

## **Introductory Statement by the Finnish NGO Delegation in the 57<sup>th</sup> Pre-sessional Working Group by the UN CRC Committee in Geneva, February 8<sup>th</sup> 2011**

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### Some positive notes

Since the previous reporting and the Concluding Observations in 2005, a lot has happened in the lives of Finnish children at least at the level of legislation and policies. We received our first ombudsperson for children, the current government launched a coordinated policy programme on children, youth and families, and a new Child Welfare Act deriving from and supported by the UNCRC entered into force in 2008. A governmental working group agreed on a National Communications Strategy on children's rights, and children's and the general public's awareness on children's rights increased substantially, thanks to an extensive information and publicity campaign surrounding the 20<sup>th</sup> Anniversary which was celebrated in close co-operation with the government, NGOs, the church and the children.

We are also happy to inform you that the CRC is now, together with the Universal Declaration of Human Rights, European Convention on Human Rights, and the function of UN, incorporated into the school curricula. The National Board of Education is in the process of renewing the whole curricula in 2011, but made a special order concerning these human rights instruments already in August 2010.

### Challenges in the society: polarization and poverty

However, there is no reason to become too pleased with the current situation, or only keep the focus on the top results in the OECD or PISA-studies. There are clear and alarming signs indicating that ill-being of all too many Finnish children is increasing. In general, it is important to notify that the majority of Finnish children and young people are doing well. However the well-being is polarized, and problems have accumulated to some young people.

A recently published study by the Academy of Finland on the situation of children born in 1980's gives strong evidence on transgenerational poverty and exclusion among Finnish citizens. 20 % of the children born in 1987 have needed treatment for mental health problems. They are also often less educated than their peers, and many of them have a criminal record. - The good reputation of the Finnish welfare state is severely threatened!

In spite of the previous concluding observations by your Committee or recommendations by the Committee on Economic, Cultural and Social Rights, relative poverty of families with children has risen alarmingly. Since the previous recession in Finland in the early 1990's, the poverty of families with children tripled between 1990 and 2009: currently 13,9 per cent of Finnish children, that is 150 000 children, live under poverty. It is important to note that we don't talk here about the current economic crisis as the explanatory factor for child poverty but about a recession that hit our economy 20 years ago. Despite the positive economical growth since 1995, different governments haven't been able to restore the level of financial benefits or services to families and children back to the level before the recession. According to some estimates, different forms of benefits and services for families and children are still running 20-30 per cent behind the general income development.

It needs to be borne in mind that there are problems in so called better families as well. Although income differences have increased among population, poverty is not the only explanatory factor behind child ill-being. The cycle of social exclusion is clearly linked not only to unemployment or health problems but also to decreased time with the family that may result in disturbed behaviour among children and young people.

#### Legislation and services

In general, it needs to be pointed out that Finland has a relatively good legislation as regards children, their rights and well-being, and new laws to improve the status of children in the society are on their way. However, implementation of legislation in different parts of the country vary considerably. In practice this means that children and their families, depending on where they live, are placed on an un-equal position in terms of receiving services and support that they are entitled to. There are many surveys carried out on children's well-being and service delivery, but the valuable information received through this research is not incorporated properly into policy planning or legislative work as regards equal service provision for children and their families, or its monitoring.

#### Substance abuse by adults and children

The number of children and young people subject to child protection measures has risen alarmingly, which is mainly due to growing substance abuse by both the adults and the minors. An estimated 100 000 children live in families where the parents' substance abuse causes problems for their children. Women's increased alcohol abuse at home is giving cause for particular concern. Also the number of young people consuming alcohol at least once a week has grown, and binge drinking of a number of 16 – 18 year-old-children at least once a month has increased. Although the numbers of children taken into care or placed outside home decreased by 4 % in 2009, the need for emergency placements increased. According to a survey carried out in partnership with various stakeholders, the most common reasons behind child protection measures in municipalities are substance abuse of parents (nearly 50%) or children (30%).

The Ministry of Social Affairs and Health has recently evaluated restrictions on alcohol advertising and examined how alcoholic drinks marketing affects young people and their use of alcohol. According to the recommendations by the ministry's working group, there is no need to amend laws on alcohol image advertising despite strong research evidence indicating that image advertising is harmful to the health and future of children and young people. Public opinion also supports restrictions on advertising. No sufficient action has so far been taken by the ministry to restrict alcohol image advertising.

#### Taking care of unaccompanied minors

We would like to draw your attention to how Finland implements so called Dublin II regulations defining which EU member state has the responsibility to handle an asylum application. There are minors who have been forced to live on the streets in some Mediterranean states because of poor reception conditions. In Finland, an investigation of the National Rapporteur on Trafficking in Human Beings shows that in some cases there are clear signs of some children being victims of human trafficking or other kind of abuse, but nonetheless they are returned from Finland, and there is no monitoring system to follow what happens to minors after their return.

Children, who are lucky enough to get their asylum claim handled in Finland, become part of the reception system that has weakened over the years. According to a recent survey, every third of the asylum-seekers aged 24 or younger were traumatized or displayed symptoms when coming to Finland. However at the same time, there are not enough services and specialists to meet traumatized children. The government has given a proposal for a new act on reception of asylum seekers. It has also laid ground for a discussion to place the responsibility of the reception of minors to the social sector and to municipalities, even as a part of child welfare services, like in Norway.

Children who finally get a residence permit in Finland face new difficulties in family reunification. There have been several attempts to make severe restrictions. To give an example: according to a new amendment of the Aliens Act, issuing a residence permit to a family member of a minor applicant requires that the applicant is minor on the date when the authorities make the decision, not the date when the application was initiated. This means that a 16 year old minor will probably turn 18 before going through both the asylum process and the family reunification process.

#### Hardening attitudes

We also want to pay your attention to the attitudes of the Finnish society that seem to be hardening. There are signs in the society that people are becoming less concerned about issues such as poverty, the disabled and the rights of minorities. In this kind of attitudinal climate, it becomes more difficult to fight against injustice and intolerance.

To conclude, the NGO Community in Finland is respectfully asking the Committee to take the following recommendations and concerns into account when discussing with the Finnish State party:

#### *GENERAL MEASURES OF IMPLEMENTATION*

- 1. Permanent multi-administrative coordination structures for child, youth and family polices should be established in the public sector to ensure continuity of the implementation of objectives in the Policy Programme on child, youth and families also in the next governmental period 2011 – 2014. Similar coordination to promote child well-being should be established at the local level decision- and policy-making, too.*
- 2. The best interests of the child should be the primary consideration when planning child welfare services and directing funds for their provision in the municipalities. Cross-sectoral approach to child welfare services should also be accompanied with a common, consolidated budget.*
- 3. We welcome the Committee to ask from the State party how it is going to ensure sufficient resources to the National Supervisory Authority for Welfare and Health and to the Regional State Administrative Agencies which monitor provision of child welfare services and allocation of funding at national and regional levels.*
- 4. Child impact assessment must be carried out in all decision-making. We encourage the Committee to require of the Finnish government to turn child-impact assessment into a statutory requirement.*
- 5. We recommend the Committee to urge the Finnish government to draft a new proposal for the Early Childhood Education Act taking the child's right to be heard into account. Currently the*

*existing legislation on early childhood education is the only piece of legislation in Finland that doesn't include any reference to child participation as expressed in the Art 12 of the UNCRC.*

- 6. The implementation of the National Communications Strategy on CRC needs to be executed as soon as possible. In the strategy, it has been proposed that the Ministry of Education and Culture would coordinate the cooperation but obligations were presented to other ministries as well. We NGOs see its implementation and resourcing unclear and even threatened due to the change of Government in spring 2011.*
- 7. We welcome the Committee to strongly urge the Finnish government to introduce human rights education and in particular education on the rights of the child as a permanent and mandatory part of training of teachers and other professionals working with and for children. The improvements made into the school curricula remain futile if there are not sufficiently qualified teachers who know how to teach children's rights.*
- 8. The State Periodic Report does not give the specific share of the development funds of the GNP, nor does the Government of Finland report the share distributed to children. The evaluation carried out by the Ministry for Foreign Affairs shows that it has not succeeded enough in improving the status of children, women and girls, although this has been one of the most fundamental goals of the current government. We NGOs would like to see more child rights based – bearing in mind the responsibilities set in CRC - open and targeted development cooperation.*

#### **FAMILY ENVIRONMENT AND ALTERNATIVE CARE**

- 9. The Finnish government should ensure the capacity of professionals in basic social welfare and health care services, at school and in social work to identify and intervene domestic violence and substance abuse in families with children. The government should also ensure the financing of the special services to families suffering of domestic violence or substance abuse and provide by law the subjective right to treatment for pregnant women with substance abuse problems.*
- 10. We recommend the Committee to urge the Finnish government to introduce a total ban on alcohol image advertising that endangers healthy development of children and young people.*
- 11. The Ministry of Social Affairs and Health appointed a working group to draft a National action programme to reduce corporal punishment. The final report was launched in October 2010. The Finnish government should now ensure that the recommendations of the working group are implemented with adequate resources so that parents receive early assistance and support for child upbringing and care, particularly in the form of in-home services for families with children.*
- 12. In a recent Government bill, legislative amendments are proposed to the Child Welfare Act. One of the main proposals concerns the form of alternative care. When the decision to place a child outside home has been taken, foster care should be made as the first alternative for the placement. Finland is currently one of the few countries in Europe where placements in residential care are more common than in foster care. The NGO community is strongly in favor of prioritizing foster care, but this transition should be made in co-operation with existing residential care institutions.*

## BASIC WELFARE AND HEALTH

13. *We ask the Committee to recommend the Finnish government to ensure sufficient resources to preventive health care measures for the whole child welfare sector at national and local level. Early support provided in day care, schools ( f eg school health nurses, morning and after-school activities), child and maternity clinics, just to name few, promotes the well-being of the child and the family, and is more cost-effective for the whole society. Permanent and sufficient funding for phone and internet helplines for children and adolescents is also needed.*
14. *To tackle child poverty in Finland, we encourage the Committee to ask concrete proposals from the Finnish State party on its actions to narrow the gap as regards the income transfers for families with children that are lagging behind the level before the recession in early 1990's. Indexing the financial benefits to inflation or to pensions is not a sufficient measure at this stage.*

## SPECIAL PROTECTION MEASURES

15. *We hope that the Committee urges Finland to pay special attention to the best interests of the child when implementing the Dublin II regulations, and encourages the Finnish Government to use the flexibility possible in the framework of the Dublin II. Finland should also establish a monitoring mechanism for returned minors.*
16. *We encourage the Committee to recommend to the Finnish government to take action towards a reception of unaccompanied minors that is consistent with the Child Welfare Act. In addition, Finland should pay special attention to the assessment and treatment of traumatized children.*
17. *We would welcome a recommendation from the Committee to the Finnish government to strengthen the right to a family and to stop the trend changing laws regulating family reunification according to current hardening attitudes and political atmosphere.*

Thank you very much for your attention. We are looking forward to your questions and comments.