

Statement by the Special Rapporteur on the right to education, Ms. Farida Shaheed

Visit to Finland, 20-29 November 2023

Helsinki, 29 November 2023

Ladies, Gentlemen, and all,

It's been my honour as the United Nations Special Rapporteur on the right to education, to conduct an official visit to Finland from 20 to 29 November 2023. The objective was to understand how Finland intends to ensure the continued and sustained efficiency of its excellent public education system, including for those living at the margins of society, amidst critical new challenges.

I would like to thank the government of Finland for facilitating the visit, which was conducted everywhere in a strong spirit of cooperation. I have met a wide range of people from various parts of the Government, including the Ministry of Education and Culture and governmental agencies such as the Finnish National Agency for Education. I also had discussions with members of the Education and Culture Committee of the Parliament, the Parliament Ombudsman's Office and members of the Sámi Parliament, as well as the Finnish Human Rights Center, Ombudspersons for children, non-discrimination, and data protection, and FINEEC (KARVI), the Finnish National Education Evaluation Center. I also held discussions with the Trade Union of Education and United Nations agencies.

I also travelled to Turku, where I met with local authorities including the Deputy-Mayor as well as AVI, the Regional State Administrative Agency for Southwestern Finland and had a chance to visit the Turku Central Library. I also went to the Åland Islands, where I met with senior officials and members of the administration.

In every place, I visited a variety of educational institutions, including for early childhood education and care, basic education and vocational education. Discussions with academics, civil society actors, headmasters, teachers and education support staff, students from all grades including home-schooled children, representatives of students' unions and associations, as well as parents' associations were also very informative and fruitful. I would like to share my preliminary reflections on some key issues.

General assessment

Finland's public educational system has a well-deserved worldwide reputation for excellence. Premised on core values that include the principle of equality, supporting individuals to achieve their full potential and lifelong learning with no dead ends, the education system has been designed to accommodate various needs and circumstances. The system is marked by a high level of cascading autonomy: from national entities to regional state authorities, municipalities, principals and eventually individual teachers. It fully relies on, and benefits from, dedicated and committed personnel as became evident throughout the visit.

Teaching is considered in Finland as a highly-valued profession requiring high quality pedagogical skills. Additionally, special needs assistance is provided as required to ensure learners' well-being and optimal learning outcomes, especially for children. Mother tongue and culture are valued and special measures exist to ensure access to mother tongue instruction for some and language courses for others, including Finnish and Swedish language instruction. Importantly, mechanisms exist to ensure the participation of pupils, students and other learners as well as teachers in policy formulation and implementation. Since education – not schooling – is compulsory, parents have the option of home schooling their children.

Now education is compulsory in Finland from 6 to 18 years of age, except in the Åland Islands where it still ends at 16 years. The introduction of preparatory education aims to enable access to upper secondary education for those lagging behind because, for example, they do not have sufficient proficiency in Finnish or Swedish as a first language, or need special assistance.

Today, the system that has worked so admirably in the past is facing some critical challenges due to changes within the Finnish education system as well as in the external environment, and this may be an opportune time to reflect on the best way forward. There have been important changes due to an ageing population and greater diversity in backgrounds, and the increasing presence of digital technology everywhere, including in education. From the perspective of the human right to education, the issue is whether – and to which extent – the educational system today responds equally to the diverse needs of every learner so that no one is left behind at any stage of life and can fully realize their potential. The system may not be working equally well for particular groups such as the Roma and Sámi people, those whose mother tongue is sign language or those with disabilities. Of concern is the reported increase in school bullying and violence and mental health issues.

Teachers

There is a high level of trust in teachers and the education system as a whole, and basic education remains an attractive profession. However, an increasing shortage of qualified teachers has been reported, especially in early childhood education and care (ECEC) and special needs, where ensuring sufficiently qualified personnel is an issue. A major reason in ECEC is the lower pay compared to other teachers as only a bachelors' degree is required, whereas a masters' degree from a university or a university of applied sciences is necessary for other compulsory education levels. However, schools and municipalities also report an increasing risk of attrition. There are also shortages of teachers with special competencies, such as languages, whether Sámi or Romani, sign language or minority languages. Ensuring teacher retention, as also stressed by UNESCO, requires tackling government policies, salaries and incentives, working conditions as well as accountability regimes.

There is also a question of whether teachers have sufficient opportunities to ensure they are sufficiently aware of new legislation, policies and emerging issues. For instance, it is crucial that all teachers are familiar with human rights, the rights of the child, comprehensive sexuality education in order to teach these. New topics should be integrated in teacher education, and

necessary measures put in place to ensure that current teachers gain the necessary knowledge and further their professional development.

Universities have a high degree of autonomy in designing their own teacher training programmes based on the national curriculum that includes compulsory practical training in educational institutions. In contrast to initial training, further in-service training and professional development of teachers, so essential in rapidly changing societies, is less robust. The Government does allocate 15 million euro per year for teachers' in-service training and teachers are required as per their contracts to participate in 3 days training per year. Teachers are expected to drive their own development, however the conditions and support for this are not always sufficient and situations appear to vary by municipality and resource availability. For example, training courses are free of charge for teachers, but schools often lack the additional funding necessary to recruit substitute teachers. Some training courses are offered by AVI, but the places are limited.

From a human rights perspective, this creates a situation of inequality between children in different municipalities or even schools within one municipality.

Students' perspective

The most recent School Health Promotion Study 2023 highlighted the increase in loneliness, depression and anxiety amongst young people. Mental health is now the biggest reason for medical leave and 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, off-line hobbies, sports or leisure activities. Bullying and harassment are also reported to have increased, including online. Concerns about the matriculation exam too contribute to one third of students believing that studies have become harder.

The availability of equitable and regular support is a concern. While the system has psychologists and social workers, school psychologists who each serve some 750 students, depending on the municipality, do not have sufficient time for individual pupils/students; social workers also serve several schools but students are reluctant to approach them as this is seen as a sign of having problems. Positive initiatives to address the challenges include youth workers, the TATU project, school coaches and multi-lingual assistance, who are greatly appreciated by students and teachers alike. However, they are not available everywhere, staff is on temporary contracts and the lack of permanency can be discouraging.

Students with special learning needs also reported a lack of regular or sufficient support and students, parents and teachers all concur that the procedure for accessing support is too complicated. Special support services depend on the availability of funds and professional staff. Importantly, when children with special needs transition from comprehensive education to upper-secondary or vocational education, they can lose the support they require to continue studying, including language assistance. There is a need to balance the integration of children with special learning needs in mainstream education while also accommodating their needs, such as smaller classrooms, assistive technology or equipment, tailored learning materials and specialized medical

and psychological support. In terms of support for students with special educational needs, I understand however that reforms are currently being discussed.

The equality principle is also seriously challenged in Finland by issues related to segregation and divisiveness in certain urban areas and between schools. Schools may have up to 80% students for whom Finnish is a second language, which has implications for integration into the wider society. Measures have been adopted to address this situation, for example through granting such schools additional human resources and financial support.

As important as such arrangements are to maximize learning, they do not address the root causes. More in-depth reflection is needed to assess the role of the “nearest school principle” (according to which students should attend the nearest school in their neighborhood) in terms of leaving no one behind.

The general and the vocational upper secondary education are both valued as half of the students opt for one or the other. It is important that data disaggregated by socio-economic status, gender, language, migrant backgrounds, etc., is used to assess whether and the extent to which the educational system allows for social mobility and helps to overcome existing inequalities. At stake is the social cohesion in Finland for the years to come and ensuring the full participation of everyone in Finnish society.

Digitalization of education

In terms of teaching modalities, the increasing digitalization in education is important from the perspective of both students and teachers. Throughout my visit, many students, teachers and other educators, as well as officials believed that the ongoing digitalization of education in Finland seems to be driven by a desire to reduce expenses. Some students reported, for example, that they only have access to digital study materials, without sufficient number of books or paper copies for the entire classroom. Students lack computers in some schools and areas. 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 proper discussion around and in-depth consideration of possible health issues, including mental health issues for children, the protection of their privacy and data online, as well as the possible inadvertent privatization of education through digitalization. It is important to exercise caution in this area, and for all stakeholders to refer to the report of my mandate on the matter,¹ as well as the UNESCO’s report *An Ed-Tech Tragedy?* released this year.

The teaching of religion

In terms of content, the teaching of religion in Finland seems to require serious review, taking into consideration the 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,² and article 13 of the International Covenant on Economic, Social and Cultural Rights.³ My concern is that while

¹ [A/HRC/50/32: Impact of the digitalization of education on the right to education | OHCHR](#)

² See Human Rights Committee, General Comment 22, para. 6.

³ See Committee on Economic, Social and Cultural Rights, General Comment 13, para. 28.

members of minority religions have the right to receive instruction about either their own religion or ethics, if at least three students so request, students from the Lutheran church are obliged to study their own religion and cannot for example opt for an ethics course. Such a system creates a silo effect in education, which is at odds with the recommendation to ensure intercultural education for all and to promote mutual understanding and respect. Further, information received indicates that in some schools, particularly in more remote areas of the country, public education in practice is not always entirely secular. It is important to recall that public school instruction in subjects such as the general history of religions and ethics is permitted if it is given in an unbiased and objective way, respectful of the freedoms of opinion, conscience and expression. Additionally, I noted that students cannot make their own choice regarding religion before the age of 18, and I suggest that the evolving capacities of children in such matters be better considered.

Coordination, monitoring and assessment

Educators have stressed the vital role of autonomy in developing a context-responsive education system that has produced such good results. Today, however, diverse interlocutors stress 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, the student welfare groups consisting of a psychologist, social worker and a nurse are regulated by the Ministry of Social Affairs and Health, and students report having to wait for an appointment, regardless of the urgency of the issue. These professionals look after several schools at once and do not report to school principals, creating gaps in services. There is also a uniformly expressed need for greater guidance on the implementation of relevant legislation and national policies.

There is a need to ensure that new legislation and research is fully integrated into the education system; this includes new laws/amendments regarding comprehensive sexuality education and human rights. This is all the more important given the lack of any system-wide inspection/monitoring mechanism. The FINEEC and Finnish National Agency for Education are important assets for evaluating not just the quality of management but how effective planning is and the societal impact of specific levels and types of educational institutions. FINEEC for example, points out that self-evaluations need to be reinforced by ensuring institutions and staff have sufficiently detailed guidance, competencies, financial and human resources, as well as clarity about the purpose of self-assessments. There is clear value in ensuring sufficient guidelines and to ensure that the results of surveys conducted by FINEEC and academic research feed into teacher's education and continuous professional development. Greater coordination could reduce costs too through shared responsibilities.

Budget

Finland is to be praised for the high level of resources devoted to education over the years (% of GDP and of total budget). At the same time throughout my visit many people expressed concern regarding the budget allocated for education by the new Government in their proposed budget for

2024-2027 submitted to the Parliament this October. While it is reassuring that the Ministry of Education and Culture will receive over 270 million euros more in 2024 than in 2023, many people are unclear about the announced plan to reduce budget allocations to municipalities in subsequent years. Given that the education system relies primarily on the resources of municipalities, the impact of these cuts on education may be particularly dramatic, precisely when Finland faces difficult challenges in education, such as the overall decline in achievements, students' need for more support, and the need to maintain schools in less populated areas of the country.

The plan to reduce students' support for their living expenses to pursue higher education and resort to student loan scheme is of concern too, together with the gap in policy for long-term foreign residents wishing to pursue their studies if they are outside of EU/EEA. On all these issues, it is important to recall that under human rights law, when a State seeks to introduce retrogressive measures, for example, in response to an economic crisis, it has to demonstrate that such measures are temporary, necessary, proportionate and non-discriminatory, and that at least the State's core obligations are respected.

Åland Islands

I also had the opportunity to visit the Åland Islands where I met the Secretary General of the Government, Head of Section, Special Adviser for Education, Project Manager for homeschooling, Non-Discrimination Ombudsman, Ombudsman for Children, Head of Education of the municipality of Mariehamn, Head of Authority of the Ålands gymnasium, headmasters, teachers, students and pupils, school psychologists, members of the welfare group. I visited a variety of educational institutions including adult education in folk schools, vocational education and ECEC institutions. This was an opportunity to learn about how the views of even very young children have been elicited to guide the curriculum, and the good practice of institutionalizing a closer monitoring of home-schooling.

In conclusion, in light of the above, I believe this is an opportune moment to take stock and ensure the continued excellence of the Finnish public education system. And while there is concern that Finland no longer tops the PISA results, it is vital to remember this is only one measure of competencies. It would be a shame if Finland were to move away from its own more holistic approach to education.