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# National action plan on fundamental and human rights 2012–2013



*oikeusministeriö*  
*ministry of justice*

## II SPECIFIC SECTION

### **Assessing development needs: the key human rights challenges in Finland**

When drafting this Action Plan., essential sources providing information on the problems associated with the fundamental and human rights implementation included observations of the Parliamentary Constitutional Law Committee, observations made by the supreme guardians of the law while monitoring fundamental and human rights, conclusions of the monitoring bodies of the UN treaties, recommendations issued by the UN Human Rights Council in its Universal Periodic Reviews (UPRs), judgments of the European Court of Human Rights concerning Finland, the Human rights policy report of 2009 and the presentations made by the panel of human rights actors in the hearing organised in October 2011.

During the drafting of the Action Plan, the following themes emerged, among others:

- a need to improve the coordination of fundamental and human rights issues in the Government;
- enhancing rights-based thinking in the Government and ownership in protecting fundamental and human rights, especially regional and local authorities as implementers of rights;
- obtaining information on the rights implementation (developing indicators);
- developing civil society cooperation;
- promoting fundamental and human rights education;
- strengthening legal protection, good governance, access to rights, right to receive a justified decision within a reasonable time, delays in general courts and within the administration in particular are a problem;
- more effective fundamental and human rights monitoring;
- problems ensuing from the authorities' lack of resources in service provision;

## CULTURE AND EDUCATION

### Section 16 Educational rights

Everyone has the right to basic education free of charge. Provisions on the duty to receive education are laid down by an Act.

The public authorities shall, as provided in more detail by an Act, guarantee for everyone an equal opportunity to receive other educational services in accordance with their ability and special needs, as well as the opportunity to develop themselves without being prevented by economic hardship.

The freedom of science, the arts and higher education is guaranteed.

### Action Plan projects:

#### 59. Supporting students in developing emotional and social skills

- a) Name: Supporting students in developing emotional and social skills.
- b) Contents: The basic values of general education are human rights, equality and democracy as well as tolerance of multiculturalism. The challenges of a diversifying and polarising society emerge in school communities. A child and a young person have the right to a safe environment in which to grow and study. As tolerance has not developed desirably in recent years, it is necessary to develop the acceptance of diversity and equal treatment of individuals. In school activities, inclusion, well-being, safety and respect for others should be highlighted, and the prevention of bullying, discrimination and racism are key tasks. The project KiVa-koulu to prevent bullying has already been introduced in 2,500 comprehensive schools. The project will strengthen the role of the school in developing students' emotional and social skills and support the inclusion and participation of pupils and students. Measures to reduce bullying will be intensified, and particular attention will be paid to racial discrimination. Education promoting tolerance and teaching of good manners at schools will be increased.
- c) Legal basis: Article 14 of the European Convention on Human Rights, section 6 of the Constitution.
- d) Responsible ministry: **Ministry of Education and Culture.**
- e) Indicators: Included in the development plan for education and research 2011–2016, monitoring as part of Government Programme monitoring, including an interim review.

## 60. Promoting the equality and participation in leisure activities of all children and young people (including children and young people belonging to minority groups, living in poverty and at risk of exclusion) in art, culture, exercise and youth activities

- a) Name: Promoting the equality and participation in leisure activities of all children and young people (including children and young people belonging to minority groups, living in poverty and at risk of exclusion) in art, culture, exercise and youth activities.
- b) Contents: The possibilities of children and young people to take part in high-quality and socially empowering leisure time activities are to be improved as an alternative to exclusion. Particular attention will be focused on children and young people belonging to minority groups, regional equality, and equality between girls and boys. The measures will be implemented as part of the Government's Development Programme for Child and Youth Policy in 2012–2015 and discretionary Government transfers granted on the basis of the Programme.
- c) Legal basis: Article 10 of the Convention on Economic, Social and Cultural Rights, Article 14 of the European Convention on Human Rights, UN Convention on the Rights of the Child, section 6 of the Convention, the Youth Act.
- d) Responsible ministry: **Ministry of Education and Culture**.
- e) Indicators: Monitoring as a part of the Development Programme for Child and Youth Policy with the indicators included in this Programme. The duration of the project is the entire electoral term, but an interim review regarding the aforementioned indicators may be made after 2013.

## 61. Developing equality and non-discrimination work in educational institutions

- a) Name: Developing equality and non-discrimination work in educational institutions.
- b) Contents: Implementing a training programme on equality and non-discrimination issues for educational institutions of various levels (security sector educational institutions and others) as a part of the YES 5 campaign.
- c) Legal basis: Section 6 of the Constitution
- d) Responsible ministry: **Ministry of the Interior** in cooperation with the Ministry of Defence.
- e) Indicators: Implementation of the training programme.

## 62. Tolerance as a part of school club activities

- a) Name: Tolerance as a part of school club activities.
- b) Contents: During the electoral term, the position of school club activities will be established by continued state funding. Tolerance education will be included in club activities. The aim is to enhance an atmosphere of tolerance in schools, prevent racist attitudes and increase cultural awareness. In addition, the project aims to act as an additional resource for teachers in tolerance issues and to offer them support in dealing with tolerance issues as needed.
- c) Legal basis: Article 14 of the European Convention on Human Rights, section 6 of the Constitution.
- d) Responsible ministry: **Ministry of Education and Culture**, National Board of Education.

- e) Indicators: The achievement of the objective and the quality of activities will be evaluated by means of an annual follow-up survey.

**63. Promoting participation in art, culture, exercise and youth activities of various population groups (including those belonging to minority groups, living in poverty and at risk of exclusion and older people)**

- a) Name: Promoting participation in art, culture, exercise and youth activities of various population groups (including those belonging to minority groups, living in poverty and at risk of exclusion and older people).
- b) Contents: Preparing and implementing policies and measures for promoting the accessibility and diversity of art and culture based on the proposals of a working group on accessibility of art and culture. The target groups whose access to art and culture is the main focus of this project are linguistic and cultural minorities (including the Sami, the Roma, sign language users and immigrants) and the disabled as a minority group. Support will be targeted at sports clubs to develop and implement models that make it possible for families of limited means to take part in sports activities.
- c) Legal basis: Article 15 of the International Covenant on Economic, Social and Cultural Rights, Article 14 of the European Convention on Human Rights, sections 6, 16 and 17 of the Constitution.
- d) Responsible ministry: **Ministry of Education and Culture.**
- e) Indicators: Separate studies, information produced by the monitoring system of discrimination (Ministry of the Interior, underway). The duration of the project is the entire electoral term, but an interim review can be produced after 2013.

**64. Promoting the (bidirectional) integration of immigrants by means of arts, culture, physical exercise and youth work**

- a) Name: Promoting the (bidirectional) integration of immigrants by means of arts, culture, physical exercise and youth work.
- b) Contents: The integration of immigrants into the Finnish society and, on the other hand, the capacity of the mainstream population to act in an increasingly multicultural society are to be improved by means of arts, culture, physical exercise and youth work. One of the priorities is immigrant women and girls. The activities are mainly facilitated by supporting activities that promote the integration of immigrants by means of directing resources to the civil society and by providing information. The starting points for activities to be supported and for granting funding are, in accordance with the Ministry of Education and Culture policies, the implementation of the inclusion principle and the interaction between immigrants and the mainstream population.
- c) Legal basis: Article 14 of the European Convention on Human Rights, sections 6 and 17 of the Constitution, the Integration Act, the Sports Act and the Youth Act.
- d) Responsible ministry: **Ministry of Education and Culture** and its administrative branch, NGOs.
- e) Indicators: separate studies (for example regarding exercise, the Foundation for Sport and Health Sciences Likes), integration indicators (underway, Ministry of the

Interior) and the quantity and type of the Government transfers granted. The duration of the project is the entire electoral term, but an interim review on the aforementioned indicators can be produced after 2013.

### Other projects and actions related to the theme:

On 15 December, the Government adopted a Development Plan for Education and Research for 2011–2016, and the education and research policy outlines of the Ministry of Education and Culture are based on the Development Plan, also regarding this Action Plan.

The Development Plan stresses educational equality at all levels of education. The aim is to reduce gaps in skills and education between genders and regions and the impact of the socioeconomic background on the participation in education. In order to achieve the target, the Ministry of Education and Culture will draft an action plan for educational equality covering all levels of education, which will be adopted by the Government by the end of 2012. This programme will enhance the possibilities of each individual to learn and develop their creativity, skills and various talents, prevent educational segregation and promote gender sensitivity in education. A research project will be launched to support the action plan.

On 8 December 2011, the Government adopted a Development Programme for Child and Youth Policy for 2012–2015 as a resolution. This national programme contributes to implementing the targets of reducing poverty, inequality and exclusion included in the Government Programme. The concrete aims of the Programme include promoting equality in leisure time activities and work to combat racism among young people.

The participation of all population groups in culture, exercise and youth activities and the accessibility of leisure time activities should be seen as a general aim preventing the exclusion of citizens and promoting equality and gender equality.

The Defence Forces will take part in the cross-administrative Action Plan to Reduce Violence against Women, which was adopted by the ministerial group on the Government's Internal Security Programme in June 2010. The Internal Security Programme states that in the defence administration, the possibilities of including a module dealing with the prevention of violence against women as part of the basic training of conscripts and possibilities of training key instructors for this task will be assessed. In the Defence Forces, this issue has been examined as part of the implementation of the recommendations presented in the report "Finnish Military Service" and the reform of the Defence Forces. The Defence Command is planning to add a section relevant to the prevention of violence against women in the module on equality and gender equality in the basic training of conscripts. The contents of this training and the training of instructors are being planned in the Defence Command, together with the National Institute for Health and Welfare and the Family Federation of Finland. The aim is to arrange pilot courses on the prevention of violence against women for conscripts starting their military service in February 2012. Based on experiences from the pilot project and the instructor training, the lessons will be established as a part of the instruction during the basic training period.