



VERBAL NOTE

The Permanent Mission of Finland to the United Nations and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, with reference to the OHCHR report on better investment in the rights of child, has the honour, on behalf of the Government of Finland, to submit the following views and information.

- 1. Please provide information on the main challenges related to the mobilization, allocation and spending of resources for children. Please provide examples of good practices undertaken to prioritize resource mobilization, allocation and spending towards child-focused sectors, such as health, education, social protection, child protection and child rights, in your national policy and/or overseas development assistance strategy.**

Health and wellbeing of children and adolescents is a high priority of the Finnish Government. Special attention is given across all sectors to the prevention of marginalization. Due to how public services are organized in Finland, there is no earmarked funding, including to specific population groups. The Constitution defines the right of citizens to basic welfare and health services and health promotion provided by authorities. The State defines by legislation and, in some cases, by more detailed regulations, the content of services and the principles for their delivery. Local authorities (municipalities) are responsible for the delivery of sufficient services, including health and social services. The legal framework is complemented by information guidance - e.g. quality recommendations - to local authorities (municipalities).

In Finland municipalities are in charge of providing their inhabitants with basic public services principally education, health care and social services. These services are mainly funded from local government tax revenue. In addition there are central government transfers to municipalities for basic public services, based on non-earmarked State subsidies. The present system of non-earmarked State-funding was created in early 1990s, until which the State authorities guided the municipal service resources and delivery in an extremely detailed manner. The rationale was that services should respond to local needs and demand, known and best understood at the local level. However, the access of children and young people to services is ensured by regulations that complement the framework laws on welfare and health and oblige municipalities to offer services to this age group. In connection with the adoption of such regulations, State subsidies have been increased accordingly.

Implementation of welfare and health services at the local level is supported by national development programmes, especially within the National Development Programme for Social Welfare and Health Care (KASTE, http://www.stm.fi/en/strategies_and_programmes/kaste), presently covering years 2012 - 2015. The goals of the programme are to reduce inequalities in health and wellbeing and to support the implementation of health and welfare services that are organized in a client oriented and economically sustainable way. The programme has over the years paid

particular attention to welfare and health of families and children, including specific risk groups.

The Slot Machine Association, a State monopoly, uses its profits to support the welfare of Finns. Among other, it also funds activities that promote the rights of children, in particular the Central Union for Child Welfare, Mannerheim League for Child Welfare and UNICEF Finland. In 2014, the share of non-governmental social and health organisations was 308 million EUR. Non-governmental organisations that promote the rights of children can also receive funding from the Ministry of Education and local authorities.

As the Government recognises that wellbeing and health are produced everywhere in the society, it is currently developing a Prime Minister led, government-wide intersectoral programme aimed at improving welfare and health of children and young people and prevention of marginalization.

The government subsidises child day care and comprehensive schools by means of central government transfers to local government. The transfers are computed by age group based on the number of children in day care/school in each municipality. In secondary education the central government transfers are allocated to the education providers and the magnitude of the transfers depends on the number of students enrolled. In addition, the government awards government grants to support education for immigrants, instruction in Sami language in comprehensive schools and instruction for disabled students, for instance. Finnish legislation and practices governing child care and student education are based on the regulations in the Convention on the Rights of the Child.

The Finnish Ministry of Education and Culture annually supports children's cultural centres and projects for children's culture as well as awards the Children's Day Prize on 20 November. The financial resources derive from the proceeds of the Finnish national lottery (Veikkaus). The Ministry is responsible for children's cultural policy, which is carried out in the form of 5-year children's cultural policy programmes. These programmes have also a role in allocating both government and regional financial aid for activities involving children. The proposal for the second Programme for the years 2014-2018 was published in February 2014. The Ministry launched the preparation of the Programme involving experts in children's culture, education and sport from the Ministry and specialists in children's culture and cultural operators from the National Arts Council (altogether 350 participants).

<http://www.minedu.fi/OPM/Julkaisut/2014/lastenkulttuuri.html?lang=fi>. The Programme will be soon available also in English.

Regarding development policy, Finland does not use any sector-related qualitative or quantitative targets for prioritizing any given groups or thematic areas. Education for Finland is and has been an important political priority – the biggest share of Finland's education sector support is targeted to children and to supporting the realization of child rights. This however could not be used as a good example of prioritizing as such.

Reducing inequalities is one of the cross-cutting goals for the Finnish development policy in general and to support the realization of the basic needs and human rights of the most vulnerable and marginalized groups such as persons with disabilities, ethnic minorities, sexual and gender minorities and children in particular. From that perspective, Finland has prioritized the right for education of disabled children by supporting inclusive education programmes both bi-laterally and multi-laterally.

- 2. Please indicate how your national laws and policies provide opportunities for children to access budget information and participate in budgeting and fiscal processes. Please specify the extent to which resources spent on children are visible, and whether budget data is disaggregated by child rights related**

programmes, and/or are (0-18), in budget documents. Are any child friendly versions of budget information produced?

There is no specific child friendly budget being prepared at central government level. However, there is a budget review being done, in which the aim is to explain the main features of the budget in a compact and easily read format. As well the most important budget documents are published on the internet so that information is easily accessible for all. In the budgeting of basic services such as in the health and education sector, which are key for children, the budgets of the municipalities are essential.

Municipalities are required by the law to adopt welfare plans and reports, which sum up the local welfare policy, state of welfare and health of the population, guide the service provision and allocation of resources across different domains of administration and assess the impacts. A recently adopted electronic welfare report, used by 90 percent of the municipalities, has mainstreamed this activity. Municipalities vary in how they collect information on the functionality and quality of services, but there are examples of systematic feed-back collection, which is the recommendation of State authorities. The Child Welfare Act, for example, requires that particular attention is paid to the needs and wishes of children and young people in how the services are designed. Based on the previously described service structure, budgets are not segregated with regard to services of different populations groups.

3. What are the mechanisms in place to ensure transparent, effective and efficient utilization of public resources for the realization of children's rights in line with Article 4 of the Convention on the Rights of the Child?

There are several determining factors as to how the central government transfers to local governments are calculated. The age distribution within the municipality is an important determining factor, with weight being given to how many children and on the other hand how many elderly people there are in the municipality. In this sense, municipalities with a large child population receive automatically higher state subsidies than average municipalities. There are, in addition, some earmarked state grants to develop social and health care services. The projects funded by the state grants may also relate to improving children's rights.

The impact of legislative proposals is assessed systematically also with regard to the impact on health and welfare of population groups.
(<http://oikeusministerio.fi/en/index/basicprovisions/legislation/parempisaantely.html>). However, in recent years only a small fraction of legislation has been explicitly assessed with regard to the impact on children.

Legislative processes must take into account that basic and human rights, including rights of children, are being respected. Before the adoption of legislative proposals, the Constitutional Law Committee of the Parliament makes a final review in this regard, if needed.

The National Agency for Health and Welfare (THL, www.thl.fi) is expected publish in 2015 a guide on the assessment of human impacts of regulation for the use of State and municipal authorities. The guide will cover relevant areas, such as gender, health, social and child impacts.

The system of central government transfers to local government and the system of subsidies are both open and transparent. Beneficiaries are required on request to provide government auditors with all necessary documentation, and in justified cases, such as abuse of funds, there is right of recourse for the financial resources. Moreover, the National Audit Office supervises the use of all these funds.

Operators in the field of culture are also welcome to comment on the application criteria (support for children's cultural centres), and the criteria have in fact already been modified on the basis of feedback received so far.

4. What mechanisms are in place to assess the impacts of fiscal policies and budgets on children? Are human rights and child rights impact assessments conducted in relation to budget planning and execution? Please indicate measures in place to identify the needs of the most marginalized and vulnerable children, and formulate targets that assess the impact of public spending on these groups.

At the central government level there is not in place any continuous mechanism for assessing the effects of the whole budget on children. The Ministry of Finance, however, provides a Report concerning the current state of the basic services produced by the municipalities. This information may be used in all decision-making.

In the 2012 Government platform it was decided that extra funding would be allocated to develop certain social and health care services in 2012 – 2015. For instance the social care and child protection acts are being changed from the beginning of April 2015, if the Government bill will be approved by the Parliament. One aim of the reform is to support more families with small children in difficult situations. All law proposals and their impacts will be estimated according to certain procedures.

The present public services offer an extensive safety network for children. Practically all children in Finland attend the screening programme and counselling at Child Health Clinics and School Health Services, despite of often insufficient resourcing of the latter. The system is considered to work relatively well and statistical data collection from them is under work, as is with regard to child and family welfare services. Challenges are seen in local funding of preventive and low threshold welfare services for families and children. However, there are municipalities which have been able to reduce the overall welfare costs by investing in prevention.

The Health Care Act (1326/2010 70§) requires specifically that immediate health and social services need to be provided to protect pregnant women and their unborn babies. In addition, the child's need for care and support shall be assessed if the parent, guardian or other person responsible for caring for and bringing up the child is receiving substance abuse or mental health services or other social or health services and their capacity to care for and rear the child is likely to be temporarily compromised.

A network of regional administrative structures, Regional State Administrative Agencies, supervises and inspects the service delivery of municipalities. It also processes complaints made regarding the services provided, or lack and quality of them. However, there are no mechanisms to follow-up that State subsidies intended for services to children and young people are indeed used so by municipalities.

Complaints are also handled by the by the National Supervisor Authority for Welfare and Health (VALVIRA, www.valvira.fi), the Parliamentary Ombudsman (<http://www.oikeusasiamies.fi/Resource.phx/ea/english/index.htm>) and the Chancellor of Justice (<http://www.oikeuskansleri.fi/en/>). Responses to complaints to the two latter provide an important body of case law that enables further interpretation of the responsibilities of municipalities.

A substantial number of regular national level statistics, surveys and ad hoc studies are used to assess the development of well-being and health of the population. Work is currently carried out by the National Agency for Health and Welfare to improve this data and information collection.

The Ombudsman for Children (<http://www.lapsiasia.fi/en/frontpage>) is to monitor and promote the implementation of children's rights in Finland, with an emphasis on

promoting children's participation and that they are heard. The Ombudsman for Children gives an annual report. The 2014 review was based on 68 indicators, divided in six main groups: 1) material living standard, 2) safety of growing environment, 3) health and wellbeing, 4) school and education, 5) health, leisure time and participation and 6) support by the society. The Ombudsman for Children recommended that this data be openly available on the web.

To increase the attention given by national and local authorities as well as social partners to children, the Ombudsman for Children has convened an intersectoral committee for child budgeting and impact assessments with representation of relevant ministries, social partners, municipalities, non-governmental organisations and children.

5. What systems or mechanisms are in place to ensure that the private sector contributes, rather than undermine, state efforts to improve public spending on children? Please also indicate if systems or mechanisms are in place to ensure that public resources are spent well also when the government funded children's rights programmes/projects are outsourced to the private sector.

Municipalities can outsource institutional child welfare services. They are covered by same legislation, surveillance and inspection that the public equivalents, in collaboration with the municipality in question.

There is a specific law concerning state grants for different purposes. This law includes general provisions which ensure that the state grants are spent for purposes mentioned in the decision concerning the project and according to the law.

The Permanent Mission of Finland to the United Nations and other international organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurance of its highest consideration.

29 September 2014



Office of the United Nations High Commissioner for Human Rights
Geneva