur on the right to education, Farida Shaheed, carried out an official visit to Finland from 20 to 29 November 2023, at the invitation of the Government.
2. The Special Rapporteur visited Helsinki, Turku and Mariehamn, the capital of the Åland Islands, an autonomous Swedish-speaking region of Finland.
3. During the visit, the Special Rapporteur met with senior government officials, in particular the Minister of Education and the Chair of the Education and Culture Committee of the Parliament of Finland. She interacted with officials from various ministries and agencies, including the Ministry of Education and Culture, the Ministry of Foreign Affairs, the Ministry of Economic Affairs and Employment, the Ministry of Justice, the Finnish National Agency for Education, the Finnish Education Evaluation Centre and the Finnish Institute for Health and Welfare. She also met with representatives of the Human Rights Centre, members of its Human Rights Delegation – including the Ombudsman for Children, the Non-Discrimination Ombudsman and the Data Protection Ombudsman – and representatives of the Office of the Parliamentary Ombudsman, which together form the Finnish National Human Rights Institution. She held meetings with representatives of civil society, student associations, parents' associations, trade unions and academia, and with representatives of United Nations specialized agencies.
4. At the municipal level, the Special Rapporteur visited the city of Turku, where she met with local authorities, including the Deputy Mayor of childhood and education and other elected representatives, and held discussions with representatives of municipal education services at all levels of education. She also met with education specialists of the Regional State Administrative Agency for Southwestern Finland and visited the main library.
5. At the regional level, the Special Rapporteur visited the Åland Islands, where she had meetings with the Head of Administration of the regional government, the Head of the Education Section, the Special Adviser for Education, the Project Manager for Homeschooling, the Non-Discrimination Ombudsman, the Ombudsman for Children, the Head of Education of the municipality of Mariehamn, the Head of Authority of Åland Gymnasium, and students and staff of educational institutions.
6. In Helsinki, Turku and the Åland Islands, the Special Rapporteur visited public educational institutions, including kindergartens, primary and comprehensive schools, vocational institutions, a school for adults and the University of Helsinki. She also visited Omnia, the joint authority for education in the Espoo region. The Special Rapporteur was thus able to discuss issues with students, parents of homeschooled children, teachers and education support staff, school psychologists and members of student welfare groups, headteachers, administrative staff, teacher trainers and academics.
7. The Special Rapporteur expresses her gratitude to the Government for its invitation and the full cooperation extended throughout the visit. She appreciates having received useful comments on her preliminary observations on the visit from the Ministry of Education and Culture and the Finnish National Agency for Education. She thanks all stakeholders for their insights, time and availability.

II. General context

A. Legal and political framework

8. Finland must be congratulated for its firm commitment to international human rights standards and mechanisms. It is a State party to all major international human rights treaties that are key to the promotion and protection of the right to education for all and regularly reports to the relevant treaty bodies. In March 2001, Finland extended a standing invitation to all special procedure mandate holders. Having served as one of the first members of the Human Rights Council, in 2006/07, Finland has been re-elected for a second term (2022–2024). In voluntary pledges preceding its election, Finland committed to supporting the right of all people to have access to equitable and inclusive education of the highest attainable quality, with a particular focus on girls, persons with disabilities and those in the most vulnerable situations. Education remains a priority in the work of Finland in the Council and an essential element in its international relations with global partners.

9. Finland is committed to the implementation of Sustainable Development Goal 4, to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. In this context, in the medium to longer term, extending to 2040, Finland is aiming to raise the level of education, learning outcomes and competence at all levels of education, offer equal opportunities for lifelong learning for all, increase participation of underrepresented groups, narrow the differences in learning outcomes and strengthen the well-being of children and youth.¹

10. The Special Rapporteur appreciates the strong emphasis placed on the right to quality education as a human right at the highest levels of the State and at the regional and municipal levels. Many legislative, regulatory, programmatic and financial measures have been taken, and are to be acknowledged and commended.

B. National education system

1. Structure

11. Compulsory education begins when a child turns 6 years old and ends when the child reaches the age of 18 years. Every child permanently residing in Finland must attend compulsory education, which is free of charge.² The education system caters for children with special needs and those whose mother tongue is not Finnish or Swedish, such as children speaking Sami, Romani or other minority languages or using sign language.

12. The education system begins with early childhood education and care, continuing with pre-primary education then primary and lower secondary education. Upper secondary education has two streams: general upper secondary education, which finishes with a matriculation examination, and vocational education and training. Completing either of these streams gives access to higher education, provided in universities or universities of applied sciences. Finland also supports multiple opportunities for adult education and non-formal education, including study programmes for adults who do not have the leaving certificate from primary and lower secondary education.

13. Every child is entitled to early childhood education and care, which may start as soon as the child is 9 months old. Municipalities are responsible for organizing early childhood education and care according to local demand. Pre-primary education, compulsory for children from the age of 6 years, is provided in early education centres and in schools. Learning through play is deemed essential.

¹ Preliminary national statement of commitment of Finland to transforming education, delivered by Sauli Niinistö, President of Finland, at the Transforming Education Summit, on 19 September 2022. Available at https://transformingeducationsummit.sdg4education2030.org/system/files/2022-10/Finland_National%20Statement%20of%20Commitment.pdf.

² For an overview of the education system, see Ministry of Education and Culture and Finnish National Agency for Education, *Finnish Education in a Nutshell* (Helsinki, 2022).

14. At the level of primary and lower secondary education, local authorities assign a place to each pupil in a comprehensive school close to their homes, in accordance with what is referred to as the “nearest school principle”. Parents may also apply for a place in another school of their preference, subject to the availability of places, if they are able justify such a choice. The national core curriculum for primary and lower secondary education is determined by the Finnish National Agency for Education. The curriculum is renewed approximately every 10 years, in broad consultation with all relevant stakeholders. Education providers draw up their own curricula within the framework of the national core curriculum.

15. There are no national tests for pupils in primary and lower secondary education. Instead, teachers are responsible for assessments, based on the goals and assessment criteria defined in the curriculum. Formative and summative assessments are a continuous process from grade 1, and numerical marks are given from grade 4. Finland has never based its quality assurance on standardized testing and stopped using school inspectors in the early 1990s. The quality of education has been promoted through a decentralized approach using national core curricula, which provides room for local adjustments. Sample-based monitoring or international sample-based tests such as the Programme for International Student Assessment of the Organisation for Economic Co-operation and Development (OECD) are also used to monitor the education system.

16. If required, a student can take a maximum of one year of preparatory education to transition from lower secondary to upper secondary education. Preparatory education is available to students of compulsory school age who need extra support, students of an immigrant background or whose mother tongue is not Finnish or Swedish and adult learners who do not have upper secondary qualifications.

17. General upper secondary education is flexibly organized and designed as a three-year course, but students may complete it in two to four years. Vocational education and training is competence-based and customer-oriented. Each vocational qualification includes workplace learning and is developed in collaboration with the relevant area of industry. Higher education is offered by universities, which emphasize scientific research, and universities of applied sciences, which have a more practical approach.

18. Education is free at all levels, with several exceptions. In early childhood education and care, families pay moderate fees depending on the family’s size and income. Liberal adult education may incur a fee. In higher education, tuition fees apply to students coming from outside the European Economic Area.

19. The majority of schools in Finland are public schools. Non-profit private schools may be established if there is an educational or cultural need. Most private schools are Government-dependent: they are issued a licence to provide education, are publicly funded and under public supervision. They follow the national core curricula and the qualification requirements defined by the Finnish National Agency for Education. Only certificates awarded by licensed private schools are considered sufficient proof of completion of the relevant stage of education. In 2022, a mere 4 per cent of children aged 1 to 6 years attended private institutions for early childhood education and care, 3 per cent of primary and lower secondary schools were Government-funded private schools, and 9 per cent of general upper secondary schools were private. However, private institutions accounted for the majority (62 per cent) of vocational education and training institutions and vocational adult education centres.

20. It is education, rather than schooling, that is compulsory, and homeschooling is permissible under the Basic Education Act (628/1998). Under section 26 of that Act, the progress of students of compulsory school age not participating in the education provided thereunder must be supervised by the local authority of the student’s municipality of residence. The regularity and other practicalities of assessment are agreed between the municipality, teacher and parents. According to Statistics Finland, 502 Finnish children and young people were homeschooled in 2022. Approximately 40 homeschooled children complete studies each year, in order to obtain a school certificate at the end of their studies, as provided for in the Basic Education Decree (852/1998).

2. Governance

21. The Ministry of Education and Culture prepares legislation and distributes State funding. It outlines the strategy of education policy, while the Finnish National Agency for Education is a central actor in its execution, by, for example, developing the national core curricula.

22. For early childhood education and care and schools, the regional administration is responsible for monitoring to ensure that the actions of education providers are aligned with legislation, while municipalities allocate funds and develop local curricula. Typically, the principals recruit the staff of their schools.

23. Educational autonomy is high at all levels. Education providers are responsible for practical teaching arrangements, such as class sizes, and for educational quality and effectiveness. Schools have the right to provide educational services according to their own administrative arrangements and visions, provided that the basic functions defined by law are carried out. For early childhood education and care, the child-staff ratio and maximum group size are determined in legislation.

24. Teachers have pedagogical autonomy. They decide which teaching methods and materials to use. Universities and universities of applied sciences enjoy extensive autonomy and freedom of education and research. They organize their own administration, decide on student admission, design the contents of degree programmes and enjoy financial autonomy.

3. Åland Islands

25. In the Åland Islands, an autonomous Swedish-speaking region of Finland, most inhabitants speak Swedish, the region's sole official language, as their first language. Swedish is also the language of instruction in publicly financed schools.

26. The government of the Åland Islands has legislative jurisdiction in the area of education, while municipalities are responsible for organizing childcare and compulsory education. Education in the autonomous region is compulsory for children aged 7 to 16 years, consisting of six years of primary and three years of lower secondary education (pre-primary education is not compulsory). Students may then continue to upper secondary education, provided by Åland Gymnasium. Higher education is offered at the Åland University of Applied Sciences. Education in Åland is administered and regulated by the government's Department of Education and Culture.

27. The experience of the autonomous region in the participation of children is commendable. Input was sought from children from a young age in the formulation of both the new legislation on early childhood education, in force since 2021, and the new curricula.

28. In the Åland Islands, as in mainland Finland but unlike in neighbouring Sweden, it is not compulsory to attend school. In recent years, the region has seen an influx of families moving from Sweden and elsewhere, wishing to homeschool their children. To ensure that the education rights of these children are being met, the Åland government and municipal authorities work closely with parents of homeschooled children and provide health care and school psychologist services.

C. Recent education reforms

29. Finland carried out extensive reforms of education policy between 2017 and 2021 in response to challenges such as demographic changes leading to a decrease in the number of schools, and an increasing correlation between a child's family background and academic success.

30. The new Compulsory Education Act (1214/2020) extended the age until which education is compulsory to 18 years, except in the Åland Islands, where it remains 16 years. Upper secondary education was made free of charge, supporting the national aim to increase the number of young people with higher education qualifications.

31. The administration of early childhood education and care was transferred from the Ministry of Social Affairs and Health to the Ministry of Education and Culture in 2013, which helped to promote acceptance of early childhood education and care as a pedagogical activity directly connected to basic education and a foundation for lifelong learning. The new Early Childhood Education and Care Act (540/2018) enhanced the required educational level of personnel and clarified staff titles. Further amendments entered into force in August 2022, strengthening the right of children to get the support that they need in early childhood education and care.

32. In December 2020, the Two-Year Pre-Primary Education Trial Act (1046/2020) entered into force, and approximately 10,000 children born in 2016 and 2017 were participating in the trial by the end of September 2024.

33. Entering into force in January 2018, the Vocational Education and Training Act (531/2017) introduced changes to qualifications, funding and guidance, improved education-work coordination and strengthened arrangements for practical learning in the workplace.

34. In higher education, in 2017, fees were introduced for students coming from outside the European Economic Area who are supported by university scholarships.

III. Specific achievements and challenges relating to the right to education in Finland

35. The public educational system in Finland has a well-deserved worldwide reputation for excellence. It is premised on core values that include the principle of equality, accommodation of various needs and circumstances, support for individuals to achieve their full potential and lifelong learning with no dead ends.

36. Today, the system that has worked so admirably in the past is facing some critical challenges due to declining birth rate, a greater diversity in students' backgrounds affected by internal migration and immigration and the increasing presence of digital technology.

37. A significant concern expressed by Finnish education policymakers has been the declining trend in learning performance, shown in the national sample-based evaluations, and in international assessments, such as the OECD Programme for International Student Assessment. In the decade from 2000 to 2009, Finland topped the list in reading, mathematics and science in those assessments. In 2010, Finland was one of the world's leaders in the academic performance of its secondary school students, remarkably consistently across schools. Finnish schools seemed to serve all students well, regardless of family background, socioeconomic status or ability.³ However, since 2009, the results have seen a continuous decline, and by 2022, Finland scored seventh in maths and reading and sixth in science.⁴ It should be noted, however, that the Programme for International Student Assessment measures only a narrow band of school learning, and the results should not be equated with educational attainment.

38. From the perspective of the human right to education, the issue is whether – and the extent to which – the Finnish education system today responds equally to the diverse needs of every learner so that no one is left behind at any stage and everyone can fully realize their potential throughout their lifetime.

A. Challenges facing the teaching profession

39. There is a high level of trust in teachers and the education system as a whole, and teaching remains an attractive profession. Entry to initial teacher training is very competitive, and only the top 10 per cent of candidates are accepted to university programmes leading to a teaching degree as a classroom teacher. School teachers are required to hold a master's

³ OECD, *Strong Performers and Successful Reformers in Education: Lessons from PISA for the United States* (OECD Publishing, 2011), p. 117.

⁴ OECD, "PISA 2022 results: factsheets – Finland", 5 December 2023.

degree, which is seen as a necessary factor to ensure professional autonomy, while at the level of early childhood education and care, a bachelor's degree is sufficient.

40. Decentralization and autonomy at the level of the teacher, school, municipality and university are two important characteristics of the Finnish education context that are strongly linked to the Finnish understanding of professionalism and the high status of teachers in Finnish society.

41. In a spirit of ensuring professional autonomy, Finland has placed its trust in having well-educated teachers and does not use heavy evaluation practices such as inspections or standardized tests to evaluate teacher performance. Instead, at the national level, it provides guidelines that specify national aims, framework curricula and teacher-training strategies to communicate shared ideas and characteristics valued in the teaching profession. The Finnish education environment, especially the collaborative preparation of local curricula and classroom-level assessment practices, supports teachers to work as autonomous professionals in their classes.

Teacher shortages in early childhood education and care

42. Despite the general attractiveness of the teaching profession, an increasing shortage and attrition of qualified teachers has been reported, especially in early childhood education and care, where ensuring sufficiently qualified personnel is an issue. According to Keva, the country's largest pension provider, Finland has a nationwide shortage of approximately 6,000 teachers in early childhood education and care.⁵ Evidence shows a variety of reasons, including perceived poor working conditions, demanding and stressful work, lack of appreciation in the field, limited opportunities for advancement in career and lower pay compared to other teachers, largely due to the lower level of qualification required for teachers in early childhood education and care (bachelor's degree) compared to school teachers (master's degree). Teacher shortage is a global phenomenon and the most common reasons for teachers leaving the profession are low pay combined with high levels of stress and administrative burden.⁶

43. Shortage and attrition mean that, far too often, education providers have to rely on the derogation provided for under section 33 of the Early Childhood Education and Care Act (540/2018), which allows teaching positions in early childhood education and care to be filled temporarily, for a maximum of one year, by a person who has the requisite skills but not the required qualification. Job security in the sector is thus negatively affected.

44. The situation is further complicated by the competence requirements under the Early Childhood Education and Care Act. Currently only one third of staff in early childhood education and care are required to hold a higher education degree, but this proportion will increase in 2030 to two thirds of staff. This requirement will be difficult to meet in many municipalities.

45. There are also shortages of teachers with special competences, such as special needs education and Sami, Romani, sign language or other minority languages.

46. In-service training and professional development of teachers, which is so essential in rapidly changing societies, seems not to be robust, as teachers appear to encounter practical hurdles in making use of the allocated in-service training time.

47. Continuing teacher training is encouraged but not compulsory in Finland. Teachers are expected to drive their own development: willingness and competence for continuous learning is one of the national aims for teachers' competences agreed by the national Teacher Education Forum. Although 93 per cent of teachers reported attending at least one activity for professional development per year, only 68 per cent of them attended courses and

⁵ European Commission, *Education and Training Monitor 2023: Finland* (Luxembourg, Publications Office of the European Union, 2023), p. 9.

⁶ See [A/78/364](#) and United Nations Educational, Scientific and Cultural Organization (UNESCO), "The teachers we need for the education we want: the global imperative to reverse the teacher shortage – fact sheet", 2023.

seminars, while 14 per cent participated in training based on peer learning and coaching.⁷ Concerns were raised that the training was pro forma, insufficiently funded or insufficiently supported by the employer.

48. Teachers have no right to in-service training under Finnish legislation, except for the right and duty of personnel in early childhood education and care to undergo continuing professional development. For basic and upper secondary education, the collective agreement negotiated by the Trade Union of Education and binding by virtue of the Collective Agreement Act (436/1946) requires that teachers be allowed three days of paid leave for planning and in-service training annually. In practice, however, two of these days often go into planning the school year, with only one day left for in-service training. The way in which teachers use that one remaining day varies according to the differing financial situations in municipalities. Although the Government allocates 15 million euros annually for teachers' in-service training, schools and municipalities sometimes do not have the necessary resources to recruit substitute teachers to replace those going for training, or to cover travel and accommodation expenses. The commitment to support teachers' professional learning is thus undermined.

49. The current situation with regard to in-service training demonstrates that, on the one hand, decentralization and teachers' autonomy are strengths of the Finnish education system as it allows local providers of education, typically municipalities, to have more flexibility in decision-making and to incorporate local contexts and networks. On the other hand, decentralization and autonomy make the implementation of national strategies in teacher training challenging.⁸ From a human rights perspective, the result is a situation of inequality between children in different municipalities or within one municipality, and inequality among the teachers.

50. Consistent and predictable long-term funding would facilitate and encourage teachers' in-service training. Currently, teacher training is often organized by municipalities through special training centres in coordination with teacher networks and associations, in the framework of various short-term projects that reflect State priorities. A project-based approach to teacher's professional learning provides flexibility but brings its own challenges. For example, it is difficult to systematically assess the quality of such projects, as their focus is constantly changing, which fragments professional training. The funding of such projects is competitive, sporadic and unpredictable.

51. Teachers need to be regularly updated on new legislation, policies and emerging issues. It is crucial that all teachers are familiar with human rights, the rights of the child and comprehensive sexuality education to maintain a healthy and respectful classroom environment. New topics should be integrated into initial and in-service teacher training, and the necessary measures should be taken to ensure that current teachers are well versed in human rights. However, there are practical challenges. The autonomy of universities means that they each decide independently on the content of the education that they provide, and human rights education for teachers is therefore implemented in a wide variety of ways. Aspects of inclusion, participation, equality and sustainability are frequently reflected in teacher-training curricula, but compulsory courses rarely include human rights education explicitly. Interlocutors noted that, across the country, growing differences in teacher-training curricula lead to unequal opportunities for future teachers to include human rights in their work. Because human rights education is not systematically incorporated into the teacher-training curricula, its implementation largely relies on individual teachers. Nationwide coordination of and funding for human rights education remains fragmented, short-term and project-based. In this context, the steering group appointed by the Ministry of Education and Culture to develop education for democracy and human rights through the analysis of good practices and a set of pilot projects is a promising initiative.⁹

⁷ OECD, "Results from TALIS 2018: country note – Finland", 19 June 2019, p. 4.

⁸ For example, the Teacher Education Development Programme 2022–2026.

⁹ See <https://www.oph.fi/fi/opettajat-ja-kasvattajat/kokonaisuus-demokratia-ja-ihmisoikeuskasvatuksen-hyvista-kaytanteista> (in Finnish and Swedish only).

B. Well-being of students and student welfare support systems

52. Mental health is now one of the main reasons for medical leave in Finland in the 16- to 34-year-old age group.¹⁰ It is often considered to be linked to insufficient social interaction, with an increasing number of children and young people spending time on social media instead of quality in-person interaction, offline hobbies, sports or leisure activities. Anxiety about the matriculation examination also contributes, with one third of students believing that studies have become harder.

53. The most recent School Health Promotion Study in Finland, conducted in 2023,¹¹ highlighted an increase in loneliness, depression and anxiety among young people. In grades 8 and 9 of basic education, in general upper secondary schools and in vocational institutions, approximately one third of girls and 7 to 8 per cent of boys reported moderate or severe anxiety. Some 5 per cent of girls and 3 per cent of boys in grades 4 and 5 of basic education reported that they often felt lonely. Approximately one fifth of girls in grades 8 and 9 (21 per cent) and in general upper secondary schools (20 per cent) and one quarter of girls in vocational institutions (26 per cent) felt lonely fairly often or all the time.¹²

54. Bullying and harassment are reported to have increased, including online. According to the 2023 School Health Promotion Study, bullying at least on a weekly basis had been experienced by a larger proportion of pupils and students than in previous years at all school levels. In basic education, just under 1 in 10 pupils in grades 4 and 5 (boys 8 per cent of boys and 9 per cent of girls) and grades 8 and 9 (8 per cent of boys and 7 per cent of girls) had experienced bullying on a weekly basis.¹³

55. A reported increase in violent crime by minors (usually against other minors) is another source of concern. The Police of Finland reports that the number of offences suspected to have been committed by minors has tripled in Finland since 2015. This trend has risen the most steeply among young people under the age of 15 years.¹⁴

1. Policy response to increased bullying and harassment

56. Protection of children from violence, bullying and harassment at all levels of education is expressly mentioned in Finnish legislation, in section 10 of the Early Childhood Education and Care Act (540/2018). The national core curriculum for early childhood education and care requests that means and ways of preventing and addressing bullying, violence and harassment be determined in local curricula, and that local authorities monitor the action taken. For basic education, the national core curriculum states that bullying, violence, racism and other forms of discrimination are not to be tolerated, and that inappropriate behaviour is to be addressed immediately. The Basic Education Act (628/1998) provides for student participation in the development of schools' operating cultures. Pupils are entitled to a safe learning environment, and the Student Welfare Act (1287/2013), providers of education are required to prepare a plan to protect students from violence, bullying and harassment (sect. 13). The General Upper Secondary Education Act (714/2018) also requires educational institutions to protect students from violence, bullying and harassment, and to prepare a plan for disciplinary action. Equally, the Vocational Education and Training Act (531/2017) requires providers to prepare a plan for the application of disciplinary action and related procedures (sect. 80). In August 2022, further legislative

¹⁰ Jenni Blomgren and Riku Perhoniemi, "Increase in sickness absence due to mental disorders in Finland: trends by gender, age and diagnostic group in 2005–2019", *Scandinavian Journal of Public Health*, vol. 50, No. 3 (May 2022), pp. 318–322.

¹¹ See <https://thl.fi/en/research-and-development/research-and-projects/school-health-promotion-study>.

¹² Finnish Institute for Health and Welfare, "Well-being of children and young people: School Health Promotion Study 2023", 21 September 2023. Available at https://www.julkari.fi/bitstream/handle/10024/147273/Wellbeing%20of%20children%20and%20young%20people%20School%20Health%20Promotion%20study%202023_Statistical_report_50.pdf?sequence=1&isAllowed=y.

¹³ Ibid.

¹⁴ Police of Finland, "The police concerned about increasing violent crime by young people", 8 February 2024. Available at <https://poliisi.fi/en/-/the-police-concerned-about-increasing-violent-crime-by-young-people>.

amendments strengthened the duty of students to refrain from bullying and discrimination and to adopt behaviour that does not endanger safety or health of other students, the school community or the learning environment.

57. In addition to legislative measures and in response to growing concerns about the well-being of and anxiety among students, several targeted government policies were introduced.

58. The Ministry of Social Affairs and Health prepared an action plan for the period 2020–2025 for the prevention of violence against children aged 0–17 years in different operating environments, including in schools.¹⁵ According to the action plan, anti-bullying work must start as early as possible, and should be systematic even in early childhood education and care. Key elements in this respect include strengthening a group’s operating culture, teaching and strengthening social and emotional skills and promoting positive peer relationships and group-work skills.¹⁶

59. In January 2021, the Ministry of Education and Culture launched a national programme to prevent bullying, violence and harassment in early childhood education and care, schools and educational institutions, prepared in cooperation with the Ministry of Justice, the Ministry of the Interior and the Ministry of Social Affairs and Health.¹⁷ The programme introduced several measures: measures to strengthen social, emotional and interaction skills in early childhood education and care and to develop the relevant expertise among teachers; legislative proposals to specify the regulations of the teaching activity in order to secure a safe study environment; school community work aimed at supporting both students and school staff in preventing dropout, promoting school attendance, correcting the effects of absences, strengthening the well-being of the school community and working against bullying; personnel and management training to enhance pedagogical competences in promoting well-being and peace of mind at work, preventing loneliness and bullying, and supporting mental well-being. In this regard, higher education institutions are encouraged to add relevant content to teachers’ basic training and continuous professional development.

60. As part of the action plan of the Ministry of Education and Culture for the prevention of bullying, violence and harassment, the Finnish Education Evaluation Centre evaluated the usability, sustainability, functionality and outcomes of existing anti-bullying methods in pre-primary and basic education levels.¹⁸ The purpose of the evaluation was to disseminate information on good practices using different methods and highlight the need to develop such practices.

61. Internationally, Finland is one of the leaders in studying and preventing bullying in schools. Systematic work against bullying has been undertaken in basic education since the beginning of the 1990s in more than 900 schools. For example, the evidence-based KiVa anti-bullying programme, which was developed at the University of Turku, has been extensively used in Finnish schools and abroad since 2009.¹⁹ It was considered at the Transforming Education Summit as an example of best practice in ensuring inclusive, equitable, safe and healthy schools.²⁰

62. KiVa provides schools with practical tools to prevent bullying and to intervene in cases that come to their attention. Depending on the student’s age, schools use various formats to increase awareness of bullying, such as group discussions, learning-by-doing activities, online games, practising of social and emotional skills, and group exercises. Such activities increase empathy for victims and provide safe ways to support and help victims, and enhance capabilities for taking action and finding help when needed. In addition to providing preventive materials, KiVa offers practical guidelines for addressing cases of

¹⁵ Ulla Korpilahti and others, *Non-Violent Childhoods: Action Plan for the Prevention of Violence against Children 2020–2025*, (Helsinki, Ministry of Social Affairs and Health, 2020).

¹⁶ *Ibid.*, p. 255.

¹⁷ See <https://okm.fi/kiusaamisen-ehkaisemisohjelma> (in Finnish and Swedish only).

¹⁸ See <https://www.karvi.fi/en/evaluations/pre-primary-and-basic-education/thematic-and-system-evaluations/evaluation-methods-prevent-bullying-and-improve-wellbeing-and-working-atmosphere>.

¹⁹ See <https://www.kivaprogram.net/>.

²⁰ See UNESCO, “SDG4 Knowledge Hub: KiVa antibullying program”, 19 September 2023.

bullying and an application, named KiVAppi, for recording cases. Research shows that the programme's implementation varies considerably between schools, and that schools still need more support and resources to achieve high-quality longer-term implementation and to ensure evidence-based action to prevent bullying, such as training and consultations.

2. School support systems: student welfare groups

63. Student welfare work is guided by the Student Welfare Act (1287/2013), which applies to learners from pre-primary to secondary education. It has two dimensions: communal student welfare, which is preventive and targets the school community, with the aim of achieving an operating culture that promotes well-being and early needs-based support; and individual student welfare, which is preventive and corrective, and is always voluntary for the student, with professionals participating in such work with the consent of the student or their guardian. Importantly, bullying and harassment are included as themes in regular health examinations for all students. During the appointments, students are offered the opportunity to share their experiences confidentially.

64. Student welfare groups include school nurses, psychologists and social workers. School nurses are based in schools, but psychologists and social workers service several schools in the area. Since 2022, the statutory norms are 780 students per psychologist and 670 students per social worker. Acute situations must be addressed the same day or the next working day, and non-urgent situations must be addressed within seven working days.

65. In practice, the lack of availability of equitable and regular support is a concern. Reportedly, school psychologists often do not have sufficient time for individual students. Students are reluctant to approach the psychologists and social workers, as such action is seen as a sign of having problems. Positive initiatives to address the challenges include youth workers, school coaches and multilingual assistance (such as the TATU project in Helsinki),²¹ which are greatly appreciated by students and teachers alike. However, they are not available everywhere, such staff members are on temporary contracts and the lack of permanency can be discouraging.

3. Special learning needs

66. The number of learners requiring different support measures is increasing at all levels of education. Approximately one in five children receives special or intensified support in their studies.²² This could be due for example, to a medical condition, a diagnosed or undiagnosed issue concerning mental health, neurodivergence or insufficient proficiency in the language of instruction, and related inadequate study skills. There are disparities in identifying support needs, delivering support measures and ensuring continuity of support, depending on the availability of funds and professional staff, which differs between municipalities and regions. Students with special learning needs reported a lack of regular or sufficient support, and students, parents and teachers concur that the procedure for gaining access to support is too complicated.

67. Finnish educational legislation does not categorize learners according to disabilities or difficulties. The focus is on the earliest possible support to prevent the emergence and growth of problems. There are three categories of support for learners: general support, intensified support and special support. Support must be based on long-term planning and remain flexible to adapt to changing needs.

68. As far as possible, pupils are integrated into mainstream education. The national core curriculum stipulates that all pupils are to be provided support at their own school through various flexible arrangements, unless a needs assessment indicates that the support needed requires a pupil to be transferred to another teaching group or school. The most common support measures are remedial instruction, part-time special needs education, an individual learning plan or syllabus and lengthening of the duration of education.

²¹ See, for example, City of Helsinki, "28 school coaches have started their jobs in Helsinki schools", 12 September 2023.

²² Reetta Vairimaa, "How should we implement inclusive education", University of Helsinki, 25 November 2021.

69. The implementation of inclusive education is hampered by shortages of funds which sometimes leads to overworked special needs teachers not getting enough support or neurodivergent children's special learning needs not being recognized or properly addressed. The challenge is to balance, on the one hand, the integration of children with special learning needs into mainstream education and, on the other, accommodation of those needs, providing, for example, smaller or quieter classrooms, assistive technology or equipment, tailored learning materials or specialized medical and psychological support.

70. Students are also entitled to support in general upper secondary schools and vocational institutions. However, children with special educational needs reported losing the support that they required to continue studying, including language assistance, in the transition from lower secondary to general upper secondary or vocational education. Reportedly, support is less available and delivered less effectively during studies leading to specialist vocational qualifications than during studies leading to vocational upper secondary qualifications. The size of an educational institution also affects the availability of support: smaller educational institutions are rated better than medium-sized and large providers in terms of the adequacy of resources for providing special support, the effectiveness of identifying support needs and the planning and delivery of support. The Ministry of Education and Culture is currently revising the legislation concerning special needs education, covering compulsory education. The new legislation should enter into force in 2025.

71. Lastly, the coronavirus disease (COVID-19) pandemic has also affected the availability and effectiveness of support, as the volume of face-to-face support and meetings with students decreased while the need for individual guidance increased. As a result, students needing special support have had more problems with their studies than other students.

C. Challenges in ensuring social cohesion, inclusion and diversity at all levels of education

72. The equality principle is seriously challenged in certain urban areas and between schools. By default, children are enrolled in the public school nearest to their home and, previously, the difference between learning outcomes between schools was negligible. However, in recent years, increasing migration and the way in which urban spatial occupancy has developed seem to have contributed to widening performance gaps between schools and individuals.

1. Performance gaps due to language and socioeconomic background

73. In the past 10 years, the share of immigrant students in Finland has more than doubled, from 3 per cent in 2012 to 7 per cent in 2022. In 2022, 4 per cent of 15-year-old students had been born in another country. Among these first-generation immigrant students, 42 per cent had arrived in Finland at or before the age of 5 years, while 20 per cent had arrived after the age of 12 years, having completed elementary grades in another education system.

74. Today, up to 80 per cent of students at some schools in the greater Helsinki area are of first- or second-generation migrant origin, whose native language is not Finnish or Swedish. This shift has implications for integration into the wider society and may account for increasing gaps in academic performance between schools. In previous years, outcome disparities between schools, including between rural and urban schools, have been small by international standards.²³ However, the results of the Programme for International Student Assessment in 2022 indicates that disparities have widened between 2012 and 2022, with the variation between schools outside the greater Helsinki area now close to the variation between schools in the greater Helsinki area.²⁴

²³ Ministry of Education and Culture, "Minister of Education Andersson on the PISA results: in Finland, the school closest to your home is among the best schools in the world", 3 December 2019.

²⁴ Ministry of Education and Culture, "PISA 2022: performance fell both in Finland and in nearly all other OECD countries", 5 December 2023.

75. According to the Programme for International Student Assessment, between 2003 and 2018, variation between students in the same school remained largely stable in Finnish lower secondary schools. Since then, disparities have increased and widened. The same trend has been noted by the Finnish Education Evaluation Centre.²⁵ In basic education, where learning gaps between individuals are significant, it is not always possible to bridge such gaps that are due to pupils' home backgrounds, and differences persist as pupils move to upper secondary education. For example, in 2022, non-immigrant students obtained 65 score points more than immigrant students in mathematics and 92 score points more in reading.

76. Inequalities related to the economy, demographic structure and welfare between and within regions have also increased in recent years, and affect educational institutions, especially in the largest cities. In Finland, the top 25 per cent of students in terms of socioeconomic status outperformed the bottom 25 per cent by 83 score points in mathematics. Between 2012 and 2022, this gap widened in Finland, while the average gap across OECD countries remained stable.²⁶ It should be noted that immigrant students in Finland tend to have a more disadvantaged socioeconomic profile than non-immigrant students: while 25 per cent of all students are considered socioeconomically disadvantaged, the corresponding share among students with an immigrant background is almost double, at 48 per cent.

77. There are significant efforts to support migrant students and those whose native language is not Finnish or Swedish. Preparatory education for basic education may be organized by education providers for students who have just arrived and who speak a foreign language, and other children of pre-primary and primary age and young people with an immigrant background lacking the necessary linguistic skills to study in pre-primary or primary education. Second-language instruction is provided for pupils who do not know the language of instruction well enough to function as an equal member of the school community. Additionally, linguistically supported teaching involves the teaching of various subjects to students requiring support with the language of instruction and other study skills.

2. Transition to upper secondary education

78. General and vocational upper secondary education appear to be equally valued, as half the students opt for each. However, data disaggregated by socioeconomic status, gender, language and migrant backgrounds reveals that, in 2021, almost 80 per cent of students with an immigrant background (by country of birth or by mother tongue) chose vocational rather than general upper secondary education. This raises a question as to the extent to which the educational system, as currently organized, allows for social mobility and helps to overcome existing inequalities.

79. A survey conducted by the Finnish Education Evaluation Centre in 2020 evaluated the transition from lower secondary to upper secondary education. Most young people coped well: 83 per cent of respondents felt that they received personal guidance when necessary for planning further studies. However, students who had experienced learning difficulties or who had repeatedly been bullied considered the availability of guidance concerning further studies and career choices, and responsiveness to their needs, to be poorer than others. When compared to other students, they felt that their career-planning skills (self-knowledge, information acquisition and decision-making) had developed less well during their time in comprehensive schools.

80. Compared to students opting for general upper secondary education, a higher proportion of students opting for vocational education had not felt at home in comprehensive schools or had experienced learning difficulties.

²⁵ See <https://karvi.fi/en/pre-primary-and-basic-education/learning-outcomes-evaluations/>.

²⁶ OECD, "PISA 2022 results".

3. Meeting educational needs of national minorities

81. Section 17 of the Constitution expressly protects the right of the Sami, as an Indigenous People, and the Roma and other groups to maintain and develop their own language and culture.

82. In Sami-speaking areas of Lapland, the northernmost region of Finland and the Sami homeland, Sami-speaking children are entitled to early childhood education and care in their own language. Local authorities must also provide pre-primary, primary and lower secondary education in the Sami languages.

83. There are approximately 10,000 Sami living in Finland, more than 60 per cent of whom live outside the Sami homeland and speak three Sami languages: North Sami, Inari Sami and Skolt Sami. All three are equally protected, but not equally used, which creates difficulties with arranging education in the less used languages.

84. In the Sami homeland, Sami-language teaching is uneven and varies in quality. There are very few Sami-language teachers and support staff available. The lack of resources available for the development of educational materials directly affects the quality of education and the equality of Sami-speaking children and young people.

85. Outside the Sami homeland, small-scale education in the Sami languages is slowly being introduced in early childhood education and care through a project to provide “language nests”. Municipalities may receive discretionary Government grants to organize instruction in Sami languages if there are more than two Sami-speaking pupils in a group. Reportedly, there are now 378 students outside the Sami homeland learning the language. It is difficult to assess the need, provision and functionality of Sami-language teaching, but it is important to see it as a long-term development investment. Efforts are also made to develop distance-learning methods.

86. The Roma have lived in what constitutes Finland for more than 500 years, and are a recognized linguistic and cultural minority. There are estimated to be approximately 10,000 Roma in Finland, and approximately 3,000 Finnish Roma reside in Sweden.

87. The Office of the Ombudsman for Children conducted a survey in 2022 examining the well-being of Roma children and the realization of their rights, including their right to education.²⁷ In response to the survey, some Roma children felt that teachers did not intervene sufficiently with regard to the discrimination that they experienced. Some reported that there was a lack of support for learning and school attendance, and that teachers’ preconceptions about attitudes of Roma children and their parents towards school negatively affected their school motivation and success at school. Also of concern was that some interlocutors in the education system noted that some Roma children did not choose Roma-language classes, as a safeguard against discrimination as Roma.

88. Educational opportunities are also provided for other linguistic minorities, in accordance with section 17 of the Constitution, including persons using sign language.

4. Teaching of religion

89. The teaching of religion in Finland would benefit from a review, taking into consideration the principle of non-discrimination principle, article 14 of the Convention on the Rights of the Child, article 18 of the International Covenant on Civil and Political Rights and article 13 of the International Covenant on Economic, Social and Cultural Rights. Members of minority religious groups have the right to receive instruction about their own religion or opt for an ethics course, if at least three students so request, while Lutheran students are obliged to attend the religious module and cannot opt for an ethics course. This disparity may create a silo effect in education at odds with the principles of intercultural education and the promotion of mutual understanding and respect.

²⁷ Elina Weckström, Karri Kekkonen and Outi Kekkonen, “*I Get the Feeling that These People Really Accept Who I Am*”: *The Well-being of Roma Children and the Realisation of Their Rights* (Jyväskylä, Office of the Ombudsman for Children, 2023).

90. Under international human rights law, teaching of general history of religions and ethics in public schools is permitted if it is given in an unbiased and objective way, respectful of the freedoms of opinion, conscience and expression. Students in Finland may not decide on their religion before the age of 18 years, whereas article 14 (2) of the Convention on the Rights of the Child requires that States parties respect the rights and duties of parents and guardians to provide direction in the exercise by the child of the right to freedom of religion in a manner consistent with the evolving capacities of the child.

D. Digitalization of education

91. Increasing digitalization in education affects both students and teachers in various ways. Throughout the visit, many students, teachers and other educators expressed the view that the ongoing digitalization of education in Finland seemed to be driven by a desire to reduce expenses. Some students reported, for example, that they had access to digital study materials only, without a sufficient number of books or paper copies for the entire classroom, so that sometimes class exercises had to be photocopied, making it difficult to track the progress of individual students. In some schools and areas, students reported insufficient numbers of computers. Some students stressed the difficulty of learning on digital devices compared to paper material. Of concern too is that the digitalization of education does not seem to be accompanied by a robust discussion around, and in-depth consideration of, the possible health issues for children, including mental health issues and the protection of their privacy and data online, and the possible inadvertent privatization of education through digitalization.²⁸

92. From the teachers' perspective, continuous professional development of digital skills is essential,²⁹ and several teacher networks provide it. For example, the Innokas Network supports schools by arranging training on digital competences for teachers.³⁰ Another important professional learning innovation is a tutor-teacher model offering support in digital pedagogy.³¹ Between 2018 and 2020, more than 2,500 tutor-teacher positions were established with State funding. Tutor-teachers teach fewer hours but devote time to supporting other teachers in using digital tools in education. The Finnish National Agency for Education was initially responsible for this project, but it was delegated in 2022 to municipalities, not all of which will have the resources necessary to continue providing this important service.

93. During the COVID-19 pandemic, when teaching and learning moved online, the level of student engagement and well-being decreased due to the limited possibilities for collaboration and interaction. It is therefore vital that teachers not only be trained in digital skills, but also learn how to engage students in collaborative learning online and prevent feelings of isolation and loneliness, and how to help students navigate online disinformation and misinformation.

E. Coordination, monitoring and assessment

94. Educators stress the vital role of autonomy in developing a context-responsive education system that has produced such good results. Today, however, diverse interlocutors highlight the need for improved vertical and horizontal coordination to maximize outcomes in changing circumstances. For example, across the board, the demand for special needs assistance is reported to be increasing. However, student welfare groups, consisting of psychologists, social workers and nurses, are regulated by the Ministry of Social Affairs and Health, and students report having to wait for an appointment, regardless of urgency. These

²⁸ See [A/HRC/50/32](#); [A/HRC/32/37](#); and UNESCO, *An Ed-Tech Tragedy? Educational Technologies and School Closures in the Time of COVID-19* (Paris, 2023).

²⁹ See OECD, "Results from TALIS 2018".

³⁰ See <https://www.innokas.fi/en/>.

³¹ Finnish National Agency for Education, *Facts Express 3C/2018: Tutor Teacher Activities in Basic Education in Finland* (Helsinki, 2018).

professionals service several schools at once and do not report to school principals, creating gaps in services.

95. It is vital to ensure that new legislation and research, including regarding comprehensive sexuality education and human rights, is fully integrated into the education system, especially given the lack of any system-wide inspection and monitoring mechanism. The Finnish Education Evaluation Centre and the Finnish National Agency for Education are important authorities for evaluating not just the quality of management, but also the effectiveness of planning and the societal impact of specific levels and types of educational institutions. The Centre, for example, points out that self-evaluation needs to be reinforced, ensuring that institutions and staff have sufficiently detailed guidance, competences, financial and human resources and clarity about its purpose. There is clear value in ensuring that sufficient guidelines exist and that the results of surveys conducted by the Centre and academic research feed into teacher training and continuous professional development. Greater coordination could also reduce costs through shared responsibilities.

96. Since school inspectors were abolished in Finland, education quality assurance has relied on steering, through the provision of information, support and funding. The Finnish Education Evaluation Centre conducts independent national evaluations at all levels of education.³² The main purpose of national evaluations of learning outcomes is to assess how well objectives set in the steering documents have been realized across the country. The results are not used for ranking educational institutions, but for development purposes.

97. The current assessment model is based on self-evaluation, external evaluations, sample testing and legality control on the basis of complaints received by regional State administrative agencies.

98. The collection and potential for use of statistical data has improved significantly in recent years. For example, the KOSKI data repository, established in 2018, includes data on degrees and completed studies in basic education and general and vocational upper secondary education.³³ Despite this positive development, many deficiencies in statistical data persist. For instance, at the time of writing (February 2024), the most recent statistical data on financing of education available from Statistics Finland was from 2021.³⁴ Assessing the impact of reforms requires timely, precise and comprehensive collection of data on factors such as education resources, changes in staffing and children's learning outcomes.

F. Financing of education

99. Finland must be praised for the high level of resources devoted to education over the years, in terms of percentage of both gross domestic product (5.2 per cent) and total budget (9.4 per cent), according to the latest available official statistical data, from 2021.³⁵ However, both figures have been declining since 2012,³⁶ and throughout the visit many people expressed concern regarding the allocation for education in the new Government's proposed budget for 2024–2027, submitted to Parliament in October 2023. While it is reassuring that the Ministry of Education and Culture will receive 274 million euros more in 2024 than in 2023, it is concerning that the Government's programme lacks a long-term plan for reversing the downward trend in the overall financing of education in order to ensure competitive growth.

100. The obligation to provide education primarily falls on municipalities, whose resources and capabilities for doing so vary.³⁷ Statutory government transfers for basic municipal

³² See <https://www.karvi.fi/en>.

³³ See <https://www.oph.fi/fi/palvelut/koski-palvelu> (in Finnish and Swedish only).

³⁴ See <https://stat.fi/en/statistics/kotal>.

³⁵ See <https://pxdata.stat.fi/PxWeb/pxweb/en/StatFin/>.

³⁶ World Bank, "Government expenditure on education, total (% of government expenditure) – Finland", World Bank Open Data. Available at <https://data.worldbank.org/indicator/SE.XPD.TOTL.GB.ZS?locations=FI> (accessed 27 April 2024).

³⁷ Office of the Ombudsman for Children, *Report to Parliament by the Ombudsman for Children 2022* (Jyväskylä, 2022), p. 58.

services constitute approximately 25 per cent of total calculated costs; the municipality is responsible for the rest. In other words, the impact of State financing on ensuring equality between children in different municipalities is relatively small, and the total expenditure may be affected by external factors such as the population structure and financial situation of the municipality. Consequently, children's rights may not be equally realized if, for example, certain municipalities replace core funding with project funding, while other, more financially stable municipalities invest more in the quality of student guidance and special education.

101. In this context, the restructuring of administrative division in Finland – whereby “well-being service counties” were introduced and the responsibility for organizing health care, social welfare and rescue services transferred to them in January 2023 – is concerning, as it may further complicate students' access to social welfare support. Moreover, partial freezes on increases in line with inflation essentially mean reduced budget allocations to municipalities. Given that the education system relies primarily on municipal resources, the impact of reduced State contributions to municipalities may be particularly dramatic, precisely when Finland faces difficult challenges in education, such as overall decline in achievement, students' increasing need for support, and the need to maintain schools in less populated areas.

102. Most education in Finland is publicly funded. Early childhood education and care to lower secondary education are part of the basic municipal services that receive statutory government transfers based on the number of 0- to 15-year-olds living in the municipality.

103. Funding for general upper secondary education is based on the number of students reported by the school and on unit prices set by the Ministry of Education and Culture. The funding system for vocational education and training, jointly financed by central and local government, rewards education providers for positive outcomes, efficiency and effectiveness of activities. The funding focuses on completed units and qualifications, subsequent employment or placement in further studies, feedback collected from students and graduates' working life, and comprises core, performance-based, effectiveness-based and strategic funding.

104. The Government allocates core funding to universities and universities of applied sciences, forming a significant part of their overall budget. Higher education institutions then distribute the funding independently, based on their strategic choices. Universities and universities of applied sciences are also expected to raise external funding.

105. The initiative under the new government programme to increase the number of State-funded places in universities is commendable and necessary, considering that in 2021, only 40 per cent of 25- to 34-year-olds had completed a higher education degree.³⁸ This initiative will require sufficient funding. The increases in starting positions must be in fields suffering from a shortage of skills, such as teachers for early childhood education and care, special education, mathematics and technology.

106. Also of concern is the plan to reduce student support for living expenses to pursue higher education and resort to student loan schemes. Regarding funding, under human rights law, when a State seeks to introduce retrogressive measures, for example, in response to an economic crisis, it must demonstrate that they are temporary, necessary, proportionate and non-discriminatory, and that the State's core obligations, at least, are respected.

107. It is important to consider how project-based funding and related issues, such as the intermittent nature of employment relationships, affect the allocation and sufficiency of resources. International research literature suggests that permanence of teachers significantly affects students.

³⁸ See <https://www.oaj.fi/politiikassa/vaalit2023/hallitusohjelma/#kopo> (in Finnish only).

IV. Conclusions and recommendations

108. The Special Rapporteur congratulates Finland for its firm commitment to international human rights standards and mechanisms, including the alignment of its long-term education policies with Sustainable Development Goal 4, and for its aims to raise the level of education, learning outcomes and competences at all levels of education, offer equal opportunities for lifelong learning for all, increase participation of underrepresented groups, narrow the differences in learning outcomes and strengthen the well-being of children and youth.

109. The Special Rapporteur appreciates the strong emphasis placed on the right to quality education as a human right at the highest levels of the State, and at the regional and municipal levels. Many legislative, regulatory, programmatic and financial measures have been taken.

110. It is commendable that Finland takes the participation of children and youth in decision-making seriously and offers tangible ways for their voices to be heard regarding education policy, among other issues. The autonomous region of the Åland Islands has developed a comprehensive methodology to solicit the views of even very young children in developing curricula, which may easily be used for other decisions concerning preschool children.

111. Nevertheless, a number of important challenges remain to be addressed.

A. Status of teachers

112. Finland is to be congratulated for maintaining decentralization and autonomy in education, leading to the high level of trust held by parents and society in individual teachers and the education system as a whole. Nevertheless, the increasing shortage of teachers, especially in early childhood education and care, special needs education and education in minority languages, especially ensuring sufficiently qualified personnel, are issues of concern.

113. The Special Rapporteur recommends that the Government:

- (a) Consider adjusting the funding schemes for early childhood education and care to ensure that the teachers are paid competitive salaries;
- (b) Investigate reasons for the attrition of teachers, including job security, career progression, working conditions, stress levels and accountability regimes;
- (c) Develop targeted teacher-retention policies, with the participation of teachers themselves;
- (d) Increase the number of State-funded places in universities and universities of applied sciences for applicants enrolling to become teachers in early childhood education.

114. Teachers have insufficient opportunities to familiarize themselves with new legislation, policies and emerging issues, particularly regarding human rights and the rights of the child, and to learn digital skills, especially if their initial teacher qualification was obtained a significant time ago.

115. The Special Rapporteur recommends that the Government:

- (a) Consider making paid leave for the purpose of continuous professional development of teachers a right protected by legislation at all levels of education, and ensure that it is backed by stable and predictable financial guarantees for municipalities;
- (b) Encourage education providers to ensure the availability of their employees for in-service training and to actively facilitate it;
- (c) Coordinate the provision of all in-service training courses via an online platform connecting teachers with education providers, teacher networks and

associations and projects reflecting current government priorities, while still allowing all stakeholders the autonomy to choose and provide the most relevant training course;

(d) Strengthen national and local support structures for human rights education for teachers, including by adopting policy guidelines and objectives to ensure permanent funding and qualified staff; ensure that human rights education is regularly offered as in-service teacher training with stable funding mechanisms, systematically integrated as a compulsory, explicit part of initial teacher training at all levels, including vocational teacher education, and included in training placements; and define a national programme of guidelines for democracy and human rights education, and provide adequate resources for the development of a coordinating structure tasked with the implementation of the programme at national, regional and local levels.

B. Students' well-being

116. The Special Rapporteur congratulates Finland for its position as a global leader in developing and implementing anti-bullying programmes, and for the special attention paid to the prevention of bullying, violence and harassment at all levels of education. Finland provides an example of good practice in the use of the most cutting-edge pedagogical approaches to establish a healthy and safe learning environment, including the strengthening of social, emotional and interaction skills, school community work, prevention of loneliness and support for mental well-being. Bullying is a very complex phenomenon that is extremely difficult to eradicate completely.

117. The Special Rapporteur recommends that the Government:

(a) Continue to monitor closely the implementation of anti-bullying programmes, especially in the changing societal and demographic context;

(b) Consider legislative proposals to specify teaching regulations in order to secure a safe study environment;

(c) Assess the successes of initiatives to provide youth workers, school coaches and multilingual assistance (such as the TATU project in Helsinki), which are highly appreciated by students and teachers for their impact on the health of the school community and individual student well-being, and consider extending this approach to all schools for a long-term period;

(d) Keep investing in personnel and management training to enhance pedagogical competences in promoting empathy, well-being and peace of mind at work, and encourage teacher-training institutions to add relevant content to basic training and continuous professional development.

118. Support by student welfare groups is not uniformly available. In particular, school psychologists and social workers who service several schools at once have little time for individuals and may not be seen by students as suitable channels for sharing their concerns. Closer monitoring and evidence-based analysis are needed to determine whether this format is optimal for students, or whether the funds could be redirected to simpler, more trusted and efficient support models.

119. The Special Rapporteur commends the Government for its significant efforts to support migrant students, students speaking Sami, Romani or other minority language or using sign language, and students whose mother tongue is not Finnish or Swedish, including a variety of preparatory integration programmes. Nevertheless, studies indicate significant gaps in educational attainment, school enjoyment and well-being.

120. The Special Rapporteur recommends that the Government:

(a) Find capacity for more intensive language and learning support, including smooth, flexible and individual learning paths, especially in transition phases, and the fostering of well-being, participation, active agency and togetherness;

(b) Conduct an evidence-based analysis of the effectiveness of the “nearest school principle” in terms of leaving no one behind, including by reassessing certain elements of urban and school-district planning in view of the compact settlement of migrant groups within cities;

(c) Continue to collect data, disaggregated by socioeconomic status, gender, language, migrant background, place of origin and other factors, to assess whether and to what extent the educational system allows for social mobility and helps to overcome existing inequalities;

(d) Step up its official statistical data collection and ensure that results are available to the general public with minimal delay and are used to review existing policies and practices;

(e) Direct more resources to producing Sami-language teaching materials more rapidly and keeping them current, and to improving the availability of Sami, Romani and sign language teachers and early childhood educators, in cooperation with teacher-training institutions and municipalities.

121. The Special Rapporteur also recommends that the Government consider the impact that the current policy on the teaching of religion and ethics in schools has on social cohesion among all students. In the spirit of equality and non-discrimination, all students should be allowed to choose any of the modules provided in the framework of secular teaching of religion in public schools, including the ethics module, regardless of their own or their parents’ religious beliefs and associations.

122. The Special Rapporteur encourages the Government to consider the positive experience of the Åland Islands in the close monitoring of all homeschooled children and their families, with a view to leaving no child behind.

123. In embracing the inevitability of digitalization in all spheres of society, including education, a robust discussion should be held with all stakeholders around possible health issues for children and youth, including mental health issues and the protection of their privacy and data online, and the possible inadvertent privatization of education through “platformization” and other forms of reliance on digital tools. It is vital that teachers not only be trained in digital skills, but also learn how to engage students in collaborative learning online and prevent their feeling of isolation and loneliness, and how to help students navigate online disinformation and misinformation.
