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THE NATIONAL COUNCIL OF WOMEN OF FINLAND

## **BEIJING PLUS 15**

### **NGO Parallel Report**

on the implementation of the Beijing Platform for Action  
in Finland during 2005–2010

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## **ABBREVIATIONS**

BPFA	The Beijing Platform for Action
CEDAW	The Convention on the Elimination of All Forms of Discrimination Against Women
CSW	The Commission on the Status of Women
DAW	The Division on the Advancement of Women
ECHR	The European Convention on Human Rights
ECfHR	The European Court of Human Rights
EU	The European Union
FCCC	The United Nations Framework Convention on Climate Change
FGM	Female Genital Mutilation
GEA	The Act on Equality between Women and Men (Gender Equality Act)
GP	Government Proposition
MFA	The Ministry for Foreign Affairs
MSAH	The Ministry of Social Affairs and Health
NDA	The Non-Discrimination Act
NGO	Non-Governmental Organisation
OHCHR	The Office of the High Commissioner for Human Rights
TANE	The Council for Gender Equality
TAS	The Ombudsman for Equality
TASY	The Equality Unit
UNECE	The UN Economic Commission for Europe
UN	The United Nations
UNIFEM	The United Nations Development Fund for Women

# I INTRODUCTION

## *Aim and structure of the report*

What this NGO report strives to achieve is first and foremost to serve as a reminder of the importance and usefulness of the Beijing Platform for Action (BPFA) in contemporary Finland. The platform for action, negotiated and decided upon during the Fourth World Conference on Women in Beijing in 1995, constitutes an excellent basis and provides tools for the national gender equality policies combined with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Unfortunately, neither of these binding international agreements has yet become well-established in Finland. The visibility of the Beijing Platform for Action decreases with each government, and the BPFA is no longer mentioned in the references to gender equality in the Government Programme of the second Cabinet of Prime Minister Matti Vanhanen nor in the Government Action Plan for Gender Equality 2008–2011.

It is especially alarming that this report has to discuss the same flaws and repeat the same demands that were already highlighted in the two previous reports, the NGO Parallel Reports for Beijing +5 in 1999 and Beijing +10 in 2005. This report, together with the reports coordinated by NYTKIS<sup>1</sup> in 2004 and 2007 on the national implementation of CEDAW, gives an extensive account of how women's organizations view Finland's implementation in the 21st century of its commitment to improving women's status.<sup>2</sup> In accordance with the Beijing Platform for Action, this report's starting point is specifically the status of women, but naturally many of the issues considered are closely connected also to the status of men, and the actions, when implemented, would further gender equality in general.<sup>3</sup>

The structure of this report reflects the structure of the government reports, for which the UN's regional economic commissions gave the countries instructions. After the Introduction (Chapter I), Chapter II goes through the central national developments since the previous report was published in 2005. Chapter III discusses five themes separately, which this reports highlights as especially weak points in Finland's gender equality policy. Chapter IV discusses the 11 strategic areas of the Beijing Platform for Action.<sup>4</sup> The beginning of every chapter includes the objectives for the area as stated in the BPFA and the NGO demands directed at the Finnish government are cited at the end of each chapter. Chapter V discusses the institutional development of the status of women, i.e. the activities of the gender equality bodies, the legislation, and the participation of women's organizations. After each section, references on the topic discussed have been listed including government documents and web-based material.

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<sup>1</sup> The Coalition of Finnish Women's Associations

<sup>2</sup> Especially the NGO Report for the CEDAW hearing in 2004 usually works as a general information package about the contract and what status it has in Finland.

<sup>3</sup> This report uses "gender equality" to signify equality between the sexes.

<sup>4</sup> The Beijing Platform for Action encompasses in total twelve areas for action, A-L, but point H. Institutional Mechanisms will be discussed as an independent chapter in accordance with the government report.

The report has been compiled in cooperation between the member organizations of the National Council of Women of Finland and different associates. The National Council of Women of Finland coordinated and compiled the final report. The following actors participated in producing the written material:

- The Finland branch of Amnesty International (especially Section D. Violence against women)
- The Women's Organization of the National Coalition Party (especially Section G. Power and decision-Making)
- The Feminist Association Unioni (especially Section B. Education and training)
- Women Together Against Addictions (especially Section C. Women and health)
- Women Journalists in Finland (especially Section J. Media)
- The Coalition of Finnish Women's Associations NYTKIS (especially Section D. Violence against women)
- SETA - Sexual Equality in Finland
- Suomen Naisyhdistys (The Finnish Association of Women)
- UNIFEM Finland (especially Section E. Armed conflict)
- The Family Federation (especially Section C. Women and health)
- The Finnish National Observatory on Violence (especially Section D. Violence against women)
- Zonta International District 20 (especially Sections B. Education and training, and I. Human rights)

## **Women and the UN**

Women and women's organizations have actively been involved in the activities of intergovernmental organizations ever since the founding of the UN's predecessor the League of Nations – disregarding the opposition from each respective government. After World War I women wanted to avoid comparable destruction and human torment in the future, as well as be part of peace building and accelerating societal development. Although World War II interrupted the first attempts at joining in the negotiations between countries as equal partners alongside the men, women already knew that gender equality is imperative for sustainable peace and development. In addition, women had learned that improving the status of women and furthering change in your home country is often easier and quicker when things have been agreed upon on an international level first. Good examples of this are the *UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*<sup>5</sup> from 1979 and the *Beijing Platform for Action (BPFA)*<sup>6</sup> negotiated during the Fourth World Conference on Women in 1995. These two international agreements complement each other and together they define the minimum requirements for the status of and rights of women in the countries that have acceded to them.<sup>7</sup>

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<sup>5</sup> The Convention on the Elimination of All Forms of Discrimination Against Women. CEDAW was approved in 1979 and came into force in 1981, when 20 states had signed it.

<sup>6</sup> The Beijing Platform for Action. The actual document from Beijing includes a general declaration by the government, in addition to the platform for action.

<sup>7</sup> The link between CEDAW and the Beijing Platform for Action is evident, for instance, in that the governments in the Beijing declaration reaffirm their commitment to especially CEDAW. The CEDAW Committee again has in its actions referred to the BPFA and considered it to be part of realizing actions aimed to eliminate discrimination against women in the spirit of CEDAW.

CEDAW is a legally binding international human rights convention, the implementation of which is followed up by reporting procedures typical for conventions on human rights. The CEDAW Committee oversees the implementation of the convention in the State Parties and issues both country specific and general recommendations in relation to the convention. As is customary with regard to international human rights conventions, CEDAW does not define exact obligations for the states to take specific actions, but each state has been given a chance to implement actions that they see as the best and most effective in their own view of the realities in society. In other words, CEDAW defines the objectives, to eliminate all forms of discrimination against women, but the states are free to choose the most suitable actions to achieve this.

The Beijing Platform for Action notes that the platform is entirely in accordance with the intentions and principles stated in the Charter of the United Nations as well as in international law, but is nonetheless exceptional. Unlike the actual human rights conventions, which are part of international law, the BPFA extensively lists very concrete actions that the states must undertake in order to achieve the objectives specified in the platform. Also the negotiations and the world conference that preceded the Beijing Platform for Action were historical. The states sent large delegations to the conference and the women's organizations were actively involved in defining the content of the Beijing declaration and platform for action. The influence of the women's organizations is recognisable in the actual text of the declaration, and the platform often reiterates how achievement of many of the objectives requires the governments to cooperate with civil society.

The governments that have agreed upon and therefore committed to the platform now report on the implementation of it in their own country every five years. In addition, regional reports are written and the NGOs write alternative reports every five years. These national and regional, government, and civil society reports have been discussed twice in the UN: in 2000 at the Beijing+5 special session during the UN General Assembly, and in the Beijing +10 session during the meeting of the Commission on the Status of Women (CSW) in 2005.<sup>8</sup> The next time the progress of the Beijing Platform for Action will be discussed is during the CSW session in March 2010.

#### References:

*Beijing Declaration and Platform for Action. The UN's Fourth World Conference on Women in Beijing 4-15.9.1995.* Publications of the Ministry of Foreign Affairs 6/1996. Helsinki: The Ministry of Foreign Affairs.

CEDAQ website (administered by the Office of the High Commissioner for Human Rights, OHCHR): <http://www2.ohchr.org/english/bodies/cedaw/index.htm>.

CEDAW, The Convention on the Elimination of All Forms of Discrimination against Women 67/1986.

Pietilä, Hilikka (2006): *Naiset ja YK. Vuosikymmenten menestystarina.* Helsinki: UNIFEM Finland.

Schöpp-Schilling, Hanna Beate & Flinterman, Cees (2007): *The Circle of Empowerment. Twenty-five Years of the UN Committee on the Elimination of Discrimination Against Women.* New York: The Feminist Press.

Website on the Beijing Platform for Action (administered by the secretariat at the UN Division for the Advancement of Women DAW):

<http://www.un.org/womenwatch/daw/beijing/index.html>.

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<sup>8</sup> The Commission on the Status of Women.

## **Gender equality, gender equality policy, and the Beijing Platform for Action**

Gender equality is much talked about in Finland: politicians and civil servants tell us how it is being furthered, improved, and striven for. The Government Programme of Prime Minister Matti Vanhanen's second Cabinet states that "gender equality is a central value in Finnish society" and that "achieving equality in society at large and in the labour market in particular calls for determined efforts". The Government Programme has dedicated one of the sections in the chapter on welfare policy to gender equality: Improving gender equality.<sup>9</sup> Very few, however, stop to think about what the term gender equality means or what is really being aspired for, when it is said that a measure will increase gender equality. Even in state publications on gender equality it is not easy to find a definition or a more precise description of the objective for gender equality. A more specific definition of what kind of gender equality is striven for would be needed especially when it is time to evaluate the functionality of the policies and the success of the government's measures.

In this report *gender equality* denotes a state of the society where power and responsibility is equally divided between women and men. Everyone is free to form their own gender identity and to realize themselves in any way they please without regards to traditional gender roles. In a gender equal society everyone can speak for themselves in their own voice. On the other hand the starting point of the report is the fact that the status of women in society is still generally worse and that human and basic rights are not fully realized for women. This is something the UN often reminds us of: For example, in 1993 during The World Conference on Human Rights in Vienna, it was deemed necessary to reinforce that women's and girls' human rights are an inseparable, essential, and indivisible part of the universal human rights. The platform for action reiterates this and also highlights that women have common causes for concern that can be addressed only through cooperation and by partnering with men in order to achieve gender equality.

The measures used to achieve an ideal state of gender equality in their turn form *gender equality policies*.<sup>10</sup> Often a so called *dual strategy* is referred to in relation to gender equality politics: Achieving gender equality requires *both* gender specific measures that aim to increase gender equality – i.e. positive action for women and cooperation with women's organizations – *and* mainstreaming a gender perspective – i.e. evaluating all activities, decisions, and measures connected to people separately from the perspectives of women and of men.<sup>11</sup>

In Finland, the actual gender equality politics of the Government can be seen to have had its beginning in the 1960s when the first *committee investigating the status of women* was established.<sup>12</sup> In 1970 the committee finished its work after having delivered a report where it recommended the instigation of a permanent gender equality body. *The Council for Gender Equality* (TANE) was founded a few years later in connection with the Government and the mission for the council was defined as furthering and preparing reforms concerning the equality between women and men. The purpose of TANE did not change much during the 1980s until the Act on Equality between Women and Men was enacted. *The Act on Equality between Women and Men* (the

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<sup>9</sup> The Government Programme: 6, 60.

<sup>10</sup> Holli 2002:20.

<sup>11</sup> See this report's Chapter V for further information.

<sup>12</sup> Räsänen 2002:101.



Gender Equality Act)<sup>13</sup> was adopted in 1986 and TANE was subordinated to the Ministry of Social Affairs and Health. The act came into force the following year and the post of *Ombudsman for Equality*<sup>14</sup> was established to oversee the act, with the secretariat of TANE being moved to *the office of the Ombudsman for Equality* (TAS). In practice, the Ombudsman for Equality and the Council for Gender Equality were seen as an entity, as a *gender equality office*, until the year 2001, when an organizational reform among the gender equality authorities was carried out and a new *Gender Equality Unit* (TASY) was established at the Ministry of Social Affairs and Health. At present, TASY is responsible for preparing and coordinating the Government's gender equality policies and legislation.

Since the 1990s, it has become customary for the *Government Programme* to include entries about gender equality. The most important points concerning gender equality in the Government Programme in their turn create the basis for *The Government Action Plans for Gender Equality*, where all measures for improving gender equality, of all Ministries, are collected. The first extensive national gender equality action plan for 1997–1999 was written immediately after the Beijing world conference and was very strongly based on the Beijing Platform for Action. The following gender equality action plan, for the years 2004–2007, still mentioned that the measures in the action plan covered the central areas of the BPFA. In the current Government Action Plan for Gender Equality 2008–2011, the Beijing Platform for Action is no longer mentioned at all, and the action plan is also otherwise more constricted than its two predecessors. At the Ministry for Foreign Affairs, gender equality is nowadays a cross-cutting theme in the Development Policy Programme of Finland. Evaluations of the putting into effect of cross-cutting themes, however, indicate that the implementation has been quite varied and that a clear strategy and instructions are missing.

Finland has not succeeded in implementing the Beijing Platform for Action in a consistent and extensive manner, and Finland is therefore not at leisure to see the BPFA as outdated. It is therefore worrying if the Government sees the platform for action as some sort of historical evidence, dug out from the archives every five years, to prove how the world's women and governments were unanimous about improving the status of women back in 1990s.

Legislation is needed alongside gender equality policy, as a part of measures aiming for gender equality. For example, the international Convention on Elimination of All Forms of Discrimination against Women, CEDAW, states that State parties will take "all appropriate measures, including legislation" in all areas.<sup>15</sup> In Finland, the corner stone of gender equality legislation is the Act on Equality between Men and Women, i.e. the *Gender Equality Act*. The Act is the concretization of Chapter 2, Section 6 of the Constitution of Finland, which states that the equality of the sexes is promoted in societal activity and working life, as detailed by an Act. Initially the enactment of the Gender Equality Act did not stem from the aforementioned so called constitutional mandate, since the section in question was only included in the constitution in Finland's constitutional reform on fundamental rights and freedoms in 1995. The Gender Equality Act for its part had been enacted already ten years earlier, in the 1980s, as Finland had then considered the implementation of CEDAW to require national legislation regarding gender equality. Finland signed the CEDAW convention already in 1980, but the ratification and actual implementation of it did not happen until after the enactment of the Gender Equality Act in 1986. The creation of the Gender Equality Act

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<sup>13</sup> In this report, "Gender Equality Act" is used to the Act on Equality between Women and Men. The Act is also called the Equality Act, e.g., in the Government's report, but we wanted to be clear that this is an act that concerns specifically gender equality. The more general anti-discrimination act is called the Non-Discrimination Act.

<sup>14</sup> Despite the name of the office, the Ombudsman for Equality monitors specifically the gender equality legislation, i.e. compliance with the Act on Equality between Women and Men (Gender Equality Act).

<sup>15</sup> Article 3.

was a painful and slow process, and the final act was not nearly as extensive as the international Convention on the Elimination of All Discrimination against Women. One has to remember also that, on the contrary to CEDAW, the Gender Equality Act is gender neutral in its language and does not specifically mention women as a discriminated group, with the exception of discrimination on the grounds of pregnancy. Neither does the Gender Equality Act encompass all areas of life, but focuses, even after being reformed, on discrimination in working life.<sup>16</sup> The act has been modified several times, and the most significant modification in 2005 can be considered a total reform of the legislation. However, the changes were not based on CEDAW, nor on a political will to take initiative to widen and intensify the national gender equality legislation. The pressure for change stemmed first and foremost from the European Union's anti-discrimination legislation and commitments following thereof. In comparison to the Beijing Platform for Action, CEDAW and the CEDAW Committee's statements about Finland have received even less attention on the national level. For example, there was one reference to CEDAW in the Government's Action Plan for Gender Equality for 1997–1999, but none in the two following ones.

During the 21st century, a general and alarming phenomenon is noticeable: The visibility of the UN and its significance in national gender equality politics and law have decreased, and the European Union is now the greatest agent for change across borders as well as the most influential actor concerning gender equality. As such, the EU's increased role has brought also some good for Finland, such as more exact definitions of discrimination, and extending the Gender Equality Act to encompass services. Also discrimination based on other personal qualities than gender has received visibility in Finland, thanks to the several EU directives on anti-discrimination. The increased importance of the EU in Finland should not be at the expense of the UN, as gender equality politics and law will become even narrower if they are confined to only issues for which the EU is competence. Both the Beijing Platform for Action as well as CEDAW cover all aspects of life from private, gendered violence to eliminating gender stereotypes, and oblige Finland to take all required action in all aspects. The EU may, for the time being, make demands mainly with regards to working life and the free internal market of the EU.

The Finnish Government can be considered to be neglecting the full implementation of both the Beijing Platform for Action and CEDAW. Neither document is very well known and the objectives defined in them have not been considered in their full scope in the formulation of national gender equality policies and legislation. The BPFA and its progress reports do not receive visibility as fundamental starting points for how gender equality is covered by the government programmes or for how the government action plans for gender equality are formulated. Simultaneously, the Gender Equality Act is modified mostly due to new EU regulations, and neither the GEA nor other legislation is compared to and evaluated according to CEDAW and the statements from the committee that supervises the compliance with the convention.

**Finland must take its international commitments seriously and reinstate the Beijing Platform for Action as a basis for the national gender equality politics.**

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<sup>16</sup> The application of the Act on Equality between Men and Women is general, but in practice the legislation includes several regulations that only apply to working life. The sanctions for cases of discrimination also vary according to whether it is the ban on discrimination in working life or some other ban that has been violated against.

## References:

Act on Equality between Women and Men 609/1986.

Act on the Ombudsman for Equality and the Equality Board 610/1986.

CEDAW, The Convention on the Elimination of All Forms of Discrimination against Women 67/1986.

Holli, Anne Maria (2002): "Suomalaisen tasa-arvopolitiikan haasteet." In Holli, Anne Maria, Saarikoski, Terhi & Sana, Elina (eds): *Tasa-arvopolitiikan haasteet*. Helsinki: WSOY, The Council for Gender Equality and The Ministry of Social Affairs and Health: 12–30.

Holli, Anne Maria & Rantala, Marjo (2010): *The Institutional Status of Gender Equality Authorities in Finland*. Helsinki: The Ministry of Social Affairs and Health.

Holli, Anne Maria, Saarikoski, Terhi & Sana, Elina (eds) (2002): *Tasa-arvopolitiikan haasteet*. WSOY, The Council for Gender Equality and the Ministry of Social Affairs and Health.

Kuusipalo, Jaana (2002): "Mitä on se on tasa-arvo, jota tasa-arvopolitiikka tavoittelee?" In Holli, Anne Maria, Saarikoski, Terhi & Sana, Elina (eds): *Tasa-arvopolitiikan haasteet*. Helsinki: WSOY, The Council for Gender Equality and The Ministry for Social Affairs and Health: 208–220.

Räsänen, Leila (2002): "Hallituksen tasa-arvopolitiikkaa tekemässä." In Holli, Anne Maria; Saarikoski, Terhi & Sana, Elina (eds): *Tasa-arvopolitiikan haasteet*. Helsinki: WSOY, The Council for Gender Equality and the Ministry of Social Affairs and Health: 100–127.

*Tasa-arvolaki 20 vuotta*. (2006). Helsinki: The Office of the Ombudsman for Equality, The Ministry for Social Affairs and Health.

*Tasa-arvolaki 2005*. (2009) Helsinki: The Gender Equality Unit and the Ombudsman for Equality, The Ministry for Social Affairs and Health.

## **II PRINCIPAL CHANGES**

This chapter outlines the most significant changes influencing the status of women since 2005. Unfortunately, this chapter is afflicted by the same problem as the Beijing +15 report by the Finnish Government as well as the Government's gender equality policy in general: changes in administration and legislations, reports, and policy programmes are listed *with no information on how these actually have affected* the status of women. Concrete indicators and figures are nowhere to be seen: no information on how much money the Government has earmarked for improving women's status; no reduced casualty numbers in the statistics on domestic violence; no increased share of men taking parental leave; nothing about an increased proportion of women on corporate boards.

It is therefore highly advisable that national gender equality politics finally start to contemplate and follow up on the societal impact of the measures taken instead of listing how many seminars on the topic of gender equality have been arranged for civil servants each year.

*The Government Programme, the Government action plans for gender equality, and the Government Report on Gender Equality*

A fair amount has happened in the field of gender equality – at least judging from the speeches given and reports published. As already mentioned in the introduction to this report, references to gender equality in the government programmes and government action plans for gender equality have become established as political tools during the last decade. It is important that the entire Cabinet discuss and work with the overall definitions of policy concerning gender equality, and that not one government fail to produce an action plan for gender equality. In the Beijing +10 NGO

report published at the end of 2005, it was noted that Prime Minister Paavo Lipponen's second Cabinet in 1999 did not have an action plan for gender equality. Fortunately, Prime Minister Anneli Jäätteenmäki's and later Matti Vanhanen's first Cabinet formulated an action plan for gender equality for 2004–2007. The present action plan for gender equality, by Prime Minister Matti Vanhanen's second Cabinet, spans the years 2008–2011.

Although gender equality is now discussed in the government programmes and action plans for gender equality are drawn up on the basis of those, the content and the references to gender equality as well as the action plans have deteriorated. The references in the government programmes concern narrower fields and at the same time the action plans for gender equality have become more limited. In other words, fewer administrative sectors are obliged to reform their operations and develop specific projects for women (or for men) in their own field. The consequence is that gender equality policy shrinks to an activity that mainly concerns certain issues in working life. Already during the years 2004–2007, the action plan for gender equality was criticized for not being firmly enough grounded in the Beijing Platform for Action and that civil society's possibilities to be a part of the implementation of the action plan were not investigated. The current action plan, for the years 2008–2011, is an even feebler attempt to try to improve the status of women, and Beijing is not mentioned at all – despite the Beijing +15 reporting year taking place during the mandate period for this Cabinet.

Another problem, especially regarding the government's gender equality politics, is that the government's gender equality work is very short-sighted, dependent on time-limited funding, and consisting of different time-limited projects. Since the respective formulation in the government programmes concerning gender equality both dictate the focus of the gender equality policies of each government and serve as a guideline for the government action plans for gender equality, there is no long-term strategy. Also the impact and results of successful projects remain questionable if there is no continuity for the projects and no wider utilization of the experience gained.

It is, however, a positive sign that the current Government in the autumn of 2010 will be the first to submit a *gender equality report* to Parliament. The objective of the report is to evaluate the Finnish gender equality policies and measures taken within different administrative sectors in the light of societal development. Six background reports have been written on the themes of the report. The background reports are separate publications, to be published in the beginning of 2010. In connection with the background reports, separate hearings for NGOs will be arranged.

It is indeed very positive that Parliament will finally, thanks to this report, have a chance to discuss gender equality policies and the state of gender equality in Finland. Additionally, it is of utmost importance that the Beijing Platform for Action not be forgotten when the report is discussed in Parliament. The BPFA would namely for its own part help Parliament to evaluate the Government's actions and gender equality action plans, as well as to draw up extensive guidelines for the future.

Another positive aspect is that the new *Centre for Gender Equality Information in Finland* launched its website in December 2009. The centre, also called Minna, is attached to the Finnish Social Science Data Archive (FSD) at the University of Tampere.<sup>17</sup> Founding the information centre was one of the objectives in the Government Action Plan for Gender Equality 2008–2011 and a report on the topic was published as far back as in 2005<sup>18</sup>. The objective of the centre is to provide

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<sup>17</sup> A national web portal on gender equality information called "Minna" was formerly maintained by the Christina Institute for Gender Studies at the University of Helsinki. The relevant parts of the portal are now administered by the new Centre for Gender Equality Information in Finland.

<sup>18</sup> Grönroos 2005.

information on women, men, the gender system, and other aspects affecting gender equality. The centre strives to serve a broad range of users: authorities, politicians, gender equality actors and organizations, students, and researchers as well as the media. The resources allocated for the centre for the first year are 180,000 € and two person-years of personnel, approximately half of what the 2005 report proposed (350,000 € and five person-years).

The Government Programme also promised that the prerequisites and resources for the operation of women's organizations would be strengthened. An act on state subsidies for certain organizations was enacted in 2007, which in practice established a yearly state subsidy as an allocation of the yearly state budget for two umbrella organizations for women's organizations in Finland: The National Council of Women of Finland (NJKL) and The Coalition of Finnish Women's Associations (NYTKIS).

Furthermore, according to the Government Action Plan for Gender Equality, the possibilities for more resources to be allocated to government agencies engaged in promoting gender issues will be investigated. One of the background reports deals specifically with the status of the gender equality authorities and agencies. The report points out that the resources for the national gender equality bodies – The Government's Gender Equality Unit (TASY), the parliamentary Council for Gender Equality (TANE), and the law enforcer the Ombudsman for Equality (TAS) – have not been properly revised since the mid-1990s when the government's gender equality work became active. Against the propositions of two different working groups, the organizational reform of gender equality issues in 2001 was carried out without increasing the resources, something that had been seen as a prerequisite for the reform.<sup>19</sup>

The resources granted for the gender equality bodies (personnel and operational appropriation) reflect the degree to which the government is committed to striving for gender equality, and the distribution of budget appropriations says something about the government's priorities. Finland's reluctance to invest in gender equality shines through from the aforementioned issues as well as from the fact that the Government has employed only one fixed-term employee at an institute under the Ministry of Social Affairs and Health to write a national action plan on violence against women. Neither funding nor person-years have been allocated to implementing this action plan.

#### *Legislation and law enforcement*

The objective of the *Act on Equality between Women and Men* is to prevent discrimination based on gender, to promote equality between women and men, and to improve the status of women, particularly in working life. As stated in the introduction, the act was enforced in Finland in the 1980s as one part of the actions of implementing CEDAW. The Ombudsman for Equality and the Equality Board enforce the following of the Gender Equality Act. The powers and duties of above-mentioned are regulated by the Gender Equality Act, and further specified in the act and statute on the Ombudsman for Equality and the Equality Board.

The most recent significant change to the Gender Equality Act, its complete reform in 2005 was intended to, for instance, stimulate *gender equality planning* and increase the results of the planning as well as further equal pay. In the reform, the obligation to draw up a gender equality plan was extended also to educational institutions. Unfortunately the reform did not involve revising the act on the Ombudsman and the Equality Board nor the resources allocated to the Ombudsman, which meant that an extensive and systematic supervision of gender equality planning obligations that extend over whole sectors remained a dream. In other words, there is a grave danger that the new

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<sup>19</sup> See Holli & Rantala 2010.

regulations about gender equality planning following the 2005 legislative reform could remain dead letters of the law, and that especially the objective of the pay surveys that are a part of the plans to promote equal pay will not be realised.

In connection to the reform of the Gender Equality Act, the Employment and Equality Committee in Parliament also noted that the discrimination of gender minorities is not explicitly mentioned in the law as unlawful discrimination. The committee stated in its report that according to the ruling by the Court of Justice of the European Communities, discrimination based on gender includes, besides discrimination based on someone being part of the male or female sex, also discrimination based on gender reassignment surgery. In the government proposal to the Gender Equality Act, discrimination due to gender reassignment is indeed mentioned as one form of discrimination based on gender. The current interpretation of the Ombudsman for Equality is that the monitoring responsibility of the Ombudsman concerns all discrimination based on gender identity and gender expression. According to the demands of the Employment and Equality Committee, the Government was also meant to report on the functionality of the present regulations to the committee in 2009.<sup>20</sup>

In 2008, the Equality Committee appointed by the Ministry of Justice considered combining both the Ombudsman for Minorities and the Ombudsman for Equality, as well as the acts they monitor: *the Non-Discrimination Act (NDA) and the Gender Equality Act (GEA)*. Although the committee has since given up on the idea of combining the legislation and the authorities, it seems clear that the attention that especially multiple discrimination was given<sup>21</sup> will keep up the pressure to harmonize the regulations and law enforcement concerning different grounds for discrimination also in Finland. The European Union directs some of the pressure for this change, as the trend for development in the EU, a more diverse legislation on anti-discrimination, is becoming more extensive in banning also other grounds of discrimination than discrimination based on gender. For instance, in furthering the equality of sexual and gender minorities, the EU has been more advanced than Finland in some aspects. Some of the EU member states<sup>22</sup> have harmonized or even merged different regulations on discrimination and the enforcing authorities. On the other hand, it is interesting to note that two different EU institutions have been established in the 21st century: the European Union Agency of Fundamental Rights in Vienna and the Gender Equality Institute in Vilnius.

The Equality Committee submitted its final report<sup>23</sup> in December 2009. The committee could not reach consensus on the reforms of the equality legislation and five dissenting opinions and several statements were appended to the proposal. The proposal is muddled and will certainly not be accepted as such as a government proposition, and instead drafting the law will continue at the Ministry of Justice. The report proposes, for instance, reforming the monitoring of the Non-Discrimination Act. The present Ombudsman for Minorities would be replaced by an Ombudsman for Equality. The mandate of the ombudsman would be extended to encompass all the grounds for discrimination covered in the Non-Discrimination Act – hitherto it has only extended to ethnic discrimination. The ombudsman would actively strive to promote equality and to prevent discrimination and would monitor the implementation of the act for instance by carrying out inspections. It seems that the reform would require instating 10–12 additional positions. The

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<sup>20</sup> Unfortunately the report had not been published yet when this NGO report was written, in December 2009.

<sup>21</sup> Multiple discrimination signifies a situation where a person is put in a less favourable position than others on the basis of several characteristics of the person, for instance, gender and ethnic background.

<sup>22</sup> E.g., in the United Kingdom and Sweden. On the other hand, in some countries the monitoring of discrimination bans based on gender has knowingly been kept apart from the other discrimination bans.

<sup>23</sup> OMKM 2009:4.

implementation of the NDA in working life, however, still be monitored by the occupational health and safety authorities and the Ombudsman for (Gender) Equality would monitor the compliance with the Act on Equality between Women and Men. The committee further proposes that the National Discrimination Tribunal of Finland, which oversees the compliance with the Non-Discrimination Act, and the Equality Board, which oversees the compliance the Gender Equality Act, would be combined to one Equality Board.

In the fall of 2009 the Government submitted a report on the human rights policy of Finland to Parliament. For the first time, the report included an evaluation of how human rights are realized in Finland, not only in foreign policy.<sup>24</sup> When submitting the report, the Council of State proposed founding a new *national human rights institute* within the Office of the Parliamentary Ombudsman of Finland. The Ministry of Justice then set up a working group to ponder the founding of the institution and the necessary legislative changes. Also the new institution will probably, in the long-term, affect the mandate for the Ombudsman for Equality. In any case, Finland needs to, in accordance with the Beijing Platform for Action, take also women's human rights issues into account in connection with the new institute.

#### References:

- Act on Equality between Women and Men (Gender Equality Act) 609/1986.  
Act on Government Aid to some Women's Organisations (unofficial translation) (663/2007).  
Act on the Ombudsman for Equality and the Equality Board (610/1986).  
Act on the Ombudsman for Equality and the Equality Board (739/1986) KOLLA.  
Finland's 5th and 6th periodic reports and the reading of them during the CEDAW Committee's session in July 2008: <http://www2.ohchr.org/english/bodies/cedaw/cedaws41.htm>.  
*From Beijing to Finland*. Government Action Plan for Gender Equality 1996. Publications of the Ministry of Social Affairs and Health 1997:11, Office for Gender Equality Helsinki: The Ministry of Social Affairs and Health.  
Government Action Plan for Gender Equality 2004-2007: Follow-up Report (March 2006). Reports of the Ministry of Social Affairs and Health 2006:14. Helsinki: The Ministry of Social Affairs and Health.  
Government Action Plan for Gender Equality 2004-2007.  
Government Action Plan for Gender Equality 2008-2011: Follow-up Report (autumn 2009).  
Government Action Plan for Gender Equality 2008-2011.  
*Government Report to Parliament on the Human Rights Policy of Finland 2009*. Publications of the Ministry of Foreign Affairs 7/2009. Helsinki: The Ministry of Foreign Affairs, 2009.  
Grönroos, Maria (2005): *Gender Equality Information Services in Finland. A report on information and documentation by the rapporteur*. Working Group Memorandums of the Ministry of Social Affairs and Health 2005:13. Helsinki: The Ministry of Social Affairs and Health.  
Holli, Anne Maria & Rantala, Marjo (2010): *The Institutional Status of Gender Equality Authorities in Finland. Preparatory study*. Reports of the Ministry of Social Affairs and Health. Helsinki: The Ministry of Social Affairs and Health.  
*Proposition for a new equality act and legislation. The report of the Equality Committee*. OMKM 2009:4. The Ministry of Justice, Helsinki, 2009.  
*Tasa-arvolaki 20 vuotta*. (2006). Helsinki: The Office of the Ombudsman for Equality, The Ministry for Social Affairs and Health.

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<sup>24</sup> The report was written as a cooperation between the Ministry for Foreign Affairs and the Ministry of Justice.

*Tasa-arvolaki 2005*. (2009). Helsinki: The Gender Equality Unit and the Ombudsman for Equality, The Ministry for Social Affairs and Health.

*The need and options for the reform of the equality and non-discrimination legislation. Interim report of the Equality Committee*. Ministry of Justice, Finland, Committee reports 2008:1. The Ministry of Justice, Helsinki, 2008.

Website of The Centre for Gender Equality Information, Minna: <http://www.minna.fi>.

Website of the Ombudsman for Equality: <http://www.tasa-arvo.fi>.

### III FINLAND'S MOST NOTABLE DEFICIENCIES

#### 1. *The inability to identify and handle gender-based discrimination*

Both the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action (BPFA) take a comprehensive view of discrimination and require governments to take action to eliminate gender-based discrimination. Additionally, legal regulation against anti-discrimination within the European Union has increased since the mid-1990s, requiring EU-countries to take increasingly effective action against discrimination.

In countries like Finland, where gender equality is adopted in principle, gender-based discrimination is seldom *direct*, i.e. actions with the express *purpose* of placing one gender in a less favourable position than the other. Instead, discrimination is often *indirect*, i.e. actions that do not specifically aspire to place one gender in a less favourable position than the other, but which have this *de facto consequence*. Discrimination may additionally be seen as either the isolated problem of one person, or as structural injustice concerning entire groups of people. Also Finland should contemplate when gender-based discrimination is mainly a problem for the individual women and when a concern for the masses. If, for instance, the implementation of a seemingly gender neutral regulation in fact leads to women being systematically placed in a less favourable position, the problem could be seen as structural discrimination that cannot effectively be corrected only by means of individual litigation. In other words, identifying different forms of discrimination would provide better means of combating it.

Although gender equality in Finland is an accepted objective, and women's less favourable position identified to a certain extent, government policy is unable to identify the deficiencies in the state of gender equality as discrimination, nor is combating discrimination seen as a means of promoting gender equality. Discrimination as a concept or phenomenon – gender-based or otherwise – is not mentioned in the Government Programme. Discrimination is also not mentioned in the Government Action Plan for Gender Equality 2008–2011. Nonetheless, when a society has not achieved gender equality, it means there are discriminating practices. Being able to identify and manage different forms of discrimination as well as demolishing discriminating structures in society is indeed imperative to achieving gender equality.

Unfortunately the inability to recognise discrimination in Finland concerns ordinary people as well as the government. A comparison between the EC's 2007 Eurobarometer and the Gender Equality Barometer 2008 by Statistics Finland illustrates this quite well. The Eurobarometer shows that the majority of Finns do not consider any kind of discrimination as a significant problem that the state should take action against. Additionally, only one fifth of Finns considered discrimination based on



gender a widespread problem in Finnish society. The results from Finland clearly differ from, for instance, Sweden's results, where all kinds of discrimination, including gender based discrimination, were seen as a massive problem.<sup>25</sup>

On the other hand, the Gender Equality Barometer revealed that both Finnish men and Finnish women were of the opinion that the status of women in society is not yet as good as the status of men. There have not been a lot of changes<sup>26</sup> in the last ten years, and part of these changes have been for the worse; women with a higher education, for instance, more often than previously feel that their gender is a disadvantage in working life, and women in general felt that there was more harassment. The responsibility for family and caring for the home still rests largely with the women.

In addition to these two barometers, statistics show, for instance, that the gender pay gap is greater in Finland than on average in the EU countries, and that fixed-term, atypical employment are especially common among young women in Finland.<sup>27</sup> The Ombudsman for Equality is also still frequently contacted when people suspect discrimination based on gender. The most common reason for contacting the Ombudsman is a suspicion of women being discriminated against in working life. It is thus obvious that the less favourable status of women in, for instance, working life, is acknowledged, but the phenomenon is not identified as discrimination. Nonetheless, in the summer of 2008, the UN committee against discrimination of women in its final conclusions urged Finland to prioritize the realization of women's de facto equality with men in the labour market, so as to achieve full compliance with article 11 of the Convention.

Another good example of the inability to identify and deal with discrimination based on gender is violence against women (VAW). Violence against women as a worldwide phenomenon reflects the skewed power relations between the genders, and the phenomenon must be seen as an infringement on human rights and as discrimination based on gender, against which states must take action. This view is supported both by the UN and by the newest case law by the European Court of Human Right (ECfHR).<sup>28</sup> Also the CEDAW Committee, for instance, considered violence against women such an acute problem for Finland during its session in the summer of 2008, that the committee

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<sup>25</sup> In the Eurobarometer "Discrimination in the European Union" from 2007 by the European Commission, people were asked whether the efforts of their country to combat discrimination were sufficient. In the EU countries, an average of 51% of the respondents were of the opinion that enough measures against all discrimination had been taken in their home country. Forty-five per cent was of the opposite opinion. Cyprus had the highest and Finland the second highest percentage (64%), of all EU countries, of the population who were satisfied with the measures against discrimination their country had taken. Sweden represented the other extreme, where 69 % of the respondents were dissatisfied with the anti-discrimination measures taken in their country. Regarding gender-based discrimination, people were asked whether they considered discrimination based on gender to be widespread in their country. In the EU countries, on average 40% of the people considered gender discrimination to be a considerable problem. Finland (25%) together with Germany (21%) and Latvia (21%) belonged to the countries where gender-based discrimination was rarely seen as a significant problem. Discrimination based on gender was seen as more widespread in Sweden (50%), Spain (55%), and Italy (56%) than in the EU countries on average.

<sup>26</sup> The Gender Equality Barometer has earlier been published in 1998, 2000, and 2004. In the newest barometer from 2008, the results of the current barometer were compared to the results from previous barometers.

<sup>27</sup> Life of women and men in Europe 2008.

<sup>28</sup> In June 2009 ECfHR gave a significant decision in a case where the woman applicant had been the victim of intimate partner violence. The spouse of the applicant had threatened and abused the victim and her mother, and in the end killed the mother. The court applied articles from the European Convention on Human Rights on the right to life, prohibition of torture and prohibition on discrimination based on gender on the case. The court considered the home country of the plaintiff, Turkey, to having had a responsibility to protect persons in an especially vulnerable position. Pondering its decision, the court considered e.g., the CEDAW. For more information, see Chapter III, Section 3 Violence against women as well as Chapter IV, Section D, of this report.

required Finland to submit information on the implementation of the recommendations concerning violence against women – as the only one of all the forms of discrimination against women – already before the next periodic report is to be discussed. Additionally, the report *Discrimination in Finland 2008* by the Finnish League for Human Rights as well as the Government Report on Finland's human rights policy, both highlight how violence against women is a substantial barrier for the realization of gender equality.

**Discrimination based on gender is not the problem of a single individual, but a concern for all, most commonly for women. Discrimination in its different forms and in different fields of life has to be recognized and action has to be taken against discrimination in order for gender equality to be achieved.**

#### References:

- Aaltonen, Milla; Joronen, Mikko & Villa, Susan: *Syrjintä Suomessa 2008*. Helsinki: The Finnish League for Human Rights, 2009.
- Decision by the European Court of Human Rights in the case *Opuz vs Turkki* (33401/02), judgement delivered 9.6.2009.
- Discrimination in the European Union*. Special Eurobarometer. European Commission, 2007.
- Ending violence against women. From words to action*. (2006). Study of the Secretary-General, United Nations.
- Finland's 5th and 6th periodic reports and the reading of them during the CEDAW Committee's session in July 2008: <http://www2.ohchr.org/english/bodies/cedaw/cedaws41.htm>.
- Life of Women and Men in Europe* (2008). Eurostat.
- Nieminen, Tarja: *Gender Equality Barometer 2008*. Reports of the Ministry of Social Affairs and Health 2008:24. Helsinki: The Ministry of Social Affairs and Health, 2008.
- The Government Report to Parliament on the Human Rights Policy of Finland 2009*. Publications of the Ministry of Foreign Affairs 7/2009. Helsinki: The Ministry of Foreign Affairs, 2009.

## **2. Ignoring the diversity of women**

The introduction of the Beijing Platform for Action vigorously states that the objective of the platform *is to increase the influence of all women*. In order for all women to be able to use power equally, they must have full human rights and fundamental freedoms everywhere. Although national and regional special characteristics and different historical, cultural, and religious backgrounds do need to be considered, it is the obligation of states to promote and ensure all human rights and fundamental freedoms regardless of their political, economic, or cultural system.

The BPFA emphasizes that it concerns all women, while keeping in mind the differences between women. A good example of how women's diversity has been acknowledged is the almost exhaustingly long list of special groups of women who are particularly vulnerable to violence. According to the BPFA such special groups are “minority groups, indigenous women, refugee women, women migrants, including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women, displaced women, repatriated women, women living in poverty and women in situations of armed conflict, foreign occupation, wars of aggression, civil wars, terrorism, including hostage-taking.”

For Finland's part, the CEDAW Committee that oversees the implementation of the Convention on the Elimination of All Forms of Discrimination against Women has drawn attention to the diversity of women and the special challenges of subgroups. The committee has also expressed its concern for the inadequate actions taken by Finland for the benefit of these groups. In relation to Finland's 5th and 6th periodic reports in the summer of 2008, the committee asked Finland to submit more information and statistics in the future on the special problems of immigrant, Roma, Sami, and disabled women. Additionally, the CEDAW Committee has in its general recommendations discussed disabled and immigrant women. The newest draft for general recommendations is on the topic of elderly women. In its final conclusion, the CEDAW Committee has also, for instance, while discussing the periodic reports, in the case of one country, demanded that the country in question would decriminalize homosexual behaviour.

In order for the objectives of the Beijing Platform for Action to be achieved in Finland as fully as possible, attention must be given to the differences among women while implementing and evaluating the platform. In the official national gender equality policy, women are still seen as a too homogenous group – roughly as white, middle class ethnic Finns living in a heterosexual relationship in a city. In reality, different groups of women in Finland have different needs and problems, and their fundamental rights – from subsistence to non-discrimination – are realized to very different degrees.

In the Finnish Government's Beijing +15 report, there is a specific section on "Elimination of multiple discrimination – safeguarding equality". This section separately discusses Roma, disabled, and immigrant people.<sup>29</sup> As such, it is positive that reports and policies are produced referring to these groups, but at least a cursory reading of them does not give any indication of analysis with a neither a gender perspective nor any gender-specific measures. It is quite alarming if the mere mentioning of women in some programme or plan is seen as a sufficient, women-specific measure. Meanwhile, it is not clear in what way the status of women differs from the status of men within that subgroup nor in what way the status of women within the group is intended to be improved. For example, in the Roma Policy Programme, it is clearly stated that the factors that centrally define the social status within the Roma community are age and gender, and that these are linked to strong cultural traditions, customs, and roles. Nonetheless, later on in the programme, the policy definitions and actions mainly refer generally to Roma children and youth and grown-up Roma, without specifically mentioning the needs of and problems for Roma girls, boys, women, and men.

#### References:

Finland's 5th and 6th periodic reports and the reading of them during the CEDAW Committee's session in July 2008: <http://www2.ohchr.org/english/bodies/cedaw/cedaws41.htm>.

*Finland's Roma Policy Programme. Proposition of the working group.* (2009) Reports of the Ministry of Social Affairs and Health 2006:14. Helsinki: The Ministry of Social Affairs and Health.

Schöpp-Schilling, Hanna Beate & Flinterman, Cees (2007): *The Circle of Empowerment. Twenty-five Years of the UN Committee on the Elimination of Discrimination Against Women.* New York: The Feminist Press.

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<sup>29</sup> Note that the headings were gender neutral, i.e. they did not focus on the women in the aforementioned groups.

### 3. Violence against women

Violence against women is a barrier to achieving gender equality, development, and peace. Violence against women violates and weakens women's possibilities to enjoy their human and fundamental rights and is one form of discrimination against women. States have long failed to fulfil their obligation to ensure and promote the human rights and freedoms of women concerning violence against women.

According to the Beijing Platform for Action, violence against women means any kind of gender-based violence that produces or might produce physical, sexual, or psychological harm or suffering to women. The concept also covers threatening with this kind of violence, coercion, or arbitrary public or private deprivation of liberty. Therefore violence against women includes, but is not limited to, the following actions:

1. Physical, sexual, and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation, other traditional practices harmful to women, non-spousal violence, and violence related to exploitation;
2. Physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women, and forced prostitution;
3. Physical, sexual, and psychological violence perpetrated or condoned by the State, wherever it occurs.

Other acts of violence against women include violation of the human rights of women in situations of armed conflict, in particular murder, systematic rape, sexual slavery, and forced pregnancy. Acts of violence against women also include forced sterilization and forced abortion, forced use of contraceptives, female infanticide, and prenatal sex selection.<sup>30</sup> As the broad definition by the BPFA shows, violence against women is very diverse and women are subjected to violence during their whole life, from beginning e.g., abortion of female foetuses to the end e.g., the taking of elderly women's lives because of their gender.

Several human rights conventions and other human rights instruments in which states are obliged to fight discrimination against women note *that violence against women is strongly gendered*. What this implies is that certain forms of violence are disproportionately directed at women and that the perpetrator is usually a man. It also implies that societal structures, culture and, history maintain the difference in status between women and men that is an underlying reason for these forms of violence. That violence is gendered is also shown by much of the available statistics.

According to both the Beijing Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) *state parties have an obligation* to create a societal and social framework that effectively prevents violence against women. The UN has published several reports and summaries on combating violence against women from the perspective of fighting crime and the judicial system.<sup>31</sup> The most recent publication, from 2008, as well as the follow-up report on said publication in 2009, both discuss good practices for developing legislation.<sup>32</sup> The Council of Europe in its turn has created a judicially binding human rights agreement to prevent violence against women. The draft convention has been sent on an extensive

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<sup>30</sup> BPFA Section D. Violence against women, paragraphs 113–115.

<sup>31</sup> Cf. e.g., UN Compendium (1999): *Model strategies and practical measures on the elimination of violence against women in the field of crime prevention and criminal justice*.

<sup>32</sup> UN expert group meeting on *Good practices in legislation on violence against women* 2008 and the UN expert group meeting on *Good practices in legislation on "harmful practices" against women* 2009.

round of comments in Finland during January 2010.<sup>33</sup> Also the European Union underlines, in its guidelines on combating violence against women published in 2008, that the EU Member States are responsible for introducing effective and coordinated strategies to prevent violence against women and girls and to react to it.<sup>34</sup>

The European Court of Human Rights (ECfHR), which oversees the compliance with the European Convention on Human Rights (ECHR), has made several judgements that emphasize the protective obligations of states as well as their obligation to try and punish effectively in all cases concerning violence typically afflicting women. In the summer of 2009 the ECfHR made a significant ruling on intimate partner violence and the state's obligation in *Opuz v. Turkey*. In the case, the woman applicant was the victim of intimate partner violence. The spouse of the applicant had threatened and abused the applicant and her mother, and in the end killed the mother. The court applied articles from the European Convention on Human Rights on the right to life, prohibition of torture, and prohibition on discrimination based on gender, to the case. The ECfHR considered the home country of the plaintiff, Turkey, to having had a responsibility to protect persons in an especially a vulnerable position, in this case the woman who had been a victim of intimate partner violence. While pondering its ruling, the court considered, among other issues, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The motivations for the judgement underline that if authorities repeatedly neglect their obligation to protect victims of intimate partner or domestic violence, the state is guilty of discrimination based on gender.<sup>35</sup>

Violence against women will probably be defined as one action area for the five-year strategy for the European Union, the so called Stockholm Programme, and the EU Internal Security Strategy. Women who have been subjected to violence are mentioned in the Stockholm Programme in connection with the protection of people in vulnerable positions and strengthening their legal protection. The European Union has endeavoured to harmonize the prevention of violence against women by different programmes and recommendations and by publishing good practices. In 2005, the European Parliament published a resolution (2004/2220(INI)) on the current situation in combating violence against women and any possible actions. The resolution encourages EU member states to condemn violence against women as a violation of human rights, and to put into action legislative and other measures to protect women against violence. At present, a preparatory study on standardizing national legislation has been initiated, both regarding gendered violence and violence against children.<sup>36</sup> Finland's official opinion on the Stockholm Programme is that the

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<sup>33</sup> Draft Convention on preventing and combating violence against women and domestic violence. CAHVIO (2009) 32 prov.

<sup>34</sup> *EU guidelines on violence against women and girls and combating all forms of discrimination against them* 2008.

<sup>35</sup> Cf. more on the concept of discrimination and Finland's inability to, for instance, identify violence against women as gender-based discrimination in Chapter III, Section 1 of this report: Inability to identify and handle gender-based discrimination. See <http://www.bianet.org/english/gender/115098-echr-condemns-turkey-for-not-protecting-against-domestic-violence> for more information on the court decision.

<sup>36</sup> *Preparatory Action - Standardization of national legislation on gender violence and violence against children* (2008): "The European Parliament has asked the Commission to implement this preparatory action to embody the efforts which the EU has been making to promote preventive measures to combat violence against children and adolescents of both sexes and against women, with a view to standardizing national legislation in this area. Through this Preparatory Action, the European Parliament would like the Commission to start a process of European-level harmonization of legislation against gender violence by proposing provisions to combat and reduce gender violence within the European Union. The Commission / DG JLS will use the available budget of €1.500.000 to carry out a feasibility study to assess the possibilities, opportunities and needs to respond to the objectives of the preparatory action. The study will include a desk review and a mapping of analysis of all available descriptions/analyses of violence, a gap analysis of what kinds of laws are missing and where and recommendations on whether this gap could be filled with a specific EU-level instrument to standardize national legislation and, if so, how. An open call for tenders has been launched in April 2009 to undertake the study (deadline was end of August 2009)."

harmonization of penal systems can be considered mainly concerning severe cross-border crime, such as trafficking in human beings, sexual abuse of children, and cybercrime – not concerning cases of intimate partner or domestic violence.

One example of the problem with violence against women in Finland is *intimate partner violence*. Of the different forms of violence against women, there is most information available on intimate partner and domestic violence. Statistics show that intimate partner violence is a relatively constant form of violence in our society. Of the cases of domestic violence<sup>37</sup> that came *to the knowledge of the police* (in total 4,835 offences), more than half concerned intimate partner violence, i.e. 2,812 were cases of violence between present or former co-habiting partners or spouses. Of the victims, 86% (2,432) were women. Correspondingly, 14% (380) were men.<sup>38</sup> On the other hand, information about the victims of intimate partner violence is based on the users of The Federation of Mother and Child Homes and Shelters' *shelters*, most of whom are women and children. The women who seek shelter at the refuge are threatened by their former or current partner, and three out of four women have fled their shared home.<sup>39</sup>

*Intimate partner violence* is additionally often the reason for *homicides*, crimes that have led to deaths, in Finland; the second most common type of homicide in Finland is one where a male partner kills his female partner.<sup>40</sup> This category includes dating relationships and women killed by their former partners. The general average homicide rate in Finland is 3 people per 100,000 inhabitants, threefold that of the other Nordic countries and twofold compared to Western Europe. In Eastern Europe (except Russia), the homicide numbers are as high or higher than in Finland.<sup>41</sup> A particular characteristic of Finland is that whereas the number of homicides started to decrease in the rest of Europe after the Second World War, in Finland the homicide numbers have remained high during the last 50 years.<sup>42</sup> On the other hand, since the mid-1990s, the level of homicide has decreased, but this decrease has levelled in the last few years.<sup>43</sup> In 2007 women made up 36 % of all of those who had died as victims of violence. This is a greater proportion than the average during earlier years. During the last two decades, the proportion of women of homicide victims has been relatively stable. At its lowest, the proportion has been about a fifth, and before the year 2007 the highest was a third. The increase in 2007 stems from an increase in intimate partner violence: there were five more women killed by their partners in 2007 than in the previous year (+24 %), the same as women killed by another family member (+83 %).

In a comparison between the 27 member states of the EU, a Finnish woman had the 11th highest risk of getting killed as a consequence of violence. Among the 16 EMU member countries, Finnish

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<sup>37</sup> In the statistics of the police, domestic violence includes also other cases than cases of intimate partner violence, therefore these two separate terms are used. The terminology used in Finnish is somewhat muddled and there are not exact corresponding expressions for all of them in English.

<sup>38</sup> OMTR 2009:11.

<sup>39</sup> See this report's Chapter IV, Section D "Violence against women" for more information on people seeking shelter in women's refuges, amounts and reasons for it.

<sup>40</sup> For instance, in 2003–2007 a total of 114 women in Finland were killed by their male partner or ex-partner. According to the database on homicides maintained by the National Research Institute of Legal Policy, 21 women in 2006 and 26 women in 2007 died as victims of intimate partner violence. The situation has remained relatively stable during the last year (20 women in 2005 and 25 women in 2004 died as victims of intimate partner violence). The disparity between the statistics on the causes of death are due to fact that the database of homicides includes also previous relationships that are not registered relationships or marriages. Such are not included in the classification of statistics on causes of death. (Honkatukia 2009).

<sup>41</sup> Lehti & Kivivuori 2009 and 2005.

<sup>42</sup> Ronkainen 2008 and Lehti & Kivivuori 2009 and 2005.

<sup>43</sup> Lehti & Kivivuori 2009.

women had the fifth highest risk of being killed as victims of violence. It should be noted that in these comparisons, the risk of death by violence is more common in Eastern European countries than in Finland, whereas homicides are rarer in proportion to the whole population in Western European countries than in Finland. The risk of homicide is at its highest in Russia, Belarus, Ukraine, Latvia, Estonia, and Malta. In this comparison, the only countries where the risk of homicide is higher for women than in Finland are Luxembourg and Belgium.

## References:

- Compendium (1999): Model strategies and practical measures on the elimination of violence against women in the field of crime prevention and criminal justice.* Document prepared by the International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR) in cooperation with The Centre for International Crime Prevention, UN Office for Drug Control and Crime Prevention (CICP/ODCCP) et. al.
- Database of the UN Secretary General on violence against women:  
<http://webapps01.un.org/vawdatabase/home.action>.
- Decision by the European Court of Human Rights in the case Opuz vs Turkey (33401/02), judgement delivered 9.6.2009.
- Draft Convention on preventing and combating violence against women and domestic violence.* (2009). CAHVIO (2009) 32 prov. Ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO). Strasbourg, 15 October 2009. Document prepared by the Directorate General of Human Rights Affairs.
- Ending violence against women. From words to action.* (2006). Study of the Secretary-General, United Nations.
- EU guidelines on violence against women and girls and combating all forms of discrimination against them.* (2008). Document 16173/08.
- Honkatukia, Päivi (2009): ”Naiset rikosten tekijöinä ja uhreina.” In *Rikollisuustilanne 2008*. Reports by The National Research Institute of Legal Policy 247:233–249.
- Lehti, Martti (2009): ”Naiset henkirikosten uhreina 2002–2007.” Verkkokatsauksia 11/2009. The National Research Institute of Legal Policy. Published online 5.3.2009.
- Lehti, Martti & Kivivuori, Janne (2005): ”Kuolemaan johtanut väkivalta.” In *Rikollisuustilanne 2005*. Surveys by the National Research Institute of Legal Policy.
- Lehti, Martti & Kivivuori, Janne (2009): ”Kuolemaan johtanut väkivalta.” In *Rikollisuustilanne 2008*. Surveys by the National Research Institute of Legal Policy 247: 15–49.
- Näre, Sari & Ronkainen, Suvi (eds) (2008): *Paljastettu intiimi. Sukupuolistuneen väkivallan dynamiikka*. Rovaniemi: Lapin yliopistokustannus.
- OMTR 2009:11. *Pahoinpitelyrikos läheissuhteissa ja työpaikalla*. Working group reports of the Ministry of Justice 2009:11. Helsinki: The Ministry of Justice.
- Resolution by the European Parliament 2004/2220(INI) *Preparatory Action - Standardization of national legislation on gender violence and violence against children* (2008).
- Ronkainen, Suvi (2008): ”Kenen ongelma väkivalta on? Suomalainen hyvinvointivaltio ja väkivallan toimijuus.” *Yhteiskuntapolitiikka* 73 (2008):4:388–401.
- Stockholm Programme 2010–2014: An open and secure Europe serving and protecting the citizens.* Communication from the Commission COM 2009:262.
- UN Expert Group Meeting on Good practices in legislation on “harmful practices” against women.* (2009). Addis Ababa, Ethiopia, 26 to 29 May 2009. Final report.
- UN Expert Group Meeting on Good practices in legislation on violence against women* (2008). Vienna, Austria, 26 to 28 May 2008. Final report.

#### **4. The redistribution of care**

Care is to care for those who are weaker: children, the sick, the elderly, and the disabled. Women have, traditionally, been the caregivers – without being paid and in the private, at home. In all the countries of the world, including the industrialised countries, women are still, in the 21<sup>st</sup> century, the main caretakers. Women are caretakers in Finland as well, but in contrast to many other countries, the provision of care has in large parts become services provided by the public sector. As a consequence, women receive remuneration for the care they give as nurses, nannies, and social workers. Also other kinds of taking care of basic needs, such as the provision of food and clothes, are the responsibility of women, and the household is considered the realm of the women. Finnish women's organizations have already for half a century been involved in developing housekeeping activities and services in order to ease the burden for women and to give them more time for other things. These caretaking and other services are thus needed especially by women, in order for them to be able to participate in working life and society at large, to see that their children and sick parents are cared for while they are at work – where they are often caring for others. The care instinct, empathy, and caring for the basic needs of others are still very strongly seen as feminine and more natural for women than for men.

How care is valued in society and how it is arranged are closely linked with the question of the reconciliation of work and family. One of the actions included in the Beijing Platform for Action concerning the economy is to promote the reconciliation of work and family for women and for men. According to the BPFA, governments must by legislative means ensure that women and men can take parental leave and enjoy parental benefits without fear of losing their jobs. Governments must also by means of legislation create incentives for women and men to take parental leave. Governments must furthermore promote the *equal sharing of family responsibilities*, i.e. by means of appropriate *legislation and incentives*. Additionally, i.e. *education policy* must be developed so that it changes attitudes that reinforce the division of labour based on gender, in order to promote the concept of shared family responsibility for work in the home, particularly in relation to childcare and care of the elderly.

The harmonization of work and family is discussed in all countries where the proportion of women taking part in working life outside the home has increased. However, the motivations for harmonization and the responsibility of the state for helping families vary. The arguments are usually linked with the need of the labour market for a larger supply of labour. On the level of the European Union for example, there has been some concern about a shrinking labour force due to the low birth rates and ageing population in the Member States. The welfare of children is also used as an argument both for and against public childcare. Women may additionally be seen as flexible labour in up- and downwards trends of the economy. Unfortunately the debate about the reconciliation of work and family often forgets the actual gender equality perspective and the role of men in the home. To achieve gender equality, it would be integral for the traditional socio-economic structures of society to be challenged and that unpaid care responsibilities and paid work would be redistributed among women and men. This would mean not just eliminating the gender segregation, but also widening the roles for women and men. Caregiving would not anymore be linked to femininity, but also men would be granted the opportunity and right to be gentle and empathic people who care about those close to them.

The Beijing Platform for Action highlights well that care for the family is not just about childcare for enabling women to participate in working life. The unpaid caretaking consists of also other work in the home, as well as caring for the elderly. Family responsibility is not divided based on gender. Caring for the elderly in an ageing Finland is an especially topical issue, and the gender



equality perspective should always be included when thinking about arranging the care, whether it be municipal care for chronically ill elderly, home care, or caring for close relatives.

The BPFA also reminds us that it is not enough just to arrange the statutory care leaves. Governments must also see to it, by legislation if not otherwise, that family responsibilities also in practice are as equally divided as possible between women and men. The platform also reminds us that an effective distribution of care requires changing educational politics and upbringing. If men are only encouraged to work in the care sector and to stay at home with their children, care for their siblings when the men are already grown-up, at the same time as women are trained to be tough leaders, it is no surprise that nothing changes. The change has to be initiated already in children, in play and on the early bringing up of children. To bring it to a head: also boys must be allowed to take care of dolls and play home.

In Finland, the reconciliation of work and family has been discussed for decades. Improving the reconciliation is also one of the objectives in the Government Action Plan for Gender Equality. Contrary to the BPFA though, the Government evades legislative measures for intervening in how family leaves are divided between men and women, and only focuses on changing attitudes. This despite the fact that among Finland's most important reference group, the Nordic countries, it has become clear that the more equal division of family leaves has a clear correspondence with earmarked father months.<sup>44</sup> The so-called 6+6+6 model, a model where both the mother and father have the right to six months leave and where the parents may additionally between themselves decide about the third six-month period, is a model to be supported. From the perspective of the employers, this would also increase the predictability of employees' use of parental leave, as it would be probable that the parents would share the leave fairly equally among themselves.

A question intrinsically linked to parental leaves is the cost of family leaves. It is not so much the earnings-related maternity, paternity, or parental allowances that give rise to costs for the employer but finding a replacement for the employee going on leave, training this replacement, and retraining the returning employee. As long as these costs only burden female-dominated (public) sectors, gender equality cannot be achieved, and young women in a fertile age will continue to suffer from atypical employment contracts and repeated fixed-term employment.

It is positive that also same-sex parents may share the parental leave. However, the female registered partner of a woman is not entitled to paternity leave or the paternity month, although she is allowed to take parental leave. Additionally, it is problematic that the paternity leave and paternity month are defined for only fathers who live with the mother. If the mother and the father do not live at the same address and the father cannot use his paternity leave or paternity month, it is difficult also for the mother, as sharing the responsibility for caring becomes more difficult. The extensions of paternal leaves for fathers also increase the inequality between families in an unfounded way and based on gender.

#### References:

Haataja, Anita (2009): "Fathers' use of paternity and parental leave in the Nordic countries." Online working papers 2/2009. Helsinki: The Social Insurance Institution of Finland (Kela)

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<sup>44</sup> Among the Nordic countries, Iceland is the one where men use most parental leave. Iceland has enforced a 3+3+3 model. After Iceland, the Swedish and the Norwegian men are the most active takers of parental leave. Both countries have imposed quotas for a specific fathers' leave.

Haataja, Anita (2006): *Pohjoismainen ansaitsija-hoivaajamalli – Ruotsin ja Suomen perhevapaajärjestelmän vertailu*. Reports of the Ministry of Social Affairs and Health 2006:43. Helsinki: The Ministry of Social Affairs and Health.

*100 vuotta naisten ääniä ja toimintaa. 100 years of women's voices and action*. (2006). Brochure from the National Council of Women in Finland.

## 5. Equal pay

The first objective in the Beijing Platform for Action related to the economy is promoting women's economic rights and independence. In practice, this implies the right to employment and appropriate working conditions, and the right to manage economic resources. The first demand of the BPFA directed at governments in this respect is that they must enact and enforce *legislation*, guaranteeing the rights of women and men to *equal pay for equal work or work of equal value*. Furthermore, governments must adopt and implement *laws banning discrimination based on sex in the labour market, in hiring and promotion, in the extension of employment benefits, and in working conditions*.

In Finland, the average pay gap in the average earnings during regular working hours has remained largely the same for more than a decade: women's salaries are about 80 per cent of those of men. There have been numerous studies on the reasons underlying the pay gap, and attempts both at questioning both the "real" size of the pay gap as well as whether it even exists. The actual gender gap is value-related since the precise difference depends on the variables chosen as basis for the wage-structure statistics. The gap cannot, and should not, be explained purely by econometrics, and, besides, it would be virtually impossible to take all factors into account. The problem is linked to women's generally weaker labour market situation, and, first and foremost, an unequal distribution of all assets of and power in society. The CEDAW Committee, which oversees the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, has also highlighted this. In 2001 the committee stated, in connection with the 3rd and 4th periodic reports of Finland, that the most substantial concern for Finland is employment discrimination, especially the gender pay gap and the atypical (i.e. fixed-term and part-time) employment of women. In 2008, the CEDAW Committee in its final conclusions again touched upon discrimination in working life and urged Finland to prioritize the realization of women's de facto equality with men in the labour market, so as to achieve full compliance with article 11 of the Convention. For equal pay to be achieved, the government must demolish the gendered structures in the economy and change the stereotypical roles of women and men. The cooperation in working life needs both the labour market organizations and individual employers.

In Finland, the pay gap – which is larger than in the EU on average<sup>45</sup> – has been attributed, for example, to the gendered segregation of the labour market. In Finland, the *segregation by gender* is strong both horizontally and vertically. The previous refers to differentiation between occupations and sectors, which can be seen already in educational choices: for instance, in 2005 almost 90% of the graduates in the social and health care sector were women, while 83% of the graduates in the technical fields were men. The most female-dominated sector is the social and health care sector, the most male-dominated being the building sector. Vertical segregation refers to men and women being represented unevenly in the professional hierarchy of a certain occupation or sector. In other words, men occupy higher posts and women lower posts. The impact of segregation on the pay gap

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<sup>45</sup> Life of women and men in Europe 2008.

varies between the private sector and the state and the municipalities<sup>46</sup>, but on the whole, its effect on the pay gap has not diminished since the mid-1990s. Also the fact that men and women are generally part of different collective agreements and that it is usually women who take parental leave<sup>47</sup> affect the pay gap.

The Finnish government has condemned gender pay gaps and strove to combat them in three gender equality plans already – but with limited success. A tripartite *Equal Pay Programme* has been published for the current government term, the main aim of which is to narrow the average gender-based pay gap to 15 % by 2015. At the current pace, this aim will not be reached and also the other – as such positive – quantitative goals<sup>48</sup> will also not be achieved. Furthermore, as the Equal Pay Programme has been granted financing for four years in line with the government term, there is a risk that any unfinished projects are discontinued and unmet, originally ambitious, goals forgotten due to lack of funds after the next parliamentary elections.

The latest attempt to tackle pay differentials by legislative means was the 2005 revision of the Act on Equality between Women and Men (the Gender Equality Act) with its stricter provisions on the employers' obligation to draw up a *gender equality plan* including a gender-specific *pay survey*. The aims of the amendment included the strengthening of gender equality planning, increasing the effectiveness of planning, and promoting equal pay. Unfortunately, however, the resources and competences of the Ombudsman for Equality were not reviewed in connection with the amendment, and the broad and systematic enforcement of the planning obligation, covering entire economic sectors, has failed. On the other hand, the Ombudsman has commissioned two studies<sup>49</sup> on the enforcement of the planning obligation. These have revealed considerable shortcomings in equality planning. Firstly, nowhere near all employers covered by the obligation have prepared any plans at all. Secondly, some of the plans were very inadequate, and thirdly, particularly the obligation to prepare pay surveys had not been complied with. Moreover, one of these studies only covered the public sector, and it is likely that non-compliance is even more common in the private sector. The third, and most recent, study is from 2008, and was carried out as a part of the Equal Pay Programme.

The lack of sanctions is one of the weaknesses of the Gender Equality Act. This means that employers who fail to draw up gender equality plans suffer hardly any consequences. If the Ombudsman for Equality finds that an employer has not drawn up a gender equality plan despite instructions and advice, it can request that the plan be drawn up within a reasonable period of time. If this does not produce results, the Ombudsman can urge the Equality Board to request the employer to prepare the plan within a prescribed time. The Board may enforce its order by the conditional imposition of a fine. So far, this has never been done.

## References:

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<sup>46</sup> Women are more often employed in the public sector, where the salaries are generally lower. In the private sector, salaries are higher, but so is the pay gap between men and women.

<sup>47</sup> See Section 4 for more information on the unequal distribution of family responsibilities and the need for a redistribution of care. Redistribution of care

<sup>48</sup> E.g., that one in five wage-earners should work in occupations where men and women are represented equally (40–59 % of either gender) by 2012 and that half of all managerial positions should be filled by women by 2020.

<sup>49</sup> Melkas & Lehto 2005, Ahponen & Paasikoski 2003.

- Ahponen, Sanna & Paasikoski, Anne (2003): *Suunnitelmista tekoihin. Tasa-arvovaltuutetun selvitys tasa-arvosuunnittelusta työpaikoilla*. The Office of the Ombudsman for Equality, Gender Equality Publications 2003:1. Helsinki: The Ministry of Social Affairs and Health.
- Johansson, Edvard; Kellokumpu, Jenni & Napari Sami (2008): ”Säätelyllä tasa-arvoon?” *Suhdanne* 2008:1.
- Melkas, Tuula & Lehto, Anna-Maija (2005): *Tasa-arvosuunnittelu julkisella sektorilla. Selvitys suunnitteluvuorokauden toteutumisesta*. The Office of the Ombudsman for Equality, Gender Equality Publications 2005:3. Helsinki: The Ministry for Social Affairs and Health.
- Segregaatio ja sukupuolten väliset palkkaerot -hankkeen loppuraportti*. (2008). Reports of the Ministry of Social Affairs and Health 2008:26. Helsinki: The Ministry of Social Affairs and Health.
- Uosukainen Katja; Autio Hanna-Leena, & Leinonen Minna (2008): *Tasa-arvosuunnitelmat ja palkkakartoitukset Suomessa 2008*. Reports of the Ministry of Social Affairs and Health 2009:11. Helsinki: The Ministry of Social Affairs and Health.
- Vaaka vaaterissa? Sukupuolten tasa-arvo Suomessa 2006*. (2007). Sukupuolten tasa-arvo 2007. Helsinki: Statistics Finland.
- Website of the Ombudsman for Equality: [www.tasa-arvo.fi](http://www.tasa-arvo.fi).
- Website on equal pay, gender equality and the new salary systems by the SATU project: <http://www.labour.fi/satu/>.

## IV THE BEIJING PLATFORM FOR ACTION AREAS

The Beijing Platform for Action is divided into twelve action areas, each with its own strategic objectives. After each strategic objective, the BPFA clearly and relatively specifically lists the actions needed to achieve the objective. Most of the actions above all obligate the states that have ratified the platform, as is clear from the recurring expression "actions to be taken by Governments". However, many points highlight that also other actors are needed for the BPFA to be realized. For instance, promoting the status of women in the economy requires the participation of private banking and finance institutions, in education the participation of education authorities and educational institutions, and in working life the input of employers. Almost all areas also need more research and more gender-disaggregated information. It has to be noted that the BPFA requires the commitment of almost all societal actors, but that the main responsibility lies with the government as the engine of the programme. The BPFA also emphasizes the role of civil society and the importance of cooperation. It is therefore desirable that the government should include NGOs more actively already in the planning and preparation phase of actions.

The strategic objectives of the BPFA have been included at the beginning of each corresponding Chapter or Section of this report. At the end of each section the NGO demands for the implementation of the Beijing Platform for Action are listed in a text box. These demands are directed at the Finnish Government. Additionally, at the end of each section there is a short list of references on the topic.

### A. WOMEN AND POVERTY

Objectives
<ol style="list-style-type: none"><li>1. Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty.</li><li>2. Revise laws and administrative practices to ensure women's equal rights and access to economic resources</li><li>3. Provide women with access to savings and credit mechanisms and institutions</li><li>4. Develop gender-based methodologies and conduct research to address the feminization of poverty</li></ol>



The Beijing Platform for Action stresses that poverty cannot be eradicated nor sustainable development be achieved through anti-poverty programmes alone. Women and men must participate equally and without restrictions in the formulation of macroeconomic policies and strategies for society. This is particularly pertinent now at the end of the first decade of the 21<sup>st</sup> century when the world is faced with a global economic crisis and recession. Now more than ever must we strive to achieve better democratic participation and economic restructuring so that access to resources, opportunities and public services can be ensured for all women in the world.

In the Beijing Platform for Action the chapter on Poverty is closely linked to the chapter on Economy, the former dealing with public authorities and macroeconomics while the latter covers the labour market and the situation of women in working life as well as commitments to the upkeep of the family. The Platform for Action does not include a specific strategic theme centred around employment.

In wealthy industrialised countries with relatively comprehensive social security networks, poverty should be understood as relative poverty as opposed to the extreme and absolute poverty found in developing countries. *Relative poverty* means the inability, due to the lack of economic resources, to attain a minimal standard of living generally expected in society. Absolute poverty, on the other hand, refers to a situation where none of the natural basic needs can be met; it entails undernutrition and the lack of hygiene, tolerable housing and basic education.

As regards absolute poverty, the Member States of the United Nations in its General Assembly adopted in 2000 the Millennium Declaration with its eight *Millennium Development Goals (MDGs)*<sup>50</sup>, aimed at solving the world's major development problems by 2015. Although only the third goal (MDG3), “promoting gender equality and empowering women”, and the fifth goal (MDG5), “improving maternal health”, specifically mention women, equality and the advancement of women are key elements in achieving the other goals. Unfortunately, however, progress in achieving the MDGs has been slow, partly due to weak gender-responsive implementation of the Declaration and partly because of failure to link implementation to a rights-based approach. The aim of a rights-based approach is to empower all people – women and men – to claim their rights and become active agents in their own development.

Women and women's organizations have criticised the wording of the MDGs in general, and the indicators measuring the attainment of the equality goal in particular, as lacking a comprehensive gender perspective. In general, NGOs have criticised the top-down nature of the Declaration and the disregard of grassroots actors as implementers of the MDGs. UNIFEM, the United Nations Development Fund for Women, has recently published a guide<sup>51</sup> emphasising the gender-responsive and rights-based implementation of MDG policies and programmes. It argues that the foundations for such an approach have already been laid in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Platform for Action, both of which complement and reinforce the MDG framework.

In Finland, relative poverty has increased since the 1990s. The prosperity brought about by the post-depression economic boom was not distributed equally; instead, the income and wealth of high-income households have grown more rapidly than those of other households. The real income and purchasing power of low-income households have increased considerably less than those of middle-income and high-income households. At the turn of the century the growth of this disparity started to slow down, however, and by now, the differences seem to have stabilised. In the Government Action Plan for Gender Equality, the poverty theme is touched upon primarily in connection with the objective of bridging gender pay gaps. The *feminization of poverty* in Finland is, however, demonstrated by several statistics and it has been the subject of research.<sup>52</sup> The phenomenon is also recognised in the Finnish Beijing +15 report, which does not, however, propose any concrete, women-specific actions or goals to turn this trend.

Homeless women are an example of a particularly disadvantaged group. Their situation differs from that of homeless men, but it has been little explored and the marginal situation of these women is hardly talked about. Quantitatively, the homelessness of women is a fringe phenomenon, but it

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<sup>50</sup> The MDGs are: 1. Eradicating extreme poverty, 2. achieving universal primary education, 3. promoting gender equality and empowering women, 4. reducing child mortality, 5. improving maternal health, 6. combating HIV/AIDS, malaria and other diseases, 7. ensuring environmental sustainability, and 8. developing a global partnership for development.

<sup>51</sup> Corner, Lorraine (2008): *Making the MDGs Work for All. Gender-Responsive, Rights-Based Approaches to the MDGs*. UNIFEM. [http://www.unifem.org/materials/item\\_detail.php?ProductID=135](http://www.unifem.org/materials/item_detail.php?ProductID=135).

<sup>52</sup> See e.g. the income distribution statistics of Statistics Finland, [http://www.tilastokeskus.fi/til/tjt/index\\_en.html](http://www.tilastokeskus.fi/til/tjt/index_en.html).

highlights the negative effects of marginalisation on poor, single women with psychosocial problems. Life on the street is often particularly harmful and violent for women: substance abuse increases, mental health issues deteriorate, and women are more exposed to sexual abuse and violence.

On the other hand, loans for women entrepreneurs granted by Finnvera<sup>53</sup>, a specialised financing company owned by the State of Finland, provide a positive example of women-specific policies in the economic sector. The loans for women entrepreneurs are intended for enterprises in which women are majority shareholders and which are managed by a woman. An enterprise may be just starting up or already operating, and employ a maximum of five persons. Loans for women entrepreneurs are used for investments in machinery and equipment relating to the enterprise's business, for working capital requirements or other business start-up and expansion projects.

### **Single mothers and the poverty of families with children**

After the depression of the 1990s, families with children started to lag behind the average income growth. For single-parent households in particular, the average real change in income has been close to zero or negative for several years, particularly in 2006 and 2007. Since in nine out of ten single-parent households the head of the household is a woman, the phenomenon is highly gendered. The poverty of two-parent families has also increased, and the poorer such a family is, the more likely it is that the main provider is a woman.

Overall, family support measures – services and social transfers – per child have since 1990 reached the pre-depression level, but *social transfers* to families with children have remained considerably below the pre-depression level. Poor families with children have therefore been more severely hit than other families by the significant fall in the real value of universal child benefits, parental allowances, and child home-care allowances. Single-parent families are worst off due to the inadequacy of social transfers and the comparatively low employment rate of single-parent families. Structural reasons can be found in the internal labour division of households, i.e. the traditional distribution of work between men and women, which means that in two-parent families the labour market input of the father increases after the birth of a child while the mother's input in the unpaid household sector grows stronger. The parents specialise, so to speak. The larger the family, the more numerous are the breaks and gaps in the mother's career, whereas the specialisation of the father in professional life enhances his career and wage development, which contributes to raising the family's total income level.

The average economic situation of two-mother families is also better than that of single-parent families, but worse than that of families with different-sex parents since the average income and labour status of women are lower than those of men. A single parent cannot specialise solely in the labour market. Moreover, single-parent families are particularly dependent on various services intended for families, such as day care centres and education services, and thus *poor access to family services and cuts in public sector services* hamper the lives of single parents, i.e. mainly women, most. Amalgamations of municipalities and changes in their service structures, resulting in integrated service units and reduced regional accessibility, also have a negative effect in the form of greater distances and services that move further away.

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<sup>53</sup> The state-owned Finnvera provides businesses with loans, guarantees, venture capital investments and export credit guarantees.

## Elderly women

One of Finland's greatest challenges in the coming years will be demographic change. The population grows steadily, but instead of an increase in the birth rate the reason for it is – besides immigration – a decreased death rate.<sup>54</sup> The autochthonous population ages and the age dependency ratio deteriorate as the young age groups diminish, the post-war baby-boomers reach retirement age and a growing proportion of the population consists of over-65s. The death rate of working-age men being considerably higher than that of women and the average life span of women being longer than that of men means that the poverty and low incomes of the elderly population translate into the poverty and low incomes of elderly women. For instance, retired women in the oldest age group often live on the national pension only or on a combination of the national pension and a small employment pension. The differences between the retirement pensions of men and women are clear also on a general level: in 2001 the average monthly pension was 850 euros for women and 1,110 euros for men; in 2003, the figures were 941 euros and 1,213 euros, and in 2005, 993 euros and 1,273 euros, respectively.<sup>55</sup>

These differences result from the fact that pensions, like other income support, are mainly earnings-related benefits: the level of the benefits follows the income development. Long-term absences from the labour market and small earnings lead to receiving minimal benefits or having only last-resort assistance, i.e. the guaranteed minimum income, to fall back on. Single parents do not get rich as they grow old, and the income of a widow with a long absence from the labour market may be small in spite of her widow's pension. Widow's pensions are subject to complicated rules and many restrictions. Problems may arise, for instance, if the wife has stayed at home looking after the children during a long marriage and the husband later decides he wants a divorce and remarries. In such a case the woman who has been absent from the labour market and is unemployable because of her age and inexperience is granted a survivors' pension only if the husband was ordered to pay alimony to her in connection with the divorce.

Overall, the changes in the sizes of the age groups are reflected in the *demand for education, social, and health services*. In growth regions the need for day care and education services grows fast, sometimes even unpredictably, while at the same time, the service needs of the elderly, who as shown above are mainly women, pose their own challenges. In other words, the municipalities and ultimately the government must unquestionably ensure that the structure of the public finances allows for the provision of comprehensive and functioning public services. The Committee on the Elimination of All Forms of Discrimination against Women (CEDAW Committee), among others, draws attention to this problem. Services is one of the themes in the most recent draft general recommendation of the CEDAW Committee dealing with the human rights of elderly women. According to the CEDAW Committee, it is essential to ensure that these women, who often live on small incomes, have access to free or affordable health care that allows them to maintain a satisfactory level of mental and physical health.

## Women and gender equality in Finnish development cooperation

In October 2007, the Ministry for Foreign Affairs adopted a new Development Policy Programme. According to the programme, in sustainable development three interrelated and mutually supportive components must be linked: economic development, societal development, and ecological

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<sup>54</sup> The year 2007 was the first year when positive net migration to Finland surpassed natural population growth, and immigration grew as much as 59% from the previous year. (Heikkilä & Pikkarainen 2008).

<sup>55</sup> The *Women and Men in Finland 2003, 2005 and 2007* statistical publications of Statistics Finland.



sustainability. Social and human development as a priority theme is overshadowed by these components. It is, however, noteworthy that the cross-cutting themes of the programme include improving the position of women and girls, promoting equality, promoting the rights of children, people with disabilities, and ethnic minorities, and combating HIV/AIDS. Together the people belonging to these groups form the vulnerable majority of the world's population, without which sustainable development is impossible. They are hit hardest by the world's crises, but they are also the key to development: The promotion of the cross-cutting themes is an essential tool for poverty reduction and the promotion of well-being and economic growth in developing countries. These themes have been focal points in Finland's development cooperation and should continue to form a visible part of development policy dialogue and all levels of development cooperation. They underpin Finland's international commitments in the UN, the OECD and the EU.

The practical implementation of the cross-cutting themes remains, however, challenging. As terms, *cross-cutting* and *mainstreaming* are vague, and according to two 2009 evaluations of the implementation of cross-cutting themes, the level of their implementation varies. The chain of responsibilities, accountability, and reporting are also unclear: with everybody being responsible, no one is accountable.

For instance, support to gender equality has in practice diminished since becoming a cross-cutting theme in Finland's development cooperation. The number of gender equality programmes has been cut down, but supporting gender equality through mainstreaming has not succeeded as planned. Hence specific programmes are still needed alongside the mainstreaming of the cross-cutting themes.

Vulnerable groups may also be difficult to identify and therefore excluded from development cooperation. Some groups remain invisible because of inadequate statistics, their ethnic origin, or the political situation of the country in question. The diversity and context-specificity of discrimination in different circumstances should be taken into account in the formulation of development cooperation programmes.

Finland's development policy is based on the respect and promotion of human rights. In developing countries, equal human rights are generally less commonly enjoyed by women than by men. Women are, more often than men, undervalued and overworked as well as susceptible to discrimination and violence.

It is not possible to achieve the MDGs, particularly the eradication of wide-ranging poverty and hunger, unless efforts are made to improve the situation of women and girls. This means more efficient measures to enforce women's rights, greater investments into education and health, including sexual health and the enforcement of sexual rights as well as family planning. Only if women are able to decide over their own bodies and the timing of their pregnancies and to take care of their health, can they and their families invest in the health and education of their children, reduce maternal and infant mortality, and break away from the spiral of extreme poverty.

Women play a key role in facing the food crisis. In developing countries, women produce about 70% of the food, and globally women are responsible for half of the food production. Still, women only own some 2% of arable land and only some 5% of women have partaken in agricultural advisory services. Improved equality would mean more productive agriculture.

Women cannot be ignored in the fight against climate change. The effects of climate change, such as erosion and weather changes, increase women's workload. For example, women have to walk increasingly longer distances to fetch water and firewood.

The economic crisis also impacts women. Unemployment affects particularly female-dominated sectors in exports. When household incomes fall, it is often girls who have to drop out of school.

Gender mainstreaming is not sufficiently implemented in Finnish development cooperation. Moreover, the number of projects focused on the promotion of women has diminished. The Beijing Platform for Action obliges Finland to evaluate the effects on both genders already before launching the activities. A gender analysis of the status of women and men, and integrating a gender perspective into Finnish development cooperation are the keys to better results.

Problems related to *sexual and reproductive health and rights* have accumulated in the poorest developing countries. Women's sexual health is poor in many sub-Saharan African countries. The UN estimates there to be 200 million women in the world who would like to postpone or restrict childbirth but are unable to do so. In reality, the number of women needing help is even larger, because this estimate does not include those wanting to protect themselves against sexually transmitted diseases and wanting safe births and maternal care. Neither does the estimate include unmarried and young women and widows. The improvement of sexual and reproductive health and rights goes hand in hand with the promotion of equality, the reduction of poverty, the curbing of population growth and the balancing of the environmental burden.

Climate, economic, food and fuel crises dominate the global development agenda. Issues related to social, health, and human development are in danger of being neglected because of these crises. It is the women who form up to 70% of the world's poor who are hardest hit by the consequences of these crises. Still, women, who constitute half of the world's population, are often excluded from political participation and decision-making. This is a result of their disadvantaged status in society and their poor health, often due to poor sexual health, i.e. pregnancies that start too early, are too frequent, and continue too late in life, as well as the fact that women often have to take care of their family and numerous children.

Research has shown that if women are allowed to decide how many children they have and when they have them, they have fewer children. Mother and children remain in better health, the children are likely to stay in school for longer, and the women can work outside the home and take part in community activities and decision-making. This results in a "spiral of good" that benefits not only the individual family but also the whole community and the society. Women's full and equal participation in development depends directly on their access to sexual health services and the respect of their rights. Economic development, social development, and ecological sustainability can be promoted by investing in women's sexual health, ensuring that they have access to sex education, health services, and birth control.

The Government should ensure women's participation in the formulation of macroeconomic policies on all levels, particularly in decision-making concerning taxes, social transfers, and public services.

The Government should analyse separately the effects on women and men of its annual budget.

The Government should ensure that the aims of the restructuring of the social security network include the prevention of the feminization of poverty.

The Government should ensure that the reform of the municipalities' service structures addresses women's needs and particularly single mothers, poor families with children, and elderly women.

The Government should analyse separately the effects on women and men of measures to boost the economy and combat unemployment.

The Government should ensure that women and men benefit equally from measures to boost the economy, such as tax reductions and public investment.

The Government should analyse separately the effects on women and men of its savings measures, particularly social security cuts and the reform of the pension system.

The Government should ensure that neither gender suffers more from the changes in social security and the pension system.

The municipalities should analyse separately the effects on women and men of their savings measures, particularly the scaling down of public services.

The municipalities should ensure that neither gender suffers more from the cuts in municipal expenditure.

All family forms should be equally taken into account in social security, including family benefits.

The implementation of the cross-cutting themes of Finland's development policy calls for resources and long-term planning. Finland should have a strategy, extending across government terms, that clearly defines the responsibilities, monitoring, resources, follow-up, and evaluation with regard to the cross-cutting themes, and includes tools and guidance.

The gender perspective should be mainstreamed into all development cooperation measures as a horizontal theme.

Ensuring good sexual health and sexual rights is essential for the advancement of women and thus a focal development issue that should be integrated into all Finnish development cooperation.

#### References:

Concept note on the draft general recommendation on older women and protection of their human rights. Committee on the Elimination of Discrimination against Women.  
CEDAW/C/2009/II/WP.1/R.

Corner, Lorraine (2008): *Making the MDGs Work for All. Gender-Responsive, Rights-Based Approaches to the MDGs*. UNIFEM.

Finnish website on the UN's Millennium Development Goals (maintained by the Ministry for Foreign Affairs): <http://www.vuosituhattavoitteet.fi/>.

Finnvera's website about loans to women entrepreneurs:  
<http://www.finnvera.fi/fin/Lainat/Naisyrittajaelaina>.

- Forssén, Katja; Haataja, Anita & Hakovirta, Mia (eds) (2009): *Yksinhuoltajuus Suomessa*. Helsinki: Väestöliitto.
- Granfelt, Riitta (1998): *Kertomuksia naisten kodittomuudesta*. Helsinki: Suomalaisen
- Granfelt, Riitta (2004): "Marginaalitarinoita - Asunnottomuuden, päihteiden ja rikosten kierre naisten ja miesten tulkitsemana." In Kuronen, Marjo; Granfelt, Riitta; Nyqvist, Leo & Petrelius, Päivi (2004): *Sukupuoli ja sosiaalityö*. Jyväskylä: PS-kustannus: 197–221.
- Hyvä budjetti. Tasa-arvoisen talousarvion käsikirja*. (2006). Helsinki: UNIFEM Finland.
- Kansallinen sosiaalisen suojelun ja osallisuuden strategiaraportti vuosille 2008–2010*. (2008) Helsinki: The Ministry for Social Affairs and Health. Kirjallisuuden Seura.
- Lammi-Taskula, Johanna; Karvonen, Sakari & Ahlström, Salme (eds) (2009). *Lapsiperheiden hyvinvointi*. Helsinki: The Institute for Health and Welfare.
- Statistics on income distribution 1995–2007. Helsinki: Statistics Finland.
- Website of the Women's Enterprise Agency: <http://www.naisyrittajyyskeskus.fi/>.
- Women and Men in Finland* (2003) Helsinki: Statistics Finland.
- Women and Men in Finland* (2005) Helsinki: Statistics Finland.
- Women and Men in Finland* (2007) Helsinki: Statistics Finland.

## **B. EDUCATION AND TRAINING OF WOMEN**

### Objectives:

1. Ensure equal access to education.
2. Eradicate illiteracy among women.
3. Improve women's access to vocational training, science and technology study programmes, and continuing education.
4. Eradicate discrimination in education and training.
5. Allocate sufficient resources for educational reforms and monitor their implementation.
6. Promote life-long education and training for girls and women.

The gender awareness education of Finnish teachers that the Beijing Platform for Action calls for has not been allocated insufficient resources. Gender issues should be noted as early as in preschool education. The 2008–2011 Finnish Government Action Plan for Gender Equality states that “awareness of gender equality will be promoted in comprehensive schools, and both comprehensive school teachers and kindergarten teachers will receive gender awareness training”. The TASUKO research and development project, which stands for “gender equality and gender awareness in teacher education”, is a rare positive step forward, and supported by the Ministry of Education during 2008–2010.<sup>56</sup> Nevertheless, much further action and will are needed before the gender aware perspective can pervade teacher education, curricula and teaching materials.

### **The academic success of girls does not carry through into working life**

In international assessments of learning outcomes (for example PISA 2000–2007), Finnish girls fare better than boys in reading. Boys have a minor advantage in mathematics and a greater one in physics and chemistry. Finnish girls have less faith in their mathematical abilities, and are also less interested in mathematics than girls in other countries.

The attitudes of Finnish youth toward different study subjects are strongly gendered. The attitudes also echo traditional values and beliefs, more so than those of young people in most other countries who were also part of the assessments. The choices that girls and boys make regarding mathematics, physics, and chemistry differ strongly between genders, and influence the direction of further studies. This leads to the stabilization and even strengthening of traditional gender structures in working life. Student counselling should focus extra attention on girls’ and boys’ opportunities in non-typical fields.

In media debates, the good academic success of girls is seen as a natural thing. When statistics point to differences between the genders, concerns are raised regarding the academic success of boys. It is “worrying” if girls fare better than boys in school. This debate often overlooks the fact that differences within gender groups are bigger than between them. Education policies should seek solutions that support boys and girls with poor academic success, and also pay attention to what kind of masculine or feminine stereotypes the education system strengthens or rejects.

On the other hand, education and academic success matters more to girls and women than it does to men. Men’s path to further study is easier and even when educated to a low level they have better chances of getting well-paying jobs than women educated to the same level. It is also easier for men to get accepted into schools, which offer education in traditionally male-dominated disciplines. The

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<sup>56</sup> The project is aimed at Finnish and Swedish-language education of kindergarten teachers, class teachers, special needs teachers, subject teachers, study advisors and teacher training schools.

intake into those schools has also lately increased. Meanwhile, women are competing against each other for study places in traditionally “feminine” fields.

The aim of the BPPA is to eliminate discrimination in the education system and guarantee gender equal opportunities and status for female teachers and professors. In Finland, ever since the 1970’s, more than half of new university students have been women. The number of doctoral degrees completed by women has also grown, and in 2007, 50.6 per cent of new Finnish doctors were women. The number of female professors has not increased in the same proportion, and their ratio is still relatively small. At present, about a fifth of all Finnish professors are women.

The Gender Equality Act is not applied to comprehensive schools. In the 2005 reform of the act, the sexual harassment ban, which is in place on higher levels of the education system, was unfortunately not extended to comprehensive schools. Harassment based on gender and sexuality is regrettably commonplace also in comprehensive schools, and addressing the issue should be made a priority. As part of gender awareness education, it would be of importance to address gender-based harassment within schools, in the educational system as a whole, as well as in schools as working environments. Teacher education should also deal with the harassment and bullying of young people and children who belong to sexual minorities, as well as that of young people who express their gender in a atypical manner. Studies have shown that these often go together.

### **Alleviating segregation – a challenge for the future**

A future challenge concerning education is to address the division between genders. It is a contradiction that the educational superiority of women compared to men is growing, while educational choices are increasingly made according to traditional gender roles.

In Finland, the divergence of working life according to gender, i.e. gender segregation, is particularly strong compared to other EU countries. The consequences of this segregation are that while Finnish women have been in paid employment for over 100 years, and there are almost as many women in working life as men, women are still paid less than men, work in sectors with lower wages, and more often than men have fixed-term contracts. Women are exposed to sexual harassment and gender-based discrimination more often than men, and also more often than men experience their gender as hindering their work and career advancement.

Ever since the 1970’s, hundreds of projects aiming to end segregation have re-invented the same development models. The problem with them all has been that they have not been mainstreamed, i.e. implemented thoroughly and consistently across all activities in all sectors. The eradication of segregation would require a disassembling of hierarchies, but not been enough political will for this. Segregation is a significant factor influencing wage differences. It is possible to influence segregation and promote career advancement by making changes in the education system, but that would demand many simultaneous actions, long-time commitment, and a real willingness to change.

The Finnish Minister of Education, Henna Virkkunen, appointed a working group in the fall of 2009 to work on the eradication of gender-based segregation in basic education. The group’s deadline is in October 2010; in 2011, the allocation of school hours within basic education will be subject to change, and after that the national curriculum will be reformed. According to the Minister of Education, after the reforms, gender awareness will be on the table also when creating new teaching materials. The gender equality programme also states that the Ministry of Education is not only responsible for the TASUKO programme, but also for making sure learning materials do not

contain stereotypical views of boys and girls, or men and women. The Ministry of Education is in contact with the publishers of text books, and is currently investigating how to make materials or instructions regarding this.

For now, the organizational culture of the basic education system has a strongly dichotomous gender view. This shows in the structures of the educational system, for example in curricula, teaching practices, as well as in general attitudes. Society and school separate children categorically into boys and girls, regardless of supposedly gender-neutral curricula. The gender-based separation of adulthood lives cannot be prevented, and the discriminatory constructions in society cannot be demolished, unless conventions strengthening the traditional dichotomous role model are recognized in early childhood and within basic education.

The currently dominating dichotomous gender view, the dichotomy of the gender conception, leaves the multi-faceted aspect of genders unnoticed. It also misses individual differences among individuals who are classified to be within the same gender category. Furthermore, the views of some children and young people of their own gender may be at odds with the traditional, stereotypically dichotomous gender view. This issue ought to be recognized, and the multifaceted view of genders ought to be made a basis of the gender view in schools. The important thing is that a child not be driven into a certain mould by adults or peers, but instead that the child's gender be accepted in a positive and constructive way, and that the child or the young person is supported in the way she or he needs.

### **Diverse families and diversity among children**

At the end of 2008, in only two thirds of families with children in Finland were the parents a married couple. Of those two thirds, a growing proportion were blended families. Twenty-one per cent of families were unmarried couples, and 12 per cent were single parent families. There were 1,244 families where the parents were same-sex couples in registered partnerships. This faceted reality of modern family life does not correspond to the nuclear family model, which in turn is closely connected with traditional gender roles. In addition to children living in one-parent, lesbian, bi-, homosexual, and blended families, there are children living in families in which a parent's gender identity may not correspond to the norm. It is therefore important that also families that do not fit into the traditional dichotomous gender view or the heterosexual norm also be recognized as real families by the schools.

A young person who feels part of a sexual minority, i.e. is gay, lesbian or bisexual, may find a school's atmosphere or the normative aspects of its structures distressing. A conventional, hetero-normative gender view may feel discriminatory to a young person belonging to a sexual minority. Promoting gender equality also entails furthering every person's right and possibility to express their own gender, as well as form relationships in the way that they want, irrespective of gender-related expectations.

### **Specific challenges for immigrant women**

When setting policy for social integration of immigrants, the different situations and needs of men and women need to be recognized. The literacy of elderly immigrant women may be lacking even in their native language, not to mention other languages. Younger women may miss out on even compulsory language training organized by the local government because they cannot arrange childcare for the duration of the lessons. There are also cases where women have decided not to

attend language training, because they would lose some social security benefit if they arranged care for their children for the duration of the training.

There are also other reasons for gender to be recognized in training and in employment policies targeting immigrants. For example, some immigrant women are single mothers, and they may have no vocational qualifications when they arrive in Finland. But also women who do have a degree and sufficient language skills may encounter both gender-based discrimination and ethnic prejudice.

*The Let's Read Together campaign – a best practice started by non-governmental organizations*  
The Let's Read Together campaign, started by the Zonta organization and Finnish UNIFEM, is an excellent example of a best practice born out of a human need to solve a problem close at hand. The aim of the campaign is to further the literacy of immigrant women and girls and to integrate them into Finnish society. The campaign complements official integration programs, as it reaches immigrant women who for some reason have been excluded from the official programs, for example due to recurrent pregnancies or depression.

The campaign consists mostly of grassroots civil action, which the Zonta organization has been financing by selling reflectors. The profits are used to pay for teaching materials and teacher training. Volunteer women teach Finnish to immigrants with different backgrounds and language skills, without monetary compensation. The campaign began in 2007, and between 2008 and 2010 it attempts to reach completely illiterate immigrant women and girls on the one hand, and those with little knowledge of the Finnish language. In the autumn of 2009, there were over 70 study groups in 23 localities across Finland. Approximately 600 immigrant women study in these groups, taught by 180 volunteer teachers. One positive aspect of The Let's Read Together campaign is that the model is simple to replicate, i.e. new groups are easy to set up.

The Government must, in all its activities, strive to deconstruct gender-based hierarchies and structures that uphold traditional gender divisions in society.

Student counselling needs to encourage girls and boys to consider their employment opportunities in fields not typical for their respective gender.

Curricula and teaching materials that strengthen gender stereotypes need to be removed.

Curricula and teaching materials need to take into account the diversity of gender, family type, ethnic background as well as sexual orientation. This diversity also needs to be considered in teacher training.

The application of gender equality legislation, the obligation to plan for gender equality and non-discrimination, as well as the ban on harassment need to be extended to cover the comprehensive school system.

International human rights agreements regarding gender equality and the Yogyakarta principles have to be included in the education of both teachers and pupils.<sup>57</sup>

Social integration and employment policies for immigrants need to take into account the different situations and needs of immigrant women and men.

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<sup>57</sup> In 2006, the United Nations agreed on principles on how human rights agreements apply to gender- and sexual minorities.



Immigrant women who stay at home and do not work, as well as single mothers, need to be guaranteed training in Finnish.

#### References:

- Friidu. Tyttöjen ja naisten ihmisoikeudet. Opetusmateriaali tyttöjen ja naisten oikeuksista Suomessa ja maailmalla.* (2004). Kauhava: Amnesty Finland, FinnWID, The Finnish League for Human Rights, The UN Association of Finland, Tyttöjen talo, The Feminist Association Unioni.
- Lehtonen, Jukka (2003): *Seksuaalisuus ja sukupuoli koulussa. Näkökulmana heteronormatiivisuus ja ei-heteroseksuaalisten nuorten kertomukset.* Helsinki: Nuorisotutkimusverkosto.
- ”Monaisuus ei mahdu kouluihin.” (2010). Reader Survey. *Opettaja Vuosikerta* 105, Nro 3:14–19.
- Tuokko, Sanna (2009): *Käsityön sukupuolirajat ja rajojen rikkojat.* Master’s Thesis. The University of Helsinki. E-thesis: <https://oa.doria.fi/handle/10024/45449>.
- Ylitapio-Mäntylä, Outi (2009): *Lastentarhanopettajien jaettuja muisteluja sukupuolesta ja vallasta arjen käytännöissä.* Rovaniemi: Lapin yliopistokustannus.

### C. WOMEN AND HEALTH

#### Objectives

1. Increase women’s access throughout the life cycle to appropriate, affordable and quality health care, information and related services
2. Strengthen preventive programmes that promote women’s health
3. Undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS, and sexual and reproductive health issues
4. Promote research and disseminate information on women’s health
5. Increase resources and monitor follow-up for women’s health

The Beijing Platform for Action noted that although women’s health is affected by largely the same factors as men’s health, women experience these factors differently. Poverty and economic dependence are more common among women; women and girls experience violence and negative attitudes, and may have limited power to decide over their own sexual behaviour. Women and girls also have less influence on decision-making. On the other hand, women consider their own health and that of their loved ones important and are keen to seek help – as long as they know where to find it and it is readily available. Risk behaviour and common causes of death also vary between men and women. It is therefore essential that the impact of welfare policies and health care services on women and men is considered and that gender-specific policies and services are developed for young people, adults; and the elderly.

In Finland men and women experience their health to be equally good; they also suffer from long-term illnesses in roughly the same measure..<sup>58</sup> Women suffer from musculoskeletal diseases more

<sup>58</sup> Experience of health compared to differences in mortality. In Finland the difference in life expectancy between men and women is significant compared to other western European countries, even though it has narrowed in the past few decades. In 1977, the difference in life expectancy between men and women in Finland was at its greatest, 8.8 years. Since then, the difference has narrowed to 6.6 years in 2002. The relative difference between genders is at its greatest among 20–29-year olds, where men are three times more likely to die than women. Until they turn 70, men are at least twice as likely to die than women. The high mortality rate among young men is mainly due to accidents and violent deaths, whereas in middle-aged men and the elderly, the deaths can in most cases be attributed to coronary problems.

often than men. Even though men generally receive disability pension earlier than women, for instance women over the age of 55 are granted disability pension for musculoskeletal conditions or mental problems more often than men. Depression and other kinds of mental and psychosomatic symptoms are more common in women than men. Disability pension due to depression is generally found in sectors that are dominated by women. On the other hand, jobs from which women retire early due to depression also include some that are dominated by men, such as driving and warehousing.

The health section of Finnish Government's Beijing +15 report and the country's health policy suffer from the same problem: Many gender-neutral projects and action plans state that gender will be considered, but fail to explain how. The Ministry of Social Affairs and Health speaks a lot about differences in health – including between genders – and about how to narrow them, but it is difficult to determine how this will be implemented in practice. For instance, how will the objectives and measures be separated according to gender? Statistics often have men and women in different columns, but an analysis of the gender and gender equality perspective is nowhere to be seen.

### **Sexual health, sexually transmitted infections, and HIV/AIDS**

The sexual health<sup>59</sup> of a person denotes their physical, emotional, mental, and social wellbeing in connection with their sexuality; it is not a mere absence of illness or hypofunction. Good sexual health presupposes a positive and respecting attitude towards sexuality and includes, if appropriate, the opportunity for enjoyable and safe sexual experiences free of coercion, exploitation, or violence. To achieve and maintain good sexual health, the sexual rights of everyone must be respected and protected.<sup>60</sup> In other words, women, girls, men, and boys have the right to receive age-appropriate information relevant to their situation, sufficient, and up-to-date, as well as appropriate protection and accessible sexual health care services. It is essential that these services are confidential, easy to find, and easily accessible, and with opening hours that suit the young. It is also important that health care staff is professional and have sufficient time for each patient and a non-judgmental attitude. Furthermore, the services, both treatment and contraceptives, should be inexpensive or free. Everyone should have access to safe, effective, reasonably priced, and acceptable contraceptives. Sexual health care is intended to secure the wellbeing and healthy development of people, enrich their lives and relationships, and it does not merely concern itself with reproduction and giving advice on sexually transmitted infections and treating these.

School is an important and familiar source of information in all matters concerning sexuality for children in basic education. A young person's sexual wellbeing means the absence of risks and diseases, but also a (sexual) zest for life and happiness, a sense of satisfaction and being able, if they so wish, to enjoy their own body, touching, and sex (alone or with another person). This wellbeing is influenced by the attitudes towards the sexuality of youth at home, in school, and in the surroundings, as well as by opportunities to meet peers and to fall in love, and if they so wish, to date someone. Media often describes sexuality and sexual enjoyment as an activity that is mechanical, public, and easily shared. It also emphasises the value of aggressive action and the number of experiences. A diverse sexual education is particularly important these days, when young

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Other factors influencing men's higher mortality are alcohol-related diseases, alcohol poisoning, lung cancer, and suicide. Alcohol and smoking are estimated to be responsible for approximately one half of the difference in life expectancy between men and women. These gender-specific differences in health behaviour have, however, narrowed of late. It can therefore be assumed that the difference in life expectancy between men and women will continue to narrow in the next few decades. (Martelin, Koskinen & Lahelma 2005)

<sup>59</sup> The Beijing Platform for Action explains sexual health as a state of perfect physical, mental and social wellbeing – not just being free of illness or injury – in all activities and processes to do with reproduction.

<sup>60</sup> Definition by WHO: The Family Federation's Sexual Health Policy Programme 2006.

people find plenty of material related to sex online, and considering the general pornification of society. Sex education should emphasise the overall wellbeing of a person, knowing your own limits and accepting attitudes towards individual differences in the sexuality. Sexual minorities should also be discussed in schools. Young people also need individual support, in which the following are important: appreciation of the individual, support for sexual minorities, and access to a reliable adult, such as a school nurse, whom to ask questions and with whom to discuss things.

In the beginning of the 1990s, *the sexual health of young Finns* was among the best in the world, because Finland had systematically invested in it during the 1970s and 1980s<sup>61</sup>. The means of improving young people's sexual health have included the provision of sufficient and reliable sex education, confidential and high-quality services, and a comprehensive selection of contraceptive methods. The sexual health of young people's started to decline rapidly after 1994, owing to the cuts made in school health care, contraceptive health centres, and sex education as a result of the recession. This has been confirmed by all investigated indicators of sexual health.

*The number of terminations by young women* fell for 20 years. In 1975 there were 21.2 terminations for every 1,000 15–19-year old girls, in 1994 that number had halved (10.7). Since then, the number of terminations among young girls has grown steadily: in 2002 there were 16.1 per every 1,000 young girls. Over-the-counter access to the emergency contraceptive pill and the introduction of health science teaching in schools once again led to a drop in the number of terminations, and in 2008 the figure was 12.7, i.e. still above the pre-recession level. *The number of teenage deliveries* also fell until 1997. Since then, the number of 15–19-year old new mothers grew until 2002 when it, again, started decrease. The number of young girls giving birth is a strong negative indicator of the wellbeing of society.<sup>62</sup>

*The age at which young people experience first sexual intercourse* tends to drop if there is little sex education. A school health questionnaire revealed that the proportion of year 8 and year 9 pupils (ages 14–16) who had had intercourse grew during 1996–2001 and then started to fall again. Currently, the average age for the first intercourse for girls is 16.8 years and for boys 17.4 years.<sup>63</sup> The use of contraceptives during the most recent intercourse also follows the same pattern, with more intercourses without the use of contraceptives at the end of the 1990s, before contraception use became more common from 2002 onwards.<sup>64</sup> Finnish health policy decisions thus reflect directly on the sexual behaviour, reproduction, and sexual health of young people.

Experience of intercourse among young people is also connected to their choices regarding their studies. A 2009 study among 17-year-old sixth formers (2nd year of a 3-year course) showed that 41 per cent of the boys and 53 per cent of the girls had had sexual intercourse. In vocational schools, the situation is different already among 16-year-old 1st year students: 51 per cent of the boys and 66 per cent of the girls had experienced sexual intercourse; in the 2nd year, the figures were 62 per cent and 76 per cent. When asked if the respondents had been forced or coerced into having intercourse, the number of vocational school girls and boys replying “yes” was three times as high as the number of sixth form students. The number of sexual partners was also higher for students at vocational schools.<sup>65</sup> Young people, as adults, do not all behave in a uniform way.

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<sup>61</sup> Abortion Act 1970 and Primary Health Care Act 1972; sex education integrated to the curriculum 1970.

<sup>62</sup> McLeod 2001.

<sup>63</sup> Vänskä, S. and Apter, D. calculation concerning school health care questionnaire 2008–2009.

<sup>64</sup> School health care questionnaires.

<sup>65</sup> School health care questionnaires.

### *Chlamydia common among the young*

The number of confirmed chlamydia infections has followed the same trend as the terminations: In the beginning of the 1990s the number of cases fell, but since 1995 the number of confirmed cases among girls more than doubled. In 2002, the rise in the number of chlamydia cases among young people stopped, and has since dropped by about 10 per cent. The reported number of new chlamydia cases in 2008 stood at 13,873. Of these, persons under the age of 20 accounted for 26 per cent of all infections, persons under 25 for 55 per cent. The share of women of infected young people was 60 per cent.<sup>66</sup>

The number of HIV infections has been monitored since the beginning of the 1980s, when the first infections were confirmed in Finland. Fewer than 100 new infections are confirmed each year. At the end of 1998, the number of infections started to rise, chiefly as a result of an HIV epidemic among injecting drug users. Now the number of infections transmitted through intercourse is clearly on the rise. In 2006 there were a record number of 194 new HIV infections, of which 31 per cent were in women.

### **Sexual and gender minorities**

People belonging to sexual or gender minorities face various forms of discrimination and ignorance as users of public and private health services. For instance, elderly or ill members of sexual or gender minorities face inappropriate treatment in the public sector geriatric care when their identity is not respected and their intimate partners are not acknowledged (a civil partner is not necessarily recognised as a relation by the health care professionals or providers of elder care, and therefore may not be given information or allowed to visit).

People who have experienced serious discrimination often have health problems, such as substance abuse or mental health problems, which those trying to help cannot always respond to appropriately. International studies have shown that the risk of suicide is considerably higher among young people who belong to a sexual or gender minority than for other young people. This has not been given nearly enough attention in Finland.

The position of intersexed children is problematic in Finland. It is common that a child born without a definite biological sex (i.e. the sexual organs are not completely developed into female or male organs) has surgery to make the genitals correspond (at least externally) to either sex – usually the female, as it is easier to construct female genitals. This is done although there would be no medical need for the surgery. This custom does not respect the human rights and autonomy of the child, and the procedure can be likened to the genital mutilation of children. The consequences may include severe physical complications, such as sexual impotence and emotional problems, as the child is brought up believing they are of one gender, which might not correspond with their own experience. There are approximately ten such cases in Finland each year.

Transvestism, or cross-dressing, means the urge to sometimes express oneself as the other gender for example by dressing up, and should be removed from Finland's classification of diseases, where it is currently placed in the category of mental and behavioural disorders. By classifying transvestism in this category it is pathologised and transvestites are unnecessarily stigmatized. Transgenderism (transsexuality) is also classified as a mental and behavioural disorder. It is illogical that accessing gender reassignment surgery requires being diagnosed as a mental health

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<sup>66</sup> THL 2009.

patient. In the long run, also transgenderism must be removed from the medical classification, or the classification must be changed.

The invisibility of sexual and gender minorities in health care and care for the elderly is a major problem, because transgender and intersex people, lesbians, homosexuals, and bisexuals are generally not recognised as minorities, whose position in health care and geriatric care could be improved. Health care professionals are sometimes ignorant and erroneously believe that there are no clients requiring geriatric care who are transsexual or represent a sexual minority, and this renders these minorities invisible. Operations that surgically modify the bodies of intersexed children to correspond with the dominant gender system also reinforce this belief. This is particularly problematic in the case of transgendered and intergendered persons, as they have particular medical needs that intensify with age, and which require specific expertise from the care system.

### **The use of intoxicants**

Women's health is increasingly compromised by psychoactive substances (alcohol, prescription medication, and drugs) and different kinds of addictions, co-dependency, sex, shopping, the Internet, eating).<sup>67</sup> Alcohol has become the most common cause of death of women of working age. Women's binge drinking has increased, and the number of women drinking more than the recommended maximum amount has grown. The increased use of alcohol among older women has also been observed in several contexts. A comprehensive study of the health habits of 14–16-year olds covering the period 1977–2007 discovered that binge drinking among that age group was decreasing for a number of years, but that this trend is now reversed. The proportion of 18-year olds, particularly girls, who drink themselves into oblivion, is higher in the 2000s than during the rest of the period studied.

The way women seek help is different from how men do. The harm caused by alcohol abuse and other addictions often evokes shame about one's own problems, as well as difficulties in getting help. While being burdened by their own problems, women often care for their families and loved ones, and the deepest shame is feeling like an unsuccessful, addicted mother and woman. Taking care of loved ones may make seeking treatment and getting help difficult. Furthermore, receiving treatment for substance abuse problems nowadays requires the patient to admit to having a substance abuse problem, which many women find difficult, and the problem may therefore have continued for a long time by the time treatment is sought. In general, the male dominated world of substance abuse services makes it difficult for women to receive help. Male-dominated means, for instance, most patients of residential treatment centres are male, and that there are few gender-specific support and treatment options specifically for women. Overall, there are few services that are based on the needs of women, both in residential care and local health care services.

Women's mild mental health problems are often connected with substance abuse, and women may end up receiving care by the mental health sector, where substance abuse often is seen as secondary and left untreated. Furthermore, women's abuse, subordination, and intimate partner violence are not acknowledged to be risk factors that would lead to substance abuse. However, international studies concerning women's substance abuse issues show that women who have faced belittling, subordination, and abuse (especially sexual abuse) from a young age have a higher use of substances.

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<sup>67</sup> These other addictions have also increased, but statistics rarely make a distinction on gender – despite the fact that international studies show there to be many differences here, and that women often suffer these at the same time as substance abuse (for instance addictions involving food, co-dependency, and gaming).

The Government's Beijing +15 report does not refer to women's growing alcohol use and the associated negative effects, although alcohol has – on a general level – been declared the biggest threat to public health in Finland, and it is the leading cause of death for both women and men of working age.<sup>68</sup> It is worrying that the national alcohol policy and substance abuse services do not consider women's particular needs in the prevention and care of substance abuse.<sup>69</sup>

### *NOVAT programme – an example of a successful substance abuse treatment programme specifically for women*

The NOVAT programme of the Finnish association “Women Together Against Addictions – Naistenkartano” has in recent years succeeded in reaching many women in risk groups. The programme is for women only, has been tailored for women based on women's needs, and is based on theories on the prevention and treatment of women's addictions. The core of NOVAT is a peer group that meets once a week for 18 months and implements the NOVAT programme. It is very easy to be admitted to the programme. The lectures are of interest to women and provide an easy way to access the programme. The women are not expected to acknowledge any problem. All women are welcome to join. The programme offers new, Internet-based, types of services: individual support, chat rooms, and NOVAT courses. The interest in these has grown rapidly. The activities are mostly funded by RAY (Finland's Slot Machine Association).

An effectiveness study conducted by Women Together Against Addictions shows that 60 per cent of women who had participated in the NOVAT programme had stopped using traditional substance abuse services because they preferred to receive help and support from other women, and traditional services were considered too male dominated. Traditional substance abuse services originate from activities that started in open prisons managed by men. The majority of clients in residential care establishments are men (75–80 %). In the Helsinki metropolitan region, the share of women attending the open services of A-clinics has grown rapidly and is now 30–40 per cent. The majority of municipal funding for statutory substance abuse services is spent on traditional residential services.

## **Elderly women and women with memory disorders**

In Finland, the gender difference in life expectancy is gradually decreasing: At the beginning of the 21<sup>st</sup> century, the difference was 6.6 years in women's favour. In Finland, 65-year-olds are considered elderly and 75-year olds are considered old. The oldest age groups consist mostly of women. When calculating the overall duration of restricted functional ability in the middle of the 1990s, taking into account residential care, debilitating long-term illness, and temporary restrictions in functional ability, men and women were considered to have an equal number of healthy years. As

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<sup>68</sup> After alcohol, the second most common cause of death among working aged (15-64-year old) women was breast cancer, among men it was coronary disease. See: *Women and men in Finland 2007*. There is also scientific data available about the link between excessive alcohol use and breast cancer.

<sup>69</sup> Women's increased alcohol use has been debated in several international peer networks and European debates, such as the Bridging the Gap conference in Helsinki (2006), an international seminar on substance abuse by National Institute for Health and Welfare (THL, previously Stakes) (2006), *Viinan kirot kuriin* seminar (2009), ICAA (International Council of Alcohol and Addiction) conference (2008-2009) and NordAN (Nordic Alcohol and Drug Policy Network) seminar (2008–2009). Women Together Against Addictions participated in these and, together with a Swedish civic organization KSAN, highlighted women's needs. Thanks to this cooperation, NordAN established a women's section, which has taken the special needs of women and girls into consideration when lobbying or fundraising for research, preventive work and treatment since 2007.

women's overall lives are longer than men's, women had as much as 7.5 years longer than men of restricted functional ability.

As with elderly services in general, three quarters of patients with dementia are women. Women with symptoms of dementia also use the services more than men in proportion to the rest of the population in the same age group. Female dementia patients use the services more often than men particularly in the round-the-clock care services and in the oldest age groups. When the baby boom generation grows old, the number of dementia patients requiring round-the-clock care will grow. In Finland it is essential that the Government and municipalities carefully consider how the care of dementia patients should be organised so that a gender perspective is integrated in them.

The Government must ensure that the health differences between genders are fully considered when targets are set for the national social and health care policies, and when undertaking measures.

The Government must ensure that women's depression and other mental health problems are reduced, and gender-specific means must be used for this.

The starting point of sexual health and sex education must be every person's self-determination, respect for others, and the diversity of sexuality.

The state must ensure that the quality guidelines and capacity recommendations set for school health services (no more than 600 pupils/school nurse, 2,100 pupils/full time school doctor or 500 pupils/part time school doctor) are implemented in practice. The current situation in schools remains far from these minimum targets.

Besides school health care, youth-friendly care places are needed in the general health care provision; of which there are very few at the moment. The responsibility for this rests with the public sector.

In Finland, both condoms and hormonal contraceptive methods should be accessible free of charge to young people under the age of 20 at school nurses' offices, contraceptive clinics, and other places that provide services for the young.

Women belonging to sexual and gender minorities have specific health problems; consideration should be given to how these groups can be reached and met with sensitivity throughout the health service, the preventative work sector, and in health policy.

In health care generally, and in geriatric care in particular, attention must be paid to the special needs of elderly people who belong to sexual or gender minorities, and how their needs as clients can be met professionally and respectfully.

The Government must urgently acknowledge women's increased alcohol use its harmful effects as urgent risk factors threatening women's health.

Women's substance abuse and particular needs must be considered in overall alcohol policy, prevention of substance abuse, and substance abuse related services.

A gender perspective must be integrated in the study and treatment of different kinds of addictions to ensure that the special characteristics of women's addictions are recognised and those addictions are better prevented and treated.

The Government must utilise the experience non-governmental organizations have of meeting and helping women in different kinds of problems to do with psychoactive substances.

There must also be enough services for prevention, treatment, and rehabilitation available that are only for women and girls.

The gender perspective must be considered in the treatment and care services for elderly and people with memory disorders.

### References:

- Aho, Kimmo & Hiltunen-Back, Eija (2007): "Seksitautien esiintyvyys. Terveellistä seksiä." 14.12.2007. Duodecim expert article:  
[http://www.terveyskirjasto.fi/terveyskirjasto/tk.koti?p\\_teos=tes&p\\_artikkeli=tes00017](http://www.terveyskirjasto.fi/terveyskirjasto/tk.koti?p_teos=tes&p_artikkeli=tes00017).
- Ammatit ja masennusperusteiset työkyvyttömyyseläkkeet -tutkimus. Part of the MASTO project.
- Kontula, Osmo & Meriläinen, Henna (2007): *Koulun seksuaalikasvatus 2000-luvun Suomessa*. Väestötutkimuslaitos. Reports E 26/2007. Helsinki: Väestöliitto.
- Korhonen, Elina; Lipsanen, Laura & Yli-Räisänen, Heli (2009): *Seksuaalioikeudet kuuluvat kaikille*. Väestötietosarja 18. Helsinki: Väestöliitto.
- Martelin, Tuija; Koskinen, Seppo & Lahelma, Eero (2005): "Väestöryhmien väliset terveyserot. Suomalaisten terveys." 18.7.2005. Duodecim expert articles:  
[http://www.terveyskirjasto.fi/terveyskirjasto/tk.koti?p\\_artikkeli=suo00043&p\\_teos=suo&p\\_selaus=4600#s2](http://www.terveyskirjasto.fi/terveyskirjasto/tk.koti?p_artikkeli=suo00043&p_teos=suo&p_selaus=4600#s2).
- McLeod, A. (2001): "Changing patterns of teenage pregnancy: population based study of small areas." *British Medical Journal*. 323(7306):199-203.
- Mielenterveys- ja päihdesuunnitelma. Mieli 2009 -työryhmän ehdotukset mielenterveys- ja päihdetyön kehittämiseksi vuoteen 2015*. (2009). Reports of the Ministry of Social Affairs and Health 2009:3. Helsinki: The Ministry for Social Affairs and Health.
- Neuvonta- ja palveluverkosto ikääntyneiden hyvinvoinnin ja terveyden edistäjänä*. (2009). Ikäneuvo-työryhmän muistio, Reports of the Ministry of Social Affairs and Health 2009:24. Helsinki: The Ministry for Social Affairs and Health.
- Rainio, Susanna; Pere, Lasse; Lindfors, Pirjo; Lavikainen, Hanna; Saarni, Lea & Rimpelä, Arja (2009): *Nuorten terveystapatutkimus 2009. Nuorten tupakkatuotteiden ja päihteiden käyttö 1977-2009*. Reports of the Ministry of Social Affairs and Health 2009:47. Helsinki: The Ministry for Social Affairs and Health.
- Siukola, Reetta (2005): *Tasa-arvoa alkoholityöhön. Alkoholipolitiikan valtavirtaistamisselvitys*. Reports of the Ministry of Social Affairs and Health 2005:24. Helsinki: The Ministry for Social Affairs and Health.
- Raskaana olevien päihdeongelmaisten naisten hoidon varmistaminen. Työryhmän raportti*. (2009). Reports of the Ministry of Social Affairs and Health 2009:4. Helsinki: The Ministry for Social Affairs and Health.
- Terveyttä, turvaa ja tasa-arvoa. Katsaus 2007–2010*. (2008). Helsinki 2008. The Ministry for Social Affairs and Healthn julkaisuja 2008:17. Helsinki: The Ministry for Social Affairs and Health.



Website of the National Institute for Health and Welfare (THL), statistics:  
<http://www.stakes.fi/FI/tilastot/aiheittain/index.htm>.

## **D. VIOLENCE AGAINST WOMEN**

### Objectives

1. Take integrated measures to prevent and eliminate violence against women
2. Study the causes and consequences of violence against women and the effectiveness of preventive measures
3. Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking

### **National action plan to combat violence against women**

The Beijing Platform for Action unambiguously obliges governments to create a national action plan to prevent and combat violence against women. The Beijing document was adopted fifteen years ago, but the Finnish government still has not met this commitment. However, the preparation of an action plan to combat violence against women has now been listed as one of the objectives of the Government Action Plan for Gender Equality 2008–2011.

It is excellent that in preparing a programme to combat violence against women, the Finnish government finally recognizes that this problem and phenomenon affects women in particular.<sup>70</sup> The action plan to combat violence against women must be based on a broad view of the nature of the phenomenon, and the objectives must be set accordingly.<sup>71</sup> The programme must extend over several terms of government. Effective means of preventing sexual violence have to be incorporated into the programme. The 25 organizations that participated in the operation of Amnesty's Joku raja! working committee have together prepared a proposal for the content of an action plan to combat violence against women. In addition, the Finnish National Violence Observatory, consisting of women's organizations and researchers, has demanded that sufficient resources be allocated for implementing the plan of action. In the preparation stage, the compiling and coordination of the plan of action has been assigned to one non-permanent researcher at the National Institute for Health and Welfare. In a consultation meeting on the plan of action in December 2009, it became evident that no earmarked resources would be allocated for the implementation of the plan of action. Very limited resources are allocated for the prevention of violence against women and for treating victims in Finland in general. For example, there are no appropriations for this purpose in the government budget.

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<sup>70</sup> In 2004, the Joku raja! working committee listed its recommendations to the Council of State concerning the prevention of violence against women. In 2005, the same committee introduced updated recommendations. In 2009, when this report is drafted, these recommendations are partly outdated. This is a sign of progress. On the other hand, despite the positive development, rooting out gender-based violence from our society still requires a lot of work.

<sup>71</sup> The Committee of Ministers of the Council of Europe decided in December 2008 to establish an ad hoc committee of experts nominated by the Member States. The committee is in charge of preparing a proposal for a convention on combating violence against women:

[https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Del/Dec\(2008\)1044&Language=lanEnglish&Ver=original&Site=CM&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75](https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Del/Dec(2008)1044&Language=lanEnglish&Ver=original&Site=CM&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75).

## Intimate partner violence

Of the different forms of violence against women, statistics have mostly been compiled on intimate partner violence. Statistics show that intimate partner violence is a relatively constant form of violence in our society. Of the domestic violent crimes that *came to the attention of the police* in 2007 (4,835 offences), more than half concerned intimate partner violence, i.e. 2,812 were cases of violence between present or former co-habiting partners or spouses. Of the victims, 86 % (2,432) were women. Correspondingly, the men's share was 14 % (380).<sup>72</sup> However, information on victims of intimate partner violence is acquired based on the users of refuges kept by the Federation of Mother and Child Homes and Shelters.<sup>73</sup>; the majority of these customers are women and children. Women coming to the refuges are threatened by their former or present partner and three out of four women have fled from their shared home.<sup>74</sup>

Intimate partner violence often underlies homicide, too. In Finland, the second most common type of homicide is when a man kills his former or present female partner. In addition to marriage and co-habitation, this category includes dating couples. Between 2003 and 2007, a total of 114 women were killed as victims of intimate partner violence in Finland. When comparing the 27 Member States of the EU, the risk of a Finnish woman getting killed through intimate partner violence is the 11th highest. Among the 16 EMU countries, Finnish women had the fifth highest risk of being killed as victims of violence. In this comparison, the only countries where the risk of homicide is higher for women than it is in Finland are Luxembourg and Belgium.<sup>75</sup>

### *Legislative reform*

The current Finnish criminal system is largely gender-insensitive and unable to recognize the frequent, generally condemnable features of violence against women: the recurrence and the repressive nature of close relationship violence. In addition, although the separation of private and public spheres was removed in the 1995 reform of the Penal Code, complainant offences still privatize violence in Finland. The prosecutor must have the principal responsibility for pressing charges in cases of violence against women.<sup>76</sup>

In October 2008, the Ministry of Justice set a work group to consider provisions applied to intimate partner and workplace violence. The assignment consisted of two parts: Firstly, the work group was to consider how the *recurrence of intimate partner abuse* could be taken into account. According to the assignment, recurrence was to be taken into account in assessing the punishment, as an opportunity of the court to increase the severity of the punishment for any type of assault

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<sup>72</sup> OMTR 2009:11.

<sup>73</sup> Every year about 1,200 women, 1,400 children under 18 years of age and about 60 men stay in refuges. Of the children, a little more than 800 are below school age and a little less than 400 attend primary school. Most adult customers are 20 to 40 years old.

<sup>74</sup> About 60 men seek shelter at refuges each year. They come alone or with their children to find safety from a violent woman, but often for other reasons. About 40 per cent of the men who come to shelters live with a violent perpetrator. When a man comes to a refuge because of violence, in most cases the abuser is his partner, but can also be his child, parent or some other person. In the Helsinki refuge boys over 18 years of age who come to the shelter with their mother and siblings are also registered as men. The men in refuges are older than the women, especially in the senior age group men exceed women in number. Sometimes men who are not victims of intimate partner violence or any type of violence stay in refuges, because they are homeless due to some other crisis.

<sup>75</sup> The general homicide rate in Finland is an average of 3 people per 100,000 inhabitants which is threefold compared to the other Nordic countries and twofold compared to Western Europe. In Eastern Europe (excluding Russia), the homicide rate is equal to or higher than in Finland. Unlike other European countries, in Finland the number of homicides has not declined after the Second World War. Instead, the homicide rate has been high for the past 50 years. See Ronkainen 2008 and Lehti & Kivivuori 2005.

<sup>76</sup> See e.g., the UN General Assembly decision 52/86.

(aggravated, standard, or petty). Secondly, the work group had to find out what the effects would be, if *petty assaults* in a *relationship* were subject to *public prosecution*.

However, the working group that submitted its report in June 2009<sup>77</sup> decided to narrowly consider petty assaults in certain types of close relationships only by establishing a special provision applied to petty assault. The report fails to deal with standard and aggravated assault and changes the statutory definition of an offence, not the prevailing theory of imposing and meting out punishment. Consideration and assessment of the situation are transferred to the police in charge of preliminary investigation. Also, the language took a vague, neutral form, when instead of (intimate partner) violence against women, the term used now is *close relationship violence*. In fact, the report easily conveys the idea that the specific features and the prevalence of violence against women are not taken seriously. Attempts are made to abolish the gender basis of violence, and the new term fits this purpose well. Court statistics still do not specify the victim or the scene of the crime, making it impossible to compile exact statistics on close relationship violence and workplace violence. The creation of a new, more extensive term (close relationship violence) does not facilitate the compilation of statistics. To facilitate the compilation of statistics on intimate partner violence and the identification of the phenomenon, the gender of the perpetrator and of the victim and their relationship to each other should always be included in the statistics.

The report also lacks an overall review of legislation.<sup>78</sup> Criminal legislation should better recognize the special nature of intimate partner or close relationship violence in which the perpetrator attempts to control and repress the victim. Intimate partner violence against women takes many forms and incorporates the essential elements of several offences, not just assault, especially not just petty assault. Recidivism is a problem with other types of crimes as well, so repeated violence should be a universal aggravating circumstance in all close relationships. In addition to assault, other repeated acts should be assessed, too, as well as the penal instruments for early intervention. Repeated acts that are traumatizing for the victim can include illegal threats, disturbance of domestic peace, defamation (such as calling a woman a whore), and other crimes and forms of control, such as continuous harassment via means of communication.

Generally speaking, the good thing in the work group's proposal is the way it tackles the line between public and private. This would amend our Penal Code in a more human rights friendly direction. According to the present Finnish Penal Code, petty assault is a complainant offence. In other words, a public prosecutor cannot prosecute an assaulter, if the victim (complainant) does not want to press charges. The work group's proposal to change the right to institute criminal proceedings for recurrent petty assault when the recurrent violence takes place in an intimate relationship is a step in the right direction – although a very small step – on the road to effective prevention or substantial reduction of violence. It is positive that the proposal brings forth the seriousness of even minor intimate partner violence.

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<sup>77</sup> OMTR 2009:11.

<sup>78</sup> For more information on the needs to develop the legal system, see the recommendations of the Council of Europe Task Force to Combat Violence against Women. In Finland, the Task Force is coordinated by the Ministry of Social Affairs and Health. Other strategic ministries, the Parliament, several organizations in the Joku raja working committee, and the Association of Finnish Local and Regional Authorities were represented in the Task Force. The Task Force accepted the proposals of the legislative working group in its meeting of 9 December 2008. The Task Force appointed the working group to discuss legislative reform requirements to stop the exemption of violence against women from punishment and to intensify prevention measures. In January 2009, the proposal of the Task Force on the legislative reform requirements was also presented to the working group discussing changes to the right to institute criminal proceedings in case of minor abuse.

Intimate partner violence is often a process, and act-based criminal law is considered an inefficient instrument to stop it. Because in petty assaults of adults the target is most often a woman<sup>79</sup>, the inefficiency is a type of discrimination which now needs to be addressed. It is therefore excellent that the proposal attempts to find ways to stop this process at the earliest stage possible.

Another fact in favour of changing the right to institute criminal proceedings is the difficulty in differentiating between standard and petty assault in a home call-out situation. It appears that the police can sometimes consider standard assaults as petty, and if the victim does not demand punishment for the accused, these crimes are not reported to the prosecutor. On the other hand, the police will still use their discretion in determining the type of relationship in question, whether the assault took place in an intimate relationship and whether it was a repeated act of violence – although petty – or a basic form of petty assault. This way the working group double standardized petty violence. The message that even petty violence is a serious violation of bodily integrity in all its forms does not come across.

Also medical reasons speak in favour of the change, because the trauma caused by violence has a direct link with cognitive functions: recurrent violence and living under the threat of violence undermines a person's ability to make decisions and stick to them, as well as their ability to solve problems. These are additional reasons why the starting or ending of a criminal process should not be the victim's but society's responsibility.

In order for the proposal to produce the desired human rights implications, it is imperative that thorough and hands-on training is provided by the police precincts when the change in the right to institute criminal proceedings takes effect. Parallel to making the legal system more effective, the criminal investigation process should be improved and accelerated. This objective may prove difficult to achieve, if during a home call-out the police has to be able to distinguish petty assault, subject to public prosecution on the basis of the criteria provided, from such petty assault that is not subject to public prosecution.

## **Marital immigrants**

The status of women in need of special protection should be paid attention to when the criminal legislation and services for victims are developed. For example, women who are so-called *marital immigrants*, and do not yet have permanent residence permits, form a particularly vulnerable group. The threat of being deported prevents many of them from leaving a violent husband – whether Finnish or of foreign citizenship – because the women may only stay in Finland if they stay married. According to the Aliens Act, a permanent residence permit is granted after four years of residence in the country. In order for immigrant women living as victims of violence or under the threat of violence to enjoy the same rights as Finnish women, we need to examine residence permit practices, how violence is taken into account when deciding on the permits, and the need to develop the legislation.<sup>80</sup>

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<sup>79</sup> See e.g., the report of the working group, page 50: of the minor or standard assaults that were reported to the police, in 71% of the cases the victim was a woman over the age of 15.

<sup>80</sup> Persons continuously sharing a household and living in a marriage-like relationship are equated with marriage partners regardless of their gender. Such an equation is made, if the partners have lived together for at least two years. A four-year term is calculated from the day of entry into the country, if a foreign national has had a residence permit for continuous stay in the country at the time of entry. See the Aliens Act.

According to a report on the integration of immigrants made at the Ministry of the Interior, hundreds of Thai women live in Finland as victims of domestic violence.<sup>81</sup> Many of them are marital migrants. According to the report, they have dropped out of the support networks of the society. A comparative study of the practices in the Nordic countries regarding Russian marriage migrants has also been conducted.<sup>82</sup> According to this study, the situation of Russian women who have experienced intimate partner violence is worse in Finland, especially in Northern Finland where marriage migrants from Russia most typically settle, than in Sweden and Norway. The study reveals that, in the other Nordic countries, government human rights policies enable helping the women in acute situations and in the long run. Among other things, this means that when a decision on the residence permit is made, history of intimate partner violence is taken into account. In Sweden, for example, the principle based on the UN human rights interpretations, according to which in cases of intimate partner violence the migrant does not lose their residence permit, was entered as part of the Aliens Act in 2005. In 2008, Norway made the same kind of amendment. In Finland, the matter was disregarded during the latest reform of the Aliens Act.

*Disseminating information about the rights of victims* should be made a statutory duty. At the moment, victims are unaware that they have the opportunity to get a legal aid counsel/support person at the expense of the state, irrespective of their financial situation, if they are victims of a sexual offence or close relationship violence.<sup>83</sup> The duty to inform should be enacted in law. At the same time, a study should be conducted to find out the type of law amendment that would best serve the victims' rights.<sup>84</sup>

### **Conciliation of intimate partner violence**

The ideology of conciliation is based on the concept that the parties participating in the conciliation are equal and that conciliation is voluntary. However, intimate partner violence is often *repetitive by nature and it can involve the use of power and control*. The perpetrator is likely to dominate the conciliation, as well. The victim of violence does not enjoy legal protection, if there is a risk that they are pressured into consenting to conciliation. If the prosecutor decides to waive charges due to a settlement achieved in the conciliation, the perpetrator is in the worst case able to manipulate the entire legal system.

In cases of intimate partner violence, it is difficult to ascertain that the victim is participating in the conciliation voluntarily and that the parties feel equal and safe. It is also difficult to ensure the victim's safety after conciliation. It is important to always find out in the police investigation whether the violence is recurrent. This is crucial information when contemplating whether the case is suitable for conciliation. According to the law, only such cases of intimate partner violence can be conciliated in which the violent act is the first one.

Sexual offences, intimate partner violence, or violence against children by adults should never be conciliated. Violence is always a crime that must result in an appropriate punishment.

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<sup>81</sup> Final report of the steering group on the integration of Thai women 2010.

<sup>82</sup> Saarinen, Sverdljuk & Hägg 2008.

<sup>83</sup> More information is available on the Internet page on legal aid of the Finnish judicial system: <http://www.oikeus.fi/4313.htm>.

<sup>84</sup> It has also been suggested that the duty to provide information should be included in the official duties of the authorities offering legal aid and/or the police.

## Sexual violence

Legal provisions on rape have been revised in Europe at the end of the 20th century and during the first decade of this century. In 2003, the European Court of Human Rights (ECfHR) was able to note in its so-called Bulgaria judgement that violence and coercion were no longer part of the statutory definition of rape.<sup>85</sup> This means that just the *lack of consent* meets the statutory definition of rape. Rape is thus a non-consensual sexual intercourse.

In Finland, however, this is not the case; all Finnish legal provisions concerning rape, i.e. rape (Penal Code 20:1), aggravated rape (Penal Code 20:2), and coercion into sexual intercourse or the so-called rape under mitigating circumstances (Penal Code 20:3)<sup>86</sup> *require the use of force*. Refusing sexual intercourse is thus not sufficient, although the Law Committee did state so at the time of enacting the law amendment. In Finland, the usual punishment for coercion into sexual intercourse (rape under mitigating circumstances) is a fine. That is the penal value of the violation of a person's sexual integrity in Finland. On the other hand, extremely serious violence has been incorporated in the statutory definition of rape in legal usage, while the provision on assault according to Chapter 7 of the Penal Code has not been applied separately to the violence. In addition, about 40 per cent of rape sentences are suspended.

The present Finnish Penal Code does not promote efficiently enough the indictment of those violating the sexual integrity of another person. Our present legislation does not offer sufficient legal protection to the victims of rape, sexual violence, and sexual harassment. Attention has been paid to the insufficiency of legislation already previously. For example, Amnesty International has compared legislation and legal proceedings related to sexual offences in Finland, Sweden, Norway, and Denmark.<sup>87</sup> Finnish experts agree that Finnish legislation concerning rape offences is lagging behind the international trend.

Sexual violence is often ignored when intimate partner violence is discussed. Based on the material of the study Violence Against Women 2005, 0.8 per cent of all 18- to 74-year-olds experienced *coercion into sexual intercourse* during the course of one year.<sup>88</sup> The amount may seem low, but when proportioned to the population, this means 15,000 women. When coercion into sexual intercourse and attempts of coercion when the victim is not able to defend herself are added together, the figure becomes threefold. Every year 6,500 women (proportioned to the population) experience coercion into sexual intercourse in their present relationship.<sup>89</sup>

According to an estimate made in 2004, three new customers phone the Tukinainen crisis telephone line every day. The majority of the callers have experienced rape less than two weeks ago, but for many of them, the events took place many years or even decades ago. Sexual violence is often understood as a sudden attack by an unknown perpetrator, but this is not nearly always the case. According to a study on rape conducted in 2004, the perpetrator is in nearly 40 per cent of the cases an acquaintance, relative, or partner.<sup>90</sup>

Sexual violence is rarely reported, so *the majority of sexual violence remains hidden criminality*. According to studies on victims, especially sexual violence committed by acquaintances and close

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<sup>85</sup> *M.C. vs Bulgaria* 4.12.2003.

<sup>86</sup> Chapter 20 (sections 1-13) of the Finnish Penal Code concerns sex offences.

<sup>87</sup> *Case Closed. Rape and Human Rights in the Nordic Countries* 2008.

<sup>88</sup> Piispa, Heiskanen, Kääriäinen & Sirén 2006.

<sup>89</sup> Piispa, Heiskanen, Kääriäinen & Sirén (2006) and Honkatukia & Kainulainen 2009.

<sup>90</sup> Kainulainen 2004.

relatives is rarely reported to the police. During the past ten years, about 613 rapes have been reported in Finland annually.<sup>91</sup> The reporting threshold seems to have lowered slightly lately. However, compared with the frequency estimates, the numbers are still worryingly low. This becomes evident, for example, from a questionnaire study conducted among gynaecological patients in Helsinki. According to the study, 16.5 per cent of the respondents had experienced severe sexual violence. When including abuse classified as minor, the proportion of victims increased to nearly 27 per cent. However, only one per cent of those who participated in the study had ever discussed the matter with their gynaecologist.<sup>92</sup>

Another problem is the fact that even when sexual violence is reported to the police, this does not always lead to prosecution and ultimately punishment of the perpetrator. However, the reform of the Penal Code in 1999, according to which rape is subject to public prosecution, has significantly increased the number of cases reported to the prosecutor. On the other hand, decisions by prosecutors to waive charges have also increased. In more than 80 % of these cases the reason given for the waiving of charges was the difficulty to produce evidence. Otherwise, as well, the handling of the case depends on the relationship between the perpetrator and the victim. When the perpetrator is unknown, the police will cease investigations in more than 90 per cent of cases due to lack of evidence.<sup>93</sup>

The *status of children* as victims of sexual violence is also poor. In the 19<sup>th</sup> century when rape became a physical violation instead of a violation of honour, it was seen that a child cannot be an object of rape, because penetration was considered impossible and a child cannot resist. However, very small children are raped, but the perpetrators are sometimes only sentenced for child abuse or aggravated abuse. In Anglo-Saxon countries the problem has been solved with the so-called statutory rape provision. In other words, consent is not a characteristic of rape, because a child is incapable of giving consent.

There are a few research results about sexual violence experienced by girls. According to reports of offences, girls experience sexual violence when dating. About every tenth sexual abuse case is reported to the police.<sup>94</sup> According to another study, every sixth 15-year-old in Helsinki experienced violence in 2002. The victims of the sexual offences in this study were most often girls.<sup>95</sup> According to a report published by the Police College of Finland in 2009, the victim is a girl in 90 per cent of the cases of child sexual abuse of under 15-year-olds. The victim is 12 to 14 years of age in 60 per cent of the cases. The suspect is in most cases known to the victim (27.6 %): most often the father (19.7%), but also often an (ex-) boyfriend (4.1 %).<sup>96</sup>

In general, the human rights of the victims of sexual violence do not always materialise in Finland. A study conducted by Amnesty International of the Nordic Countries revealed deficiencies in the legislation, in the operation of the judicial system, and in the service system. Finland was the only one of the Nordic Countries studied where in some sexual offences the victim must demand punishment; complainant offences include coercion into sexual intercourse and certain forms of sexual abuse.<sup>97</sup>

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<sup>91</sup> Honkatukia & Kainulainen 2009.

<sup>92</sup> Wijma, Schei, Swahnberg & ym. 2003. 583 women from Helsinki participated in the study.

<sup>93</sup> Kainulainen 2004.

<sup>94</sup> Ellonen, Kivivuori & Kääriäinen 2007.

<sup>95</sup> Kivivuori & Savolainen 2003.

<sup>96</sup> Humppi 2009.

<sup>97</sup> *Case Closed. Rape and Human Rights in the Nordic Countries* 2008.

The statutory definition of rape in the Penal Code is also not up to modern standards. If a woman is unable to defend herself due to sleep or intoxication, for example, the offence is defined as sexual abuse instead of rape, because no actual coercion took place. The maximum penalty is then milder than in rape, because this is a so-called rape under mitigating circumstances. In Swedish and Norwegian legislation such a distinction regarding the state of the victim is not made. Both the European Court of Human Rights (ECfHR) and the International Criminal Court (ICC) have laid down that the *lack of the victim's consent is the decisive factor* in the definition of rape. In other words, the Finnish definition of rape that focuses on the use of physical violence and the action of the victim is not accordant with international law.

In addition, the support offered to victims of sexual offences in Finland is not up to the standards of the other Nordic Countries. Finland has ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and is thus along with the other Nordic Countries committed to rehabilitating victims of violence against women. However, there is no state-funded service system for victims of sexual violence that would cover the whole country. The need for such a system was noted in connection with the Penal Code reform ten years ago, but the promise has not been kept.

Finnish researchers have pointed out that, especially in sexual offences that take place in an intimate relationship, rape is sometimes classified as coercion into sexual intercourse in criminal investigations and considerations of charges. The classification of rape according to seriousness thus often leads to an interpretation of the crime that is on the low side. The National Research Institute of Legal Policy has also pointed out the differences in the selection of the essential elements of an offence in decisions made by different court instances.<sup>98</sup> From the viewpoint of the victim's legal protection it is essential that legal usage is consistent and logical.

There should be systematic training for authorities on the special nature of sexual crime. At the moment, the third sector has assumed responsibility for the training. The Senja project<sup>99</sup> of the Tukinainen Rape Crisis Centre produces sensitivity training for legal authorities with assistance from Finland's Slot Machine Association, but it is obvious that the responsibility for systematizing the training and implanting it into the training and development work of the legal system should lie with the state. The research of sexual violence should be increased and criminal investigation of sexual offences developed.

## **Trafficking in human beings**

The Finnish government has ratified a National Programme against Human Trafficking in 2005. The plan was further elaborated in 2007. The programme defines the measures to be taken by different branches of administration to combat human trafficking in Finland. The plan of action pays attention to the identification of victims of human trafficking, prevention of human trafficking, assistance of the victims of human trafficking, bringing charges against the perpetrators, and disseminating information and awareness raising on the matter. The plan of action emphasises the viewpoint of the victim and human rights. By a rough estimation, Finland is a transit country and destination for hundreds of victims of human trafficking every year. The Finnish Ombudsman for Minorities has acted as a national rapporteur on trafficking in human beings since the beginning of 2009.

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<sup>98</sup> Lappi-Seppälä & Hinkkanen 2005.

<sup>99</sup> The project partners are the Women's Line in Finland Association, Monika - Multicultural Women's Association, the Federation of Mother and Child Homes and Shelters, and the Police College of Finland.



In accordance with the plan of action, the existing service systems are considered as the basis for helping the victims of human trafficking. Cooperation and multiprofessionalism have been underlined when organising these services. Behind the functional viewpoint, the aim has been to preserve the human rights and victim centred approach and the gender and child viewpoint of the plan of action. In addition, the plan of action aims to empower the victims. One approach to this is to produce services based on individual needs and thus prevent re-victimisation.

*The services available to the victims depend on the type of residence permit they get (temporary or permanent). The terms for receiving a residence permit are still strict and do not encourage victims to find assistance. At the moment, suspected victims of human trafficking have at least 30 days to consider whether they want to cooperate with the authorities or not. If they decide to cooperate with the authorities, they get a residence permit. Such bartering with a victim is very unusual in the Finnish legal system.*

The victims of sexual abuse have been very strongly victimized mentally, and *a victim traumatized by serious crime should not have to barter to get justice*. Psychological aspects need to be considered when determining the basis for granting a consideration period and residence permit for a victim of human trafficking. The violation of the human rights of the suspected victim is the starting point, the consequences of which they need rehabilitation for in order to be able to make independent decisions. Investigating a suspected human trafficking case has to start from rehabilitating the victim. It must be understood that victims can only help solve the offence when they have been sufficiently rehabilitated. Speaking of a consideration period is thus misleading and stresses the crime prevention viewpoint; one should rather speak about a recovery period.

In addition to cooperating, victims are required to break off their ties to the criminals. However, although the victims have sought help, they may be emotionally strongly attached to the abuser and breaking connections to the abuser may be difficult. Fear for their own safety and that of their loved ones may also make victims want to stay in contact with the abuser or prevent them from collaborating with the authorities. The principle that identifying a victim and starting assistance measures does not require penal evidence must be adhered to.

*The narrow interpretation of the characteristic elements of human trafficking is a serious problem today. Defining sexual abuse as a form of human trafficking is especially difficult in Finland due to the indistinct line between pimping and human trafficking. Cases which in Finland have been tried as aggravated procurement would in many other countries have been tried as human trafficking. The Finnish precedent where the title human trafficking was applied to the case of a mentally disabled woman raised the criteria of a victim unreasonably high. At the moment it seems that people find their way to the assistance system mostly from situations such as forced labour. The authorities seem unable to recognise human trafficking related to sexual abuse. The problem in Finland is that a woman's consent to sell sexual services in the first place is emphasised and that she thus is not considered a victim. When the status of a victim of human trafficking is determined, the focus should be on the circumstances in which the person is procured for prostitution, not only the victim's situation in the country of departure.*

The threshold for identifying human trafficking should be as low as possible, so that the vicious circle of abuse could be interrupted and the measures against those suspected of human trafficking started. Because one of the main purposes of the consideration period is to identify victims of human trafficking, the consideration period could be given to victims of many crimes resembling human trafficking. Such a practice would facilitate the work of the third sector and would probably

increase the number of people identified as victims of human trafficking – it would thus strengthen the human rights foundation of the entire system.

There are several reasons why the title of the offence is important: only victims of human trafficking are entitled to the assistance system, consideration period, and residence permit. In addition, only victims of human trafficking are entitled to a legal counsel or support person during the police investigation and/or trial. They are considered complainants in a criminal case and they can thus among other things demand compensation for damage. The victims of extortion-like work discrimination are also considered complainants, but the victims of procurement or even aggravated procurement are just witnesses and cannot demand compensation. There is thus no common understanding about victimisation in human trafficking; the various actors define human trafficking, procurement, work discrimination, and organizing illegal entry into the country in very different ways. Only those suspected of being victims of human trafficking are usually referred to the assistance system. In order for the rights and legal protection to be realised, it is crucial whether a person is determined to be a victim of human trafficking or a subject of procurement, work discrimination, or illegal entry to the country. The system for the assistance of victims of human trafficking could in the future be extended to the victims of other crimes as well, especially crimes resembling human trafficking. This would mean that the system itself would have to be modified.

Efficient work combating human trafficking requires close international cooperation in accordance with common principles. The more countries ratify international conventions and other instruments on human trafficking, the stronger the international system. Finland must immediately ratify the Council of Europe Convention on Action Against Trafficking In Human Beings. The amendments to the Penal Code, the Aliens Act, and the Act on the Integration of Immigrants have significantly facilitated the activity against human trafficking in Finland. However, stressing the crime prevention objectives leaves the protection of human rights in a secondary position. Due to this emphasis, not much attention is paid to the human rights aspect.

In September 2008, Finland published the national plan of action implementing the United Nations Security Council Resolution 1325 on Women, Peace and Security.<sup>100</sup> The national plan of action is in place from 2008 to 2011. The plan of action includes objectives for Finland regarding the prevention of human trafficking and support of victims in international cooperation. Among other things, the plan of action states that “Finland shares with other countries practices to combat human trafficking and violence against women developed and proven at national level. Finland actively parades the human rights and equality perspective of human trafficking, which, among other things, means that the victim’s consent to work in cooperation to catch criminals should not be a precondition for helping the victim.” Finland must apply this principle of international and local cooperation in Finland, as well, when developing the system for helping victims of human trafficking and the activities against human trafficking.

The national rapporteur on trafficking in human beings must assess the victim and human rights approach of the present law and practices. The conflict between the Finnish human trafficking policy and the existing national 1325 plan of action must be resolved: the victim’s cooperation with the authorities must not be a precondition for granting a residence permit. All authorities dealing with victims of human trafficking, including judges and prosecutors, should urgently be offered training. When implementing the plan of action, it is imperative to also pay attention to the early prevention of human trafficking.

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<sup>100</sup> See Chapter IV, Section E “Women and armed conflict” of this report.

## Prostitution

The government bill drafted in 2005 to criminalize the buying of sex<sup>101</sup> viewed prostitution as a phenomenon detrimental to society. In the argumentations for the bill, criminalizing the buying of sex was viewed as something that would promote both gender equality and social equality in general. In addition, criminalizing the buying of sex was seen as something that would prevent a distorted idea of sexuality caused by prostitution and the buying of sex.

The government bill also stated that the buying of sex can be considered to infringe on sexual self-determination and integrity. In addition, the bill stated that even if there is no human trafficking or procurement involved, the decision to become a prostitute is seldom a completely voluntary choice. According to the government bill, it is obvious that in all situations where sex is bought the prostitute may be exposed to physical or mental detriment.

Unfortunately, Parliament did not accept these premises when it enacted an amendment to the Penal Code, criminalizing the abuse of persons who are the object of sex trade. According to Parliament, it is acceptable to buy a person for prostitution purposes, as long as the person bought is not a victim of human trafficking or procurement.

Parliament's decision was affected especially by the Salli association, an interest group for prostitutes, which opposed the criminalization of the purchase of sex even when sex is bought from the victims of human trafficking. It can thus be concluded that in the Finnish debate on prostitution, the voice of those prostitutes in the weakest position – the women and men who have ended up as such – is not heard. Instead, prostitution policy is executed at the terms of the strongest. If the buying of sex was criminalized completely, legislation would no longer divide women who have ended up as prostitutes, and legislation would be much easier to control.

In the other Nordic Countries prostitution has been approached mainly from a human rights and equality perspective: In addition to Sweden, Norway and Iceland have in recent years criminalized the buying of sex. According to the Finnish police, this has led to an increased number of prostitutes in Finland.<sup>102</sup>

When Parliament passed a law partly criminalizing the buying of sex, it required that “sufficient such support measures be provided for prostitutes that facilitate their opportunities to give up prostitution and take up employment.”<sup>103</sup> In 2008, the United Nations Committee on the Elimination of All Forms of Discrimination Against Women (the CEDAW Committee), when examining Finland's periodic report, also encouraged Finland “to prepare further strategies and programmes to prevent women from becoming prostitutes and to set up rehabilitation and support programmes for those women and girls who want to quit being prostitutes, including information about alternative sources of livelihood and the related support.”<sup>104</sup> However, the support measures required by Parliament have still not been realized. In Finland, no funding has been granted for arranging services to people trying to quit prostitution. Also, the prevention of prostitution is not the responsibility of any government official.

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<sup>101</sup> GP 221/2005.

<sup>102</sup> Crime Inspector Seppo Sillanpää of the Helsinki Police in a television interview on 9 September 2009.

<sup>103</sup> Parliamentary reply 93/2006 – GP 221/2005; see also the Law Committee's report 10/2006.

<sup>104</sup> Finland's 5th and 6th periodic reports and the reading of them during the CEDAW Committee's session in July 2008.

## **Female genital mutilation (FGM)**

Female genital mutilation is a human rights offence because it violates, among other things, the right to life and physical integrity, the right to freedom from violence, the right to health, and the right to life without discrimination. Female genital mutilation is an old tradition, especially in certain African communities. It has spread to the Arabian Peninsula and to some Asian countries. Today, genital mutilation is reality also in Finland. Some Finnish girls with an immigrant background have been taken or may be taken abroad for a procedure that damages their health. Also the police suspects that children from Finland are sent abroad for circumcision.

By ratifying the UN Convention on the Rights of the Child, Finland has committed to protecting children against all types of violence and harm and taking efficient measures to eliminate traditions that are detrimental to the health of children. Finland needs a national plan of action aiming to prevent genital mutilation of girls and women. Health support and other after-care should also be available to girls and women who have already been circumcised. In addition to a plan of action, Finland needs distinct financial resources allocated for training the girls' immediate community and parents and for taking preventive work into the communities.

The platform for action to combat violence against women must be allocated sufficient resources included in the state budget and extending over several terms of government.

The victims of violence must be offered versatile, long-term, and high-quality support. The support must be available to everyone and it must accommodate the special features of different forms of violence and the victims' status.

Refuge capacity must be significantly increased.

Children and youth who have experienced violence must receive long-term support for their recovery.

Perpetrators must be referred to violence intervention programmes.

Plans of action to combat violence against women must be created in municipalities and sub-regions.

Conciliation of intimate partner violence must be discontinued.

Special legislation is required to cater for the special features of intimate partner violence, such as the versatility and recurrence of the acts.

The right to institute criminal proceedings in sexual offences must be changed so that coercion into sexual intercourse and certain abuse offences are no longer complainant offences.

The statutory definition of rape in the Penal Code must be changed so that lack of consent is the decisive factor, not coercion and physical violence by the perpetrator.

The Government must ensure that a national service system is created that takes into account the special features of the treatment and rehabilitation of victims of sexual violence.

Prevention of sexual violence and harassment in schools must be made more efficient.

Cooperation with the authorities by a victim of human trafficking must not be a precondition for granting the victim a residence permit.

All authorities dealing with victims of human trafficking, including judges and prosecutors, should urgently be offered training.

When applying the provisions concerning human trafficking the focus should be on the circumstances in which the person is procured for prostitution, not only the victim's situation in the country of departure. Whether a woman has originally consented to selling sexual services should not be of great significance.

When implementing the plan of action, it is imperative to also pay attention to the early prevention of human trafficking.

A national strategy should be established to prevent genital mutilation of girls and women and to ensure after-care.

The immediate community and parents of girls susceptible to genital mutilation must be trained and preventive work must be taken into the communities.

#### References:

Alien Act 301/2004.

*Case Closed. Rape and Human Rights in the Nordic Countries.* (2008). Danish, Swedish, Finnish and Norwegian Sections of Amnesty International.

Ellonen, Noora; Kivivuori, Janne & Kääriäinen, Juha (2007): *Lapset ja nuoret väkivallan uhreina.* Information from the Police College of Finland. Reports from the National research Institute of Legal Policy in Finland 80.

Finland's 5<sup>th</sup> and 6<sup>th</sup> periodic report to and the reading of them at the CEDAW session in July 2008: <http://www2.ohchr.org/english/bodies/cedaw/cedaws41.htm>.

GP 221/2005. Government proposition on ratifying the optional protocols to the UN convention on United Nations Convention on Transnational Organized Crime and its protocols on trafficking in persons and migrant smuggling and Chapter 20 in the Penal Code as well as Section 7 and 16 in the Public Order Act.

GP 34/2004. Government proposition on amending the Penal Code.

Honkatukia, Päivi (2009): "Naiset rikosten tekijöinä ja uhreina." In *Rikollisuustilanne 2008.* Reports from the National research Institute of Legal Policy in Finland 247:233–249.

Honkatukia, Päivi & Kainulainen, Heini (2009): "Seksuaalirikokset." In *Rikollisuustilanne 2008.* Reports from the National research Institute of Legal Policy in Finland 247:81–88.

Humppi, Sanna-Mari (2009): *Lapsen seksuaalinen hyväksikäyttö rikosilmoituksissa.* Reports from the Police College of Finland 82/2009.

Kainulainen, Heini (2004): *Raiskattu? Tutkimus raiskausten käsittelemisestä rikosprosessissa.* Reports from the National research Institute of Legal Policy in Finland 212. Statistics Finland. Oikeus 2004:16.

Kanerva, Janne (2009): *Selvitys seksikaupan kohteena olevan henkilön hyväksikäyttöä koskevan rangaistussäännöksen soveltamisesta.* OM 16/49/2009. Ministry of Justice.

Kivivuori, Janne & Savolainen, Jukka (2003): "Helsingin nuoret rikosten uhreina ja tekijöinä." Reports from the National research Institute of Legal Policy in Finland 204.

- Lappi-Seppälä, Tapio & Hinkkanen, Ville (2005). *Selvityksiä raiskausrangaistuksista ja rangaistuskäytännön yhtenäisyydestä*. Reports from the National research Institute of Legal Policy in Finland 61.
- LaVM 10/2006. Report from the Law Committee on GP 221/2005.
- LaVM 4/2004. Report from the Law Committee on GP 34/2004.
- Lehti, Martti (2009): "Naiset henkirikosten uhreina 2002–2007." Verkkokatsauksia 11/2009. The National research Institute of Legal Policy in Finland. Published online 5.3.2009.
- Lehti, Martti & Kivivuori, Janne (2005): Kuolemaan johtanut väkivalta. In *Rikollisuustilanne 2004*. National research Institute of Legal Policy in Finland.
- Lehti, Martti & Kivivuori, Janne (2009): "Kuolemaan johtanut väkivalta." In *Rikollisuustilanne 2008*. Reports of the National research Institute of Legal Policy in Finland 247:15–49.
- Niemi-Kiesiläinen, Johanna (2004): *Rikosprosessi ja parisuhdeväkivalta*. Helsinki: WSOY.
- OMTR 2009:11. *Pahoimpitelyrikos läheissuhteissa ja työpaikalla*. The Ministry of Justice työryhmämietintöjä 2009:11 (2009). Helsinki: The Ministry of Justice.
- Parliamentary reply 93/2006 to government proposition (GP) 221/2005.
- Penal Code 39/1889.
- Piispa, Minna; Heiskanen, Markku; Kääriäinen, Juha & Sirén, Reino (2006): *Naisiin kohdistunut väkivalta 2005*. Reports of National research Institute of Legal Policy in Finland 225 and HEUNI. Publication series No. 51.
- Rikollisuustilanne 2008. Rikollisuus ja seuraamusjärjestelmä tilastojen valossa*. Reports from the National research Institute of Legal Policy in Finland 247.
- Roth, Venla (2010) (forthcoming): *Defining Human Trafficking, Identifying Its Victims: A Study on the Impacts and Future Challenges of the International, European and Finnish Legal Responses to Prostitution-Related Trafficking in Human Beings*.
- Saarinen, Aino; Sverdljuk; Jana & Hägg, Kerstin (2008): *Russian Women as Immigrants in 'Norden': Finland, Norway, Sweden. Gender Perspectives in Everyday Life, Social Justice and Cultural Recognition and Citizenship and Participation*. Final report of the RWN research project (2004–2007).
- The decision by the European Court of Human Rights in the case M.C. vs Bulgaria, judgement delivered 4.12.2003.
- The decision by the European Court of Human Rights in the case Opuz vs Turkki (33401/02), judgement delivered 9.6.2009.
- Tiilikainen, Marja (ed) (2004): *Tyttöjen ja naisten ympärileikkaus Suomessa. Asiantuntijaryhmän suositukset sosiaali- ja terveydenhuollon henkilöstölle*. Helsinki: The Finnish League for Human Rights.
- Wijma, Barbro; Schei Berit; Swahnberg Katarina & ym. (2003): "Emotional, physical and sexual abuse in patients visiting gynecology clinics: a Nordic cross-sectional study." *Lancet* 2003 (361), 9375: 2107-2113.

## **E. WOMEN AND ARMED CONFLICT**

### Objectives

1. Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation
2. Reduce excessive military expenditures and control the availability of armaments
3. Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations
4. Promote women's contribution to fostering a culture of peace
5. Provide protection, assistance and training to refugee women, other displaced women in need of international protection, and internally displaced women

6. Provide assistance to the women of the colonies and non-self-governing territories
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In 2000, the *UN Security Council* adopted its first resolution on women: *Resolution 1325 on women, peace and security*. The aim of the resolution is to strengthen the position and decision-making power of women in crisis management. On the basis of this resolution, *Finland* drew up its own *National Action Plan*, which was approved in autumn 2008. The “1325 Network”, consisting of independent conflict researchers and NGOs, had been calling for a Finnish national action plan since 2006. The Action Plan was drawn up by a cross-administrative working group lead by the Ministry for Foreign Affairs, with representatives from the 1325 Network as invited members. The views they expressed in the working group were also taken into account. Representatives of the 1325 Network were also invited to join a cross-administrative follow-up group coordinated by the Ministry for Foreign Affairs.

One of the objectives of the Government Action Plan for Gender Equality 2004–2007 was to increase the involvement of women in peace processes on all levels in accordance with the Beijing Platform for Action and UN Security Council Resolution 1325 (2000).<sup>105</sup> The most recent Government Action Plan for Gender Equality (2008–2010) does not cover armed conflict and peace processes, but at least the Government's Beijing +15 report mentions that a national action plan was launched in 2008.

From the NGOs' point of view, the greatest weakness of the Finnish Action Plan is the *lack of a dedicated budget*. According to the Plan, “the national Action Plan covers the years from 2008 through 2011. During this period, the Ministries and other parties listed in the Plan shall carry out their areas of responsibility and arrange the financing required for the implementation work.” In autumn 2008, the 1325 Network contacted the permanent secretaries of the four ministries in charge; it transpired that none of these ministries had budgeted separate resources for the implementation of the 1325 Action Plan in 2009. In autumn 2009, a written question was submitted to parliament on the financing of the 1325 Action Plan for 2010. According to the reply given by the Minister for Foreign Affairs, Mr. Alexander Stubb, “the financing needs arise from the financing of the various projects and other actions related to the implementation of the Plan's objectives. These measures are financed from the different budget items of the ministries.”

In order to monitor the implementation of Resolution 1325 it is, however, essential to be able to monitor the use of resources. Such a practice would constitute a clear indicator for the implementation of the Resolution.

Another weakness is the *lack of transparency of the 1325 training offered by the Finnish Defence Forces*. As the training provided by the Defence Forces is not open to outsiders, the NGOs have no knowledge of the contents of the training. According to a representative of the Defence Forces, the training of all peacekeepers includes a one-hour package on Resolution 1325. The 1325 Network's view is that this cannot be quantitatively sufficient. It is also not known how the Defence Forces trains its trainers in gender issues. All of the above means that one of the key elements of the Action Plan, the training of military personnel assigned to peacekeeping missions remains out of reach of public examination with regard to both quantity and quality.

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<sup>105</sup> According to the Government Action Plan for Gender Equality in force at the time, “particular attention to gender considerations will be paid in connection with the training of peacekeepers.” [...] “All persons assigned to peacekeeping operations will receive training in gender equality matters and in how to consider the status of women in peacekeeping tasks.” [...] “All persons assigned to tasks aimed at supporting civilian crisis management, humanitarian assistance and peace processes, and organizations carrying out projects in conflict areas will receive gender-sensitive training.” [...] “Adherence to the rules will be monitored.”

Furthermore, the representatives of the Defence Administration in the follow-up group coordinated by the Ministry for Foreign Affairs have constantly changed. This causes communication breakdowns, and the high turnover may also be a manifestation of the Defence Administration's unwillingness to assume responsibility. In Finland, civilian crisis management is coordinated by the Crisis Management Centre attached to the Ministry of the Interior. In the basic training they provide, Resolution 1325 has been given ample room. The budget for gender training has, however, remained very limited, and the training centre still has not arranged the training of the trainers mentioned in the 1325 Action Plan.

According to the National Action Plan, "Finland shares information with other countries about *best practices* developed nationally *in the fight against trafficking in human beings and violence against women*. Finland reiterates the human rights and gender dimension of human trafficking, which means that assistance to victims must not be conditional upon the victim's consent to cooperate in any attempt to catch the perpetrators." This is an excellent entry. From the human rights perspective, however, it is problematic that in human trafficking cases in Finland, the victims are still required to both cooperate in bringing the criminals to justice and cut their ties with any criminal elements. This may be very difficult for a victim in a vulnerable position. The granting of a residence permit to the victim of human trafficking must not be conditional on the victim cooperating with the authorities. The victim may be encouraged to cooperate to bring the criminals to justice, but this must not be made a prerequisite for granting a residence permit. It is particularly important that the obligation to cooperate or the granting of a provisional residence permit not prevent or hamper assisting the victim in any way. The principle whereby criminal evidence is not required for a victim to be identified and for the support system to be used must be strictly adhered to.

It should be possible to monitor the implementation of the 1325 Action Plan. Funds, the use of which can be monitored, should be allocated for the implementation.

The transparency of the 1325 training provided by the Defence Forces should be increased and opened up so that it can be evaluated and its implementation be monitored in accordance with the 1325 Action Plan.

The Government should apply the principle of international and local cooperation established in the 1325 Action Plan also in Finland when developing a support system for the victims of human trafficking and planning anti-trafficking measures.



## F. WOMEN AND THE ECONOMY

### Objectives

1. Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources
2. Facilitate women's equal access to resources, employment, markets and trade
3. Provide business services, training and access to markets, information and technology, particularly to low-income women
4. Strengthen women's economic capacity and commercial networks
5. Eliminate occupational segregation and all forms of employment discrimination
6. Promote harmonization of work and family responsibilities for women and men

### Occupational segregation and the discrimination of women in the labour market

The first economy-related requirement in the Beijing Plan for Action calls for the governments to enact and enforce *legislation* to guarantee the rights of women and men to *equal pay for equal work or work of equal value*.

In Finland, women earn approximately 80 % of men's wages on the basis of average incomes. The pay gap for the same work is approximately 10 %. Gender differences in average incomes for regular working hours have remained virtually unchanged since the 1990s. The reasons for the pay gap have been the subject of various studies. The pay gap has been attributed to e.g., horizontal<sup>106</sup> and vertical<sup>107</sup> segregation of the labour market, family leaves taken by women, and the fact that men and women tend to be covered by different collective employment agreements. The impact of segregation on the pay gap varies between the private sector and the state and the municipalities, but on the whole, it has not diminished since the mid-1990s.

The actual gender gap is value-related since the precise difference depends on the variables chosen as basis for the wage-structure statistics. The gap cannot be explained purely by econometrics, and it is virtually impossible to take all factors into account. In any case, the pay gap is an incontestable fact and the problem is closely linked to women's generally weaker labour market situation.

Women in employment have higher qualifications than their male counterparts, but they are more likely to work under atypical employment contracts (i.e. fixed-term or part-time contracts). Moreover, the higher the qualifications, the larger the gender pay gap. Women's wages are lowest in female-dominated sectors and highest in male-dominated sectors. However, men's wages are highest in workplaces that employ both men and women.

Besides segregation, pay gaps are attributable to family leaves. In two-parent families the labour market input of the father increases after the birth of a child while the mother's input in the unpaid household sector grows stronger. In a sense, it is a vicious circle: the more children the family has, the more interruptions and breaks there are in the mother's career and the more her wage development falls behind, while at the same time, the father's input in the labour market increases

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<sup>106</sup> Horizontal segregation refers to differentiation between occupations and sectors. This differentiation can be seen already in educational choices: in 2005 almost 90 % of the graduates in the social and health care sector were women, while 83 % of the graduates in the technical fields were men. The most female-dominated sector is the social and health care sector, the most male-dominated being the building sector.

<sup>107</sup> Vertical segregation refers to men and women being represented unevenly in the professional hierarchy of a certain occupation or sector. In other words, men occupy higher posts and women lower posts.

and enhances his career and wage development. This traditional division of labour, which is based on gender roles and where the woman acts as an unpaid carer and the man does “real work”, raises the total income level of the family, but this occurs at the expense of the woman’s own income and financial independence. The situation is not problematic only during the periods when the woman stays at home: for instance, she accrues less pension, and particularly in case of a divorce, her income may remain very low for the rest of her life. Moreover, a comparison of different groups of women reveals that children have a negative impact on the wage development of women, i.e. the wage situation of mothers is weaker than that of childless women.<sup>108</sup>

The Finnish Government has condemned gender-based wage differentials and sought to abolish them in already three gender equality action plans – with limited success. For the current government term, the government and the central labour market organizations have agreed on an *Equal Pay Programme*. The aim is to narrow the average gender-based pay gap to 15 per cent by 2015. At the current pace, this aim will not be reached. It is, however, positive that the programme has set quantitative goals, such as that one in five wage-earners should work in occupations where men and women are represented equally (40–59 % of either gender) by 2012 and that half of all managerial positions should be filled by women by 2020. Unfortunately, the website of the Equal Pay Programme, the follow-up report on the Action Plan for Gender Equality (2009), or the Government’s Beijing +15 report do not include information on the means to reach these goals or an update on the current situation. Furthermore, as the Equal Pay Programme has been granted financing for four years in line with the government term, there is a risk that any unfinished projects are discontinued and unmet goals forgotten due to lack of funds after the next parliamentary elections.

The latest attempt to tackle pay differentials by legislative means was the 2005 revision of the Act on Equality between Women and Men (the Gender Equality Act) with its stricter provisions on the employers’ obligation to draw up a *gender equality plan*, including a *gender-specific pay survey*. The aims of the amendment included the strengthening of gender equality planning, increasing the effectiveness of planning, and promoting equal pay. Unfortunately, however, the resources and competences of the Ombudsman for Equality were not reviewed in connection with the amendment, and the broad and systematic enforcement of the planning obligation, covering entire economic sectors, has failed. On the other hand, the Ombudsman has commissioned two studies<sup>109</sup> on the enforcement of the planning obligation. They have revealed considerable shortcomings in gender equality planning. Firstly, nowhere near all employers covered by the obligation have prepared any plans. Secondly, some of the plans were very inadequate, and thirdly, particularly the obligation to prepare pay surveys had not been complied with. Moreover, one of these studies only dealt with the public sector, and it is likely that non-compliance is even more common in the private sector.

One of the weaknesses of the Gender Equality Act is the lack of sanctions. This means that employers who fail to draw up equality plans suffer hardly any consequences. If the Ombudsman for Equality finds that an employer has not drawn up a plan despite instructions and advice, it can request that the plan be drawn up within a reasonable period of time. If this does not produce results, the Ombudsman can urge the Equality Board to request the employer to prepare the plan within a prescribed time. The Board may enforce its order by the conditional imposition of a fine. So far, this has never been done.

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<sup>108</sup> Johansson, Kellokumpu & Napari 2008. This private sector survey looked at the differences in many of the characteristics of the individual and the company that have a bearing on the wage level. The model compared the wage of future mothers to those of childless women before birth and one, two and three years after returning to work. The wage difference grew in relation to the length of the absence from work and the level of the income category.

<sup>109</sup> Melkas & Lehto 2005, Ahponen & Paasikoski 2003.

According to the Beijing Platform for Action, in addition to enacting legislation on equal pay, governments should adopt and implement *laws against discrimination based on sex* in the labour market, hiring and promotion, the extension of employment benefits and social security provision, and working conditions. It is worth noting that it is not enough just to enact laws; the governments must ensure that the laws function in practice. In Finland, gender used to be one of the discrimination grounds prohibited in the discrimination provision of the Employment Contracts Act, but the explicit reference to gender was eliminated in connection with the adoption of the Gender Equality Act. The situation is currently problematic, however, since the Ombudsman for Equality is responsible for the enforcement of the discrimination prohibitions under the Gender Equality Act, but the openness of the discrimination provision makes the Employment Contracts Act still applicable in work discrimination cases. In a judicial context, a woman who has been the victim of gender discrimination, or her agent, will not necessarily even invoke the Gender Equality Act, and the court may not mention the GEA in its decision. It is therefore difficult to get a comprehensive picture of gender discrimination and the efficiency of legal remedies.

Contacts with the Ombudsman for Equality increased in the early 2000s and have since stabilised. The most common reason for contacting the Ombudsman is suspected labour discrimination against a woman (particularly in hiring, wages, and the termination of service). During the years 2006 and 2008 the Ombudsman's helpline received approximately 600 calls. In 2008, a total of 496 written requests were filed, of which 320 related to the GEA and 120 did not lie within the competence of the Ombudsman for Equality. Nothing indicates that the Gender Equality Act has reduced discrimination against women to any considerable degree in Finland.<sup>110</sup> The problem cannot, however, be attributed so much to bad legislation as to an unwillingness to observe it and the lack of sanctions when it is not observed.

If a woman belongs to a minority, such as immigrants, lesbians, or the disabled, she may be discriminated against on that ground as well in the labour market in hiring, wages, promotion, training, access to information, and the attitudes of colleagues and superiors.

Those who belong to a sexual or gender minority often hide their sexual orientation or identity at the workplace and fail to defend their rights if the general attitude of the workplace is negative. The attitude towards granting family leaves for those in registered partnerships may also be negative, and being victimised or fearing discrimination, or experiencing unfair treatment may cause exhaustion and for instance sick leaves. A stereotypical and limited view of gender may lead to the harassment, bullying, and discrimination of persons with atypical gender expressions or unconventional life choices.

### **Uneven distribution of family responsibilities**

The Beijing Platform for Action unequivocally obliges governments to tackle the division of labour within the family. It does not differentiate between women and men and does not reduce duties into a question of childcare and the provision of public family services. It calls for governments to enact legislation that ensures an equal distribution of work and to change education policies to this effect.

This report earlier discussed how the gendered division of work within the family – the woman as a caregiver and the man as a provider – reinforces the gendered division of responsibilities in society,

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<sup>110</sup> On the difficulty of identifying and tackling discrimination in Finland, see also Chapter III “Finland’s most notable deficiencies”, section 1.

both in its economic structures and in people's behaviour patterns.<sup>111</sup> Gender equality will not be reached, however, without a redistribution of caring responsibilities: caregiving should be revalued and distributed equally between men and women.

Among the government's duties in arranging caregiving are maternity, paternity, and parental leaves.<sup>112</sup> In Finland, the development of parental leave was on hold from the 1980s until the early 2000s, and fathers still do not have their own specific non-transferable parental leave. In Finland's key reference group, the Nordic Countries, Iceland, Sweden, and Norway have specific paternity leaves, and in these countries men are most likely to stay at home alone with their children. Icelandic men take the longest parental leaves; in fact, Iceland applies a 3+3+3 model. In this model, the maternity and the paternity allowance periods each last three months, in addition to which the parents can decide between themselves how they divide the third three-month period. In Sweden, on the other hand, the flexibility of parental leave has been increased and the leave has been refined in order to promote fathers' rights and not because women need to get away from home. In any case, it has been established that a more equal distribution of parental leave is directly linked to specific paternity months. In Finland, a 6+6+6 model has been cautiously mentioned, and it would, in fact, constitute a good starting point for reforming the parental leave system. It would make children older at the end of the parental leave if the parents take all their leaves in succession.<sup>113</sup> For the employers, this would mean that the use of family leaves by the employees is more predictable as it would be likely for the parents to divide the leave fairly evenly between themselves.

On the other hand, with regard to the reconciliation of work and family life, it is necessary to determine what is meant by the term 'family' and whom the reconciliation applies to. In the gender equality debate it is mostly assumed, when the problems involved in the reconciliation of family life and work are discussed, that in a family the responsibility for childcare is always shared by a couple, a man and a woman living together. For instance, if paternity leave is tied to the male sex, in a female same-sex family the mother who has not given birth cannot benefit from paternal leave and thus cannot stay at home to help her spouse and share the responsibility for caring for the baby after birth. Therefore, increasing male-specific leaves does not benefit these families and is particularly challenging for female same-sex families where the discharged birth-mother is indisposed because of a Caesarean section or birth complications. The traditional safety nets – communities consisting of children, parents, and other relatives – of people belonging to sexual or gender minorities also tend to be weaker in general.<sup>114</sup> In these sub-cultures, however, networks of friends have traditionally been formed that function as so-called 'chosen families'. It should be considered to what extent family leaves could be extended to non-biological family members in the future.

A question that is intrinsically linked to parental leaves is the *cost of family leaves*. It is not so much the earnings-related maternity, paternity or parental allowances that give rise to costs for the

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<sup>111</sup> See Chapter III, Section 4, "The redistribution of care".

<sup>112</sup> Parental leave usually refers to maternity, paternity and parental leave (which are statutory and earnings-related). 'Family leaves' as a general term refers, in addition to the statutory benefit periods, to *child-care leave*, which is based on a different system, longer and not earnings-related.

<sup>113</sup> In Finland, the average age of a child at the end of the parental leave is 9.5 months, and Finnish fathers use one per cent of the combined maternity and parental allowance days and the so-called 'bonus days' (excluding paternal allowance days). Cf. e.g., Sweden where a child may be 16 months old at the end of the parental leave.

<sup>114</sup> People belonging to sexual minorities tend to have fewer children than the rest of the population, and those belonging to gender minorities often have tense family relationships that may even be broken. The average possibility of being cared for by family members is therefore lower within these groups.

employer but finding a replacement for the employee going on leave, training this replacement, and retraining the returning employee. As long as these costs only burden female-dominated (public) sectors, gender equality cannot be achieved.

The Beijing Platform for Action also recalls that in addition to children, particular attention should be paid to the elderly in the distribution of family responsibilities. Elder care, i.e. the care of one's own elderly parents, is a particularly pertinent question in today's ageing Finland. It is essential that the organization of care in the future, including municipal long-term medical care, home care, sheltered accommodation, and the informal care system, be considered from the gender perspective and with gender equality in mind.

The Government should develop economic, employment, and education policies as well as laws to dismantle structures maintaining the gendered division of work in society.

The Government should contribute to the restructuring of caregiving and the even distribution of care responsibilities between men and women in working life and within families.

In particular, the Government should change elder care to promote gender equality and the wellbeing of the elderly.

The Government should ensure that the Ombudsman for Equality is able to enforce the drawing up of gender equality plans and pay surveys comprehensively.

The Gender Equality Act should be revised to add the possibility of sanctions in cases of non-compliance.

The Government should reform the parental leave system in line with the 6+6+6 model.

The costs associated with parental leaves should be divided equally between employers, with co-financing by the state.

#### References:

- Ahponen, Sanna & Paasikoski, Anne (2003): *Suunnitelmista tekoihin. Tasa-arvovaltuutetun selvitys tasa-arvosuunnittelusta työpaikoilla*. The Office of the Ombudsman for Equality, Gender Equality Publications 2003:1. Helsinki: The Ministry for Social Affairs and Health.
- Eloranta, Mia (toim.) (2008): *The Ministry for Social Affairs and Healthn perhevapaakampanja 2007-2008. Loppuraportti*. Reports of the Ministry of Social Affairs and Health 2008:22. Helsinki: The Ministry for Social Affairs and Health.
- Haataja, Anita (2006): *Pohjoismainen ansaitsija-hoivaajamalli – Ruotsin ja Suomen perhevapaajärjestelmän vertailu*. Reports of the Ministry of Social Affairs and Health 2006:43. Helsinki: The Ministry for Social Affairs and Health.
- Haataja, Anita (2009): "Fathers' use of paternity and parental leave in the Nordic countries." Online working papers 2/2009. Helsinki: The Social Insurance Institution of Finland (Kela)
- Johansson, Edvard; Kellokumpu, Jenni & Napari Sami (2008): "Säätelyllä tasa-arvoon?" *Suhdanne* 2008:1.

- Melkas, Tuula & Lehto, Anna-Maija (2005): *Tasa-arvosuunnittelu julkisella sektorilla. Selvitys suunnitteluvelvoitteen toteutumisesta*. The Office of the Ombudsman for Equality, Gender Equality Publications 2005:3. Helsinki: The Ministry for Social Affairs and Health.
- Segregaatio ja sukupuolten väliset palkkaerot -hankkeen loppuraportti*. (2008). Reports of the Ministry of Social Affairs and Health 2008:26. Helsinki: The Ministry for Social Affairs and Health.
- Uosukainen Katja; Autio Hanna-Leena, & Leinonen Minna (2008): *Tasa-arvosuunnitelmat ja palkkakartoitukset Suomessa 2008*. Reports of the Ministry of Social Affairs and Health 2009:11. Helsinki: The Ministry for Social Affairs and Health.
- Vaaka vaaterissa? Sukupuolten tasa-arvo Suomessa 2006*. (2007). Sukupuolten tasa-arvo 2007. Helsinki: Statistics Finland.
- Website on equal pay, gender equality and the new salary systems by the SATU project: <http://www.labour.fi/satu/>.

## **G. WOMEN IN POWER AND DECISION-MAKING**

### Objectives

1. Take measures to ensure women's equal access to and full participation in power structures and decision-making
2. Increase women's capacity to participate in decision-making and leadership

In Finland, the prevailing situation of gender equality in power and decision-making is at least dual. The proportion of women among EU representatives, MPs, ministers in the Government and municipal councillors is already on average 40 per cent, but, at the same time, the proportion of women in leading positions in the business world is only 10–20 per cent. The level is alarmingly low, considering the high level of education of Finnish women. Also, in labour market organizations there are not many women in leading positions and the corporative decision-making in Finnish society is very masculine.

The proportion of women in political decision-making has been increasing already since the beginning of the 1990s, due both to weighted measures in the nomination of candidates of the parties as well as to a general increase in gender equality awareness. However, the situation still needs to improve. For instance, the committee system of Parliament plays a significant role in parliamentary decision-making. In their work, the committees hear experts, and, in a recent study, only a third of these experts were women. In addition, expertise was strongly gendered so that the proportion of men and women experts varied on one hand according to the committee's subject and members and, on the other, according to the expert's supporting community, reiterating traditional assumptions about gender roles.<sup>115</sup> In the future, it would be important to clarify how women's participation, especially concerning full members, is taken account of in all projects and preparations of matters of the Government (committees, commissions, working groups, advisory boards).

A major shortcoming of the central government is the proportion of women in actual managerial positions, political positions as well as civil servants. The proportion of women on the highest level of management is less than 30 per cent. An interesting governmental employer is the Finnish Defence Forces, where it would have been reasonable to assume that the proportion of women in the staff would grow due to, among other reasons, women's voluntary military service. The proportion of women in the personnel has, however, decreased by more than 10 per cent since 2000.

<sup>115</sup> Holli & Saari 2008.

Meanwhile, in municipal decision-making the proportion of women among the chairpersons of councils, boards, and committees is still less than 30 per cent. Although the quota regulation of the Gender Equality Act has corrected the uneven gender distribution among regular members, gender equality does not reach the highest decision-making. One solution could be renewing the whole decision-making system and extending it downwards in an even more delegated manner. Attention should also be paid to genders being equally represented horizontally in all decision-making sectors, and not, for instance, that women are in power in social and educational matters and men in economics and business.

The making of gender equality plans for all of the personnel in accordance with the Gender Equality Act is still inadequate in the governmental and municipal administration. The Ombudsman for Equality does not have enough resources to extensively supervise the execution of the planning obligation.

One example of the gendered use of power in Finland is the decision-making of the labour market organizations. There are almost no women in leading positions in unions or employers' organizations, not to mention the labour market's central confederations. However, very important decisions are made in the Finnish tripartite system, such as changes relating to the social security system and pension scheme, which affect people's daily lives.

The lowest numbers of women at the top of power are in corporate leading positions, as members of boards and as managing directors. Although the problem is global, the matter is somewhat special in the Finnish – relatively favourable – atmosphere towards gender equality. Finnish women are better educated than men and corporations with female executives succeed, on average, better than those with male executives – yet, women are missing from decision-making. Norway was the first of the Nordic countries to impose a gender quota for corporate boards. The thought of quotas has also been introduced in Finland. These quotas would relate to companies owned by the state and to companies listed in the stock exchange. The opposition against quotas has, however, been extensive, especially from the corporate side.

In companies owned at least partly by the state, the proportion of women on the company board depends largely on whether the company is completely state-owned, the state has a majority of the shares, or the state has a minority share. A 40–60 per cent quota such as in the one in the Gender Equality Act has not been applied, but in practice the companies where the state is a majority shareholder have, with a few exceptions, very close to at least a 40 % proportion of women.

At the end of 2008, the Finnish Securities Market Association took a significant step in getting women into leading positions voluntarily.<sup>116</sup> The Securities Market Association participates in drafting self-regulation norms concerning public limited companies and interprets these when required. The task of the association is to draft recommendations, the aim of which are to guide and advance good security market practices, as well as to improve and maintain these recommendations. In October 2008, the board of the association approved Finland's *Corporate Governance Code*. According to recommendation 9, on the number, composition, and the competency of board members, a board must have members of both genders. The recommendation states that "a diverse board composition also entails that both genders are represented in the board. The composition of the boards of many smaller companies does not match up to the recommendation in this respect,

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<sup>116</sup> The Securities Market Association is a cooperation organ established in December 2006 by the Confederation of Finnish Industries EK, NASDAQ OMX Helsinki Ltd (the Exchange) and the Central Chamber of Commerce of Finland.

and, for their parts, this is a longer-term goal”. Regarding the coming into force of the governance code, the requirement in recommendation 9 on the representation of both genders must be complied with starting from the next regular General Assembly held after 1 January 2010. It is highly desirable that publicly traded companies comply with the recommendation and that non-public companies follow the example, as well.

#### References:

- Corporate Governance Code. The Finnish Securities Market Association. 20.10.2008. Online: [http://www.cgfinland.fi/images/stories/pdf/cg\\_suomen%20listayhti%F6iden%20hallinnoin%20tikoodi\\_2008.pdf](http://www.cgfinland.fi/images/stories/pdf/cg_suomen%20listayhti%F6iden%20hallinnoin%20tikoodi_2008.pdf).
- Hart, Linda; Holli, Anne & Kovalainen, Anne: (2009 online): ”Gender and Power in Politics and Business in Finland.” In *Kön och makt i Norden*. Final report. TemaNord Series, Nordic Ministerial Council.
- Holli, Anne Maria & Saari, Milja (2008): *Sukupuoli eduskunnan asiantuntijakuulemisissa*. TANE Publications (2009) 11. Helsinki: The Council for Gender Equality.
- Kortelainen, Anna (2007): *Varhaiset johtotähdet. Suomen ensimmäisiä johtajanaisia*. EVA Report. Helsinki: Taloustieto Oy.
- Pohls, Maritta (2009): ”Monikertaista näkymättömyyttä: valtionhallinnon virkanaiset tutkimuksessa.” The seminari ”Mitä virkaa? Naisia valtionhallinnossa”. 3.10.2009. Helsinki: The University of Helsinki.
- Salo, Irmeli & Blåfield, Ville (2007): *Naiset huipulle! Johtaja sukupuolesta riippumatta*. EVA Report. Helsinki: Taloustieto Oy.
- Vallan tasa-arvoa. Naiset ja miehet päätöksenteossa*. (2009). Sukupuolten tasa-arvo 2009. Helsinki: Statistics Finland.

## **I. WOMEN AND HUMAN RIGHTS**

### Objectives

1. Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women
2. Ensure equality and non-discrimination under the law and in practice
3. Achieve legal literacy

In addition to the Beijing Platform for Action containing a specific section on human rights, all other strategic areas in the BPFA also have a human rights dimension. The human rights dimension is especially important in the BPFA areas on education, health, poverty, violence, and social decision-making.

The starting point for human rights is that the rights are universal, indivisible, and inalienable. On an international level especially the UN has paid attention to the fact that the realization of rights when it comes to women and girls is often very inadequate. Therefore, the UN has deemed norms relating only to women as necessary. The most important international human rights treaty on women’s rights is the *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*. The Beijing Platform for Action and CEDAW together define women’s minimum position and level of rights in the countries that have ratified the documents. Negotiated and accepted within the UN, they overlap and complement each other. CEDAW celebrated its 30<sup>th</sup> anniversary in 2009.



Finland became a State Party of CEDAW already in 1980, but the ratification and actual implementation of CEDAW did not take place until after the *Gender Equality Act* was passed in 1986. In the 1980s, women's organizations in Finland successfully lobbied for the national Gender Equality Act and they considered the enactment of the act necessary for CEDAW to be ratified. The creation of the GEA was an agonizing and slow process, and the final act was not nearly as extensive as CEDAW. One also has to remember that, as opposed to CEDAW, the Gender Equality Act has a gender-neutral language and does not specifically mention women as a discriminated group, with the exception of discrimination on the grounds of pregnancy. Also, the GEA does not cover all fields of life, but focuses first and foremost, even after numerous reforms, on discrimination in working life. In other words, it is an illusion that Finland would have fully implemented CEDAW in the 1980s in its legal system by enacting the Gender Equality Act.

Awareness of the contents and significance of the agreement in Finland is low both among jurists and in general; national legislation as a whole – not even anti-discrimination norms – are not reflected through CEDAW, and courts do not refer to CEDAW in their judgments in discrimination cases. Also, not much information is disseminated about the regular reporting or the recommendations of the CEDAW Committee concerning the agreement.

The CEDAW Committee monitors how the UN Convention on the Elimination of All Forms of Discrimination against Women is implemented by the State Parties. Although the text of the convention itself has not been changed, the agreement lives and adapts to social changes through the interpretations made and general recommendations issued by the CEDAW Committee. By December 2009, the committee had issued altogether 26 recommendations on different themes. The most recent draft of the general recommendation, issued in the committee's session in the summer of 2009, relates to elderly women.

*Violence against women, trafficking in women, and prostitution* are serious violations against women's human rights, which the government has the main responsibility for managing and preventing. Besides the UN, this view is supported also by the newest case law of the European Court of Human Rights (ECfHR).<sup>117</sup> In the summer 2009, the ECfHR applied an article from the European Convention on Human Rights (ECHR) on gender discrimination in a case dealing with intimate partner violence, and took, for instance, CEDAW into account when passing the judgment. In fact, the CEDAW Committee has stated in, for instance, the General Recommendation No. 19 from 1992 that violence against women is discrimination in accordance to article 1 in the convention.

On Finland's part, the CEDAW Committee has repeatedly noted the extent of violence against women and advised the Finnish Government to take stronger action to prevent violence against women. For example, the committee considered violence against women such an acute problem for Finland during its session in the summer of 2008, that the committee required Finland to submit information on the implementation of the recommendations concerning violence against women – as the only one of all the forms of discrimination against women – already before the next periodic report is to be discussed. It is a positive sign that in the Government Report on the Human Rights Policy of Finland submitted to Parliament in the fall of 2009, violence against women was finally

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<sup>117</sup> See the ruling of the European Court of Human Rights (ECfHR) in the matter *Opuz vs. Turkey* (33401/02), judgement delivered 9th June 2009. The applicant in the matter was a woman who was a victim of domestic violence, and, in the decision, the ECfHR viewed that Turkey would have had the obligation to protect a person who was in an especially vulnerable position. See also the section "Violence against Women" in chapter III of this report and section D in chapter IV.

highlighted as a human rights problem. Human rights organizations and women's organizations have long argued that gender equality cannot be achieved if violence against women is not identified and prevented as a human rights violation. Work against violence cannot be left to civil society only.

The Beijing Platform for Action emphasizes the prevention of *multiple discrimination*. In multiple discrimination people are treated inappropriately and they are placed in a less favourable position on the basis of several personal characteristics, often specifically gender, but also e.g., age, disability, ethnic origin, or sexual orientation, gender identity, or gender expression. There is not enough information on the status and specific problems of many women's subgroups in different fields of life. For instance, there is not enough research data on the status of disabled women and women who belong to sexual and gender minorities. The government should ensure the societal participation of these groups. More societal resources are also needed to secure the rights of immigrant women. Also, generally, the national gender equality policies, attitudes, practices in working life, and actions of authorities need to be developed to more efficiently prevent multiple discrimination. It is not enough that the term "multiple discrimination" is mentioned increasingly often in administrative documents and action plans. Now, first and foremost, the need for legal protection of victims of multiple discrimination, and what low-threshold services can be offered to them, must be surveyed.

All women do not have equal rights to start a family. Same-sex couples who have registered their partnership do not have the same opportunities to adopt children as married couples do. They cannot adopt a child together. The recently adopted Act on Assisted Fertility Treatments clarified mutual equality of women in a positive manner, as it confirmed the possibility of independent women and women couples to receive fertility treatments also in the future.

According to the Beijing Platform for Action, governments must consider drafting *national action plans* that define the actions for promoting and securing human rights – also the human rights of women – in accordance with the recommendations of the human rights conference in Vienna. In addition, the BPFA demands that governments strengthen and support the development of programmes that secure *women's rights in the national human rights institutions* that implement the programmes, including different human rights commissions and ombudsmen. These must be granted an appropriate position, sufficient funds as well as an administrative connection to the government, to ensure support of individual people and especially women.

To take the status of women into account in national action plans for human rights and in the operation of human rights institutions is a truly timely topic in Finland, since in the autumn of 2009 the Council of State decided to found a new human rights institution in connection with the Parliamentary Ombudsman. The Ministry of Justice has set up a working group to deliberate the change. The institution will presumably also affect the work of the special ombudsmen, including the Ombudsman for Equality that supervises the compliance with the bans of the Gender Equality Act and gender-based discrimination. Some of the pressure for change comes from the European Union, as the trend for development in the EU is a more diverse anti-discrimination legislation and more extensive bans on also other grounds of discrimination than gender-based. The EU sets a positive example in, for instance, speaking for the rights of sexual and gender minorities. Some of the EU Member States have even harmonized or merged different regulations on discrimination and the authorities in charge of monitoring the legislation. In 2008, before the most recent Report on the Human Rights Policy of Finland and the decision to found a new human rights institution, Finland considered combining both the Gender Equality Act and the Non-Discrimination Act as well as the Ombudsman for Minorities and the Ombudsman for Equality, that supervise the laws. It seems clear

that the attention gained especially by multiple discrimination will maintain pressures to standardize the regulation of different discrimination grounds and law enforcement also in Finland. In accordance with the Beijing Platform for Action, Finland has to take note also of women's human rights questions in connection with the new institution.

The BPFA also underlines that *gender-sensitive human rights education* for authorities should be organized. Such authorities include, among others, the judiciary, the police, personnel in the social welfare and health care sector, and teachers. These target groups have not yet received an extensive human rights education that takes gender differences into consideration.

In Finland, *municipalities* have extensive self-government, which in practice means that along with the Government, also municipalities are bound by those international human rights treaties that Finland has signed when providing statutory services and in their other operations. In order to focus on human rights, new tools have been developed and the municipalities have committed to them. These include, for instance, *the European Charter for Equality of Women and Men in Local Life*. In Finland, the charter has been signed by e.g., the Association of Finnish Local and Regional Authorities, the Uusimaa Region, Turku, Kuopio, Vantaa, Helsinki, Vaasa, Kaarina, Espoo, Lahti, Salo, and Oulu. Additionally, the prevention of intimate partner violence against women has to be a part of the municipalities' action plans and safety planning against intimate partner and domestic violence.

The Government must actively disseminate information on the Convention on the Elimination of All Forms of Discrimination against Women.

The Government has to both expand and amend the gender equality legislation as well as revise other legislation in accordance with the general recommendations of CEDAW and the CEDAW Committee.

The Government has to acknowledge violence against women as a human rights violation.

In the agreement drafted by the Council of Europe against intimate partner violence and violence against women, explicit entries need to be included on the violence against women who are especially vulnerable to violence, such as lesbians, bisexual women, and transwomen, as well as on intimate partner violence between women.

The manifestations of multiple discrimination and the need for legal protection of the victims of discrimination have to be mapped. Authorities need to develop practices to prevent this kind of discrimination.

In its foreign and EU policy, Finland must more forcefully underline the human rights of minorities and particularly of women and girls who are especially at risk of discrimination. Finland must also underline the importance of the realization of their human rights as well as the importance of taking measures against the violations of their human rights.

Women and their human rights, as well as the specific problems of different subgroups, have to be taken into consideration both in the foundation and in the operation of a national human rights institute.

The Government has to assume the main responsibility for organizing extensive and gender-sensitive human rights trainings both in schools and for authorities.

The State has to support municipalities in respecting human rights in their own operations and in fully implementing the recommendations.

References:

Aaltonen, Milla; Joronen, Mikko & Villa, Susan (2009): *Syrjintä Suomessa 2008*. Helsinki: The Finnish League for Human Rights.

CEDAW, The Convention on the Elimination of All Forms of Discrimination against Women 67/1986.

General recommendations of the CEDAW Committee:

<http://www2.ohchr.org/english/bodies/cedaw/comments.htm>.

CEDAW website (maintained by the Office of the High Commissioner for Human Rights, OHCHR): <http://www2.ohchr.org/english/bodies/cedaw/index.htm>.

CEDAW 30<sup>th</sup> anniversary website: <http://www.unifem.org/cedaw30/>.

European Court of Human Rights judgement in the case Opuz vs Turkey (33401/02), judgement delivered 9.6.2009.

Schöpp-Schilling, Hanna Beate & Flinterman, Cees (2007): *The Circle of Empowerment. Twenty-five Years of the UN Committee on the Elimination of Discrimination Against Women*. New York: The Feminist Press.

Finland's 5<sup>th</sup> and 6<sup>th</sup> periodic reports and the reading of them during the CEDAW Committee's session in July 2008: <http://www2.ohchr.org/english/bodies/cedaw/cedaws41.htm>.

*The need and options for the reform of the equality and non-discrimination legislation. Interim report of the Equality Committee*. Ministry of Justice, Finland, Committee reports 2008:1. The Ministry of Justice, Helsinki, 2008.

Gender Equality Act (Act on Equality between Women and Men) 609/1986.

*Tasa-arvolaki 20 vuotta*. (2006). Helsinki: The office of the Ombudsman for Equality, The Ministry for Social Affairs and Health.

*Tasa-arvolaki 2005*. (2009). Helsinki: The Gender Equality Unit and the Ombudsman for Equality, The Ministry for Social Affairs and Health.

Website of the Ombudsman for Equality: <http://www.tasa-arvo.fi>.

*Tunnista, turvaa, toimi* (2008). Helsinki: The Ministry for Social Affairs and Health.

*The Government Report to Parliament on the Human Rights Policy of Finland 2009*. Publications of the Ministry for Foreign Affairs 7/2009. Helsinki: The Ministry for Foreign Affairs, 2009.

## J. WOMEN AND THE MEDIA

### Objectives

1. Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication
2. Promote a balanced and non-stereotyped portrayal of women in the media

In the Beijing Platform for Action, the role of the media and women is twofold. On one hand, in the journalistic profession, *women* are seen as potential *actors* and developers in the media. On the other hand, the BPFA deems that the *portrayal of women* is still based on stereotypical gender roles.

Finnish media is still, for the most part, managed by men. It is still a challenge for women to ascend to editors in chief other than for women's magazines. The salaries of women journalists are also lower than those of men. According to labour market research carried out by the Union of Journalists in Finland in 2007, the average gross earnings of women journalists was €3,045 and men journalists €3,279. This difference of about eight per cent was found in all age, education, and function groups. Therefore, where a male journalist earned one euro, a female journalist earned only 93 cents for the same work.

The portrayal of women in the media in the year 2010 is astonishingly traditional. According to follow-up research on news, men portrayed in the media discuss politics and the economy, whereas women talk nonsense about human relationships and the home. The images in the more entertaining media have become objectify woman more forcefully and as more undressed than before. From commercials, the pornification of the image world has sneaked into actual media as well. In TV commercials, the make-up ads of women's magazines, and music videos of the "consciousness industry", the prevailing image of women remains the half-naked model with a body like a Barbie doll, whose main task is to lure and entertain active men. As a subject, porn is awarded publicity in the media, and porn stars are considered celebrities. The pornification can also be seen in phenomena relating to the free time of young people, for instance, in computer games where the role of the women is often that of a half-naked siren. Upholding this kind of an image of women is completely contradictory to the image of Finnish women as well-educated, working, politically responsible and caring about those close to them, efficient multitaskers. The anxiety of young girls about their own future manifests as eating disorders. The creation of the contents and functions in the fast changing and developing media world is largely in the hands of traditional men. The goal should be to quickly increase girls' interest in information technology and the number of women in different modern communications companies.

The Women Journalists in Finland administer an *education programme*, which helps people to learn *better journalism*. The programme also offers media literacy training to anyone interested. The international training methods "Screening Gender" and "Portraying Politics and Diversity Toolkit" constitute the basis for the training programme. The public service broadcasting companies of Europe, the European Federation of Journalists (EFJ), the European Journalism Centre (EJC) and the European Broadcasting Union (EBU) have all been involved in developing these training methods. They have been supported by, among others, the European Commission and the European Social Fund. The training methods include examples of television programmes from different countries, but they can also be applied to other media. The examples show how people are portrayed in the media – and how one can learn to make journalism more diverse.

The basic training of journalists in Finland does not yet include gender perspectives on media, despite the efforts by the Women Journalists of Finland. The media literacy skills included in

teacher education should also, as soon as possible, be improved to match the current society and technology. At the moment, it is unfortunately often children that teach their teachers about the use and intricacies of information and communication technologies.

Make the salary differences of women and men journalists visible and, by ways of systematic work, erase them altogether.

Include gender perspectives in the basic training of journalists.

Include media literacy skills in the basic training of teachers.

Make the diversity of girls and women visible in everyday news.

More women in leadership positions of companies in the information and communication technology sector.

## **K. WOMEN AND THE ENVIRONMENT**

### Objectives

1. Involve women actively in environmental decision-making at all levels
2. Integrate gender concerns and perspectives in policies and programmes for sustainable development
3. Strengthen or establish mechanisms at the national, regional and international levels to assess the impact of development and environmental policies on women

### **Gender equality a prerequisite for sustainable development**

The Beijing Declaration and Platform for Action (BPFA) reminds us that women have an important role in developing ecologically sustainable and sensible approaches to consumption and production to better manage natural resources. On a general level, the BPFA deals with the theme of women and the environment from three different points of view. Firstly, from the perspective of action and participation, women must be included in environmental *policy making*. The participation of women is important on all levels and in all sectors, from the management and protection of natural resources to the developed environment and community planning. Secondly, *as consumers*, women and men behave differently and milieux and consumer habits can be divided into feminine and masculine according to gender roles, where the feminine on average has a smaller environmental impact.<sup>118</sup> In other words, gender as well as partly negative gender-stereotypical patterns of behaviour of both women and men must be taken into account when attempting to make people's lifestyles more ecological. Thirdly, the Beijing Declaration and Platform for Action reminds us that both human actions and natural disasters impact differently on women and men. For instance, climate change has the greatest negative impact on poor women in developing countries, yet those most powerful in preventing climate change are rich men in developed countries.

On an international level, in particular within the UN, environmental issues, sustainable development<sup>119</sup>, and improvement the status of women have advanced partly synchronously. The

<sup>118</sup> For instance vegetarianism, recycling, animal protection, and the use of public transport are seen as activities that women typically engaged in, whereas meat consumption and private car use are more common among men.

<sup>119</sup> The UN defines sustainable development as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. This concept was devised by an independent commission

1990s was a significant decade for both women and the environment. During that decade, a major UN world conference was organized with respect to each: in 1992, the United Nations Conference on Environment and Development (UNCED, the “Earth Summit”) in Rio de Janeiro, and in 1995, the Fourth World Conference on Women, in Beijing. Each conference reached a consensus on the connection between the status of women and sustainable development, and the equal participation of women was seen as a prerequisite for sustainable development. The resolutions passed in Rio consider improving the status of women and women’s rights an important factor in trying to share the world’s resources more equitably and in a better management of economic development. The Beijing Declaration and Platform for Action referred to Rio particularly with regard to health, human rights, and the environment.

In the 1980s, people globally started to consider their environment and ways of life in a new way. People began to see the connection between runaway economic development, escalating population growth, and poverty, as well as recognised the negative impact on the environment of these phenomena. People wanted to change how things developed. The 1992 Earth Summit in Rio reached a solid consensus on the link between the state of the environment and the economic and lack of social wellbeing. Two documents were signed in Rio: the UN Framework Convention on Climate Change (UNFCCC, or “*The Climate Convention*”) and the Convention on Biological Diversity (CBD, or “*The Biodiversity Convention*”). The political *Rio Declaration* defines the principles of sustainable development. The introduction of the declaration stated the objective of establishing a new and equal global partnership between States, different sectors of society, and individuals. The so-called *Agenda 21* is a comprehensive plan of action approved at the conference and defines how the principles of the Rio Declaration should be implemented in practice. Later, in 1997, the Climate Convention was complemented by the legally binding *Kyoto Protocol*, which set targets for the quantitative emission reductions for industrialized countries. The protocol entered into force in 2005 and is effective until 2012.

To monitor the implementation of the global plan of action agreed at the Rio Earth Summit, a World Summit on Sustainable Development was organised in Johannesburg ten years later, in 2002. At the concluding plenary a political declaration and action plan were adopted. *The Johannesburg Plan of Implementation* deals comprehensively with poverty, the management and use of natural resources, globalisation, and women’s role in sustainable development. The plan gives particular support to women’s right to own and inherit land, which is a key gender equality issue in many developing countries. A target was set to eliminate the gender imbalance in basic education by the year 2005, which would have supported girls’ educational opportunities. After lengthy negotiations, women’s human rights were added to the plan in connection with reproductive health and alongside cultural aspects. At the time of writing of this report, the latest international conference, the United Nations Climate Change Conference (COP15) takes place in Copenhagen.

## **Finland has forgotten the connection between environmental issues and gender equality**

Also in Finland, gender equality and environmental issues have advanced partly at the same pace. The Ministry of the Environment was established in the 1980s and the Council of State stipulated that the responsibility for gender equality issues would be the responsibility of one minister in

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convened by the General Assembly of the United Nations in 1983, entitled the World Commission on Environment and Development (WCED, also known as the Brundtland Commission). The commission submitted its report entitled *Our Common Future* in 1987. The decision to hold the first international environmental conference was made by the General Assembly the following year, and at this conference, the Earth Summit in Rio, the permanent United Nations Commission on Sustainable Development was established.

addition to the normal ministerial portfolio. In the 1990s, both environmental issues and gender equality became established sectors in the work of the Government. National strategies and plans for sustainable development have been devised guided by the 1992 Earth Summit in Rio, and the Finnish Government Programme for Sustainable Development was approved in 1998. The schedule for implementing the programme was set to run until the Johannesburg Summit in 2002, and in 2003 the first *comprehensive national evaluation of sustainable development* was carried out. The overall evaluation was very comprehensive and it paid attention to gender and status of women in several sections.

The national *Programme for Sustainable Development*<sup>120</sup> was approved in June 2006 and the Council of State made a decision-in-principle on the strategy in December the same year. The targets of the strategy span across generations, encompassing about a quarter of a century. Women and gender (in)equality are briefly mentioned in the section on working life. The strategy was prepared in cooperation with public administration, business and industry, and non-governmental organizations, but forgetting the gender aspect and cooperation with women's organizations. The latest evaluation report, entitled *Evaluation of Sustainable Development in Finland 2009* and prepared by a private consulting firm, does not mention gender at all. It is somewhat ironic that the Ministry of the Environment states as an objective that "sustainable development has to be created in a safe and pluralistic society that promotes participation and encourages all people to take responsibility for the environment", whilst forgetting that participation in and responsibility for environmental issues is still very unequally divided among women and men, both in Finland and globally.

The Government's Action Plan for Gender Equality 1997–1999 had a separate section for environmental issues under the heading "Environment, Communities and Transport". The plan noted how, in the 1990s, the Ministry of the Environment had produced data on the opinions of women, children, and young people on environmental policies as well as on regional and community planning. The Ministry of the Environment and the Ministry of Transport had been designated as responsible ministries for several of the projects in the gender equality action plan. In the 2004–2007 Gender Equality Action Plan, the environment was no longer mentioned, but there was a separate section on the promotion of gender equality in regional development. According to the plan, "achieving a regional balance in the demographic structure will require employment opportunities for both women and men throughout the country. New job opportunities for women are particularly urgently needed in rural areas. In regional development, it is important to ensure that women are actively involved in decision-making at local, regional, and national level." At that time, concrete targets were only set for the Ministry of Agriculture and Forestry: the plan stated that "during the programming period 2000–2006 a situation should be achieved in which 50 per cent of all new jobs are directed at women and 30–40 per cent of all new enterprises are established by women." Setting concrete numeric targets is positive. However, the 2006 monitoring report of this gender equality action plan did not mention whether these targets were achieved. The two reports by the Ministry of Agriculture and Forestry's relating to rural development programmes, one of which referred specifically to women and the other one in a gender-neutral way to young people<sup>121</sup>, reveal that those targets were generally not achieved.

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<sup>120</sup> The central policies in the strategy form a basis for the government and political programmes., the national implementation of the renewed EU Strategy for sustainable development, and participation in the UN and other international and regional processes on sustainable development.

<sup>121</sup> *EU programmes in support of rural women's livelihoods. A report on the results of rural development programmes and of best practice.* (2005) and *Learning by doing Part-EU-funded rural development projects for enriching young people's lives.* (2006).



The current Government Action Plan for Gender Equality 2008–2011 does not mention environmental issues at all, nor are the Ministry of the Environment, the Ministry of Transport and Communications, or the Ministry of Agriculture and Forestry responsible for any gender-specific measures. One can therefore conclude that the regrettable development that occurred in Finland at the end of the 2000s, the separation of gender equality and environmental issues, can be detected in equal measure in gender equality policies and in environmental policies. This trend is particularly regrettable at a time when climate change, energy production, and unsustainable economic development are major causes of concern all over the world.

The section on environmental issues of the Finnish Government's Beijing +15 report makes for desolate reading: it contains three sentences copied from the Beijing +10 report on how the new Land Use and Building Act of 2000 was an excellent example of women's participation in activities that regulate land use and promote environmental protection. In contrast, Sweden, a fellow Nordic country and thus a key reference country for Finland, reports on the gender aspect in not just its own Beijing +15 sustainable development strategy, but in those of the other Nordic countries as well. Also Iceland and Denmark examined the Nordic cooperation in environmental and gender equality issues in their own governments' reports. Both countries mentioned, for instance, that the Nordic gender equality ministers in May 2008, with the backing of Nordic Council of Ministers, decided to focus on gender equality and climate change. The following ministerial meeting took place in February 2009 where recommendations on these topics were drafted. These drafts for gender equality recommendations were intended as preparation for the negotiations on the agreement on climate change at the UN Climate Change Conference in Copenhagen in December 2009.<sup>122</sup> Unfortunately both information on and support for this cooperation is blatantly absent in Finland, although the Climate Conference is going on at the time of writing this report. There is one bright spot for Finland, however: the Ministry for Foreign Affairs, which actively promotes the gender aspect and mentioning gender equality in the new convention on climate change. Furthermore, the Ministry for Foreign Affairs gave financial support to women's participation in national delegations to the Copenhagen summit. Either way, it is ironic that in the week before the summit ended, the Women for Gender Justice Network nominated Finland the "Gender Champion of the Week" at the COP15 conference. It is totally insufficient if Finland is able to combine environmental and gender equality issues only in its foreign policy.

Women must be able to participate at every level in all political decision-making concerning the environment, both in the state administration as well as on the regional and local level.

The management, use, and protection of the world's natural resources must be equitably divided between men and women, rich and poor.

The Government must actively bring women into climate change mitigation and the shaping of the national energy policy.

The Government must recognise gender equality as a prerequisite for sustainable development.

Finland's National Strategy for Sustainable Development must include gender disaggregated analysis and actions.

The Government's Action Plan for Gender Equality must deal with environment, transport, agricultural, and forestry policies.

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<sup>122</sup> The project was introduced at CSW meeting at the UN, New York, in March 2009.

## References:

- EU-ohjelmat maaseudun naisten elinolosuhteiden tukena. Selvitys maaseudun kehittämissuunnitelmien tuloksista ja hyvistä käytännöistä. (2005). Reports of the Ministry of Agriculture and Forestry 2/2005. Helsinki: The Ministry of Agriculture and Forestry.
- Gender and Climate Change (2009). Publication 2009:765. Copenhagen: The Nordic Council.
- “Gender Equality and Sustainable Urbanisation.” UN WomenWatch, <http://www.un.org/womenwatch/feature/urban/>, cited 14.12.2009.
- Implementation of the Johannesburg Programme in Finland. Follow-up report 2005. Reports by the Ministry of Agriculture and Forestry. Helsinki: The Ministry of Agriculture and Forestry.
- Kansallinen kestävä kehityksen kokonaisarviointi 2009 (2009). Helsinki: The Ministry of Agriculture and Forestry.
- Kestävä kehityksen kansallinen kokonaisarvio (2003). Reports of the Ministry of Agriculture and Forestry, Suomen ympäristö 623. Helsinki: The Ministry of Agriculture and Forestry.
- Finland's national strategy for sustainable development "Towards sustainable choices. Nationally and globally sustainable Finland". (2006). Prime Minister's Office Publications 5/2006. Helsinki: The Prime Minister's Office.
- Kohti muuttuvaa maailmaa - Naiset, väestö ja ilmasto. Summary.
- State of the World Population 2009. Loimaa: Väestöliitto.
- The Land Use and Building Act 132/1999.
- Tekemällä oppii. EU-osarahoitteiset maaseudun kehittämishankkeet nuorten elinolojen vahvistajina. (2006). The Ministry of Agriculture and Forestry 9/2006. Helsinki: The Ministry of Agriculture and Forestry.
- Valtioneuvoston tulevaisuuspoliittinen selonteko ilmasto- ja energiapolitiikasta: kohti vähäpäästöistä Suomea. (2009). ). Prime Minister's Office Publications 28/2009. Helsinki: ). Prime Minister's Office.
- ”Women, Gender Equality and Climate Change.” UN WomenWatch, [http://www.un.org/womenwatch/feature/climate\\_change/](http://www.un.org/womenwatch/feature/climate_change/), käyty 11.12.2009.
- UN website on climate change: <http://unfccc.int/2860.php>.
- The Ministry of the Environment's website on Sustainable development: <http://www.ymparisto.fi/default.asp?node=4270&lan=en>.
- Focus: Climate Change*. NIKK Magasin Nro. 2 (2009):7-33.
- United Nations Framework Convention on Climate Change, UNFCCC 61/1994.

## L. THE GIRL CHILD

1. Objectives Eliminate all forms of discrimination against the girl child
2. Eliminate negative cultural attitudes and practices against girls
3. Promote and protect the rights of the girl child and increase awareness of her needs and potential
4. Eliminate discrimination against girls in education, skills development and training
5. Eliminate discrimination against girls in health and nutrition
6. Eliminate the economic exploitation of child labour and protect young girls at work
7. Eradicate violence against the girl child
8. Promote the girl child's awareness of and participation in social, economic and political life
9. Strengthen the role of the family in improving the status of the girl child

From an international perspective, the welfare of young people in Finland has been monitored for a long time, for more than 30 years. Studies of the health habits of young people, school health questionnaires, and the WHO's study on the health of school children enable the welfare of 12–16-year-old Finnish girls to be monitored systematically and new trends to be identified. The main problem is that there are no systems in place to enable concerns to be reacted to sufficiently rapidly. Such recent problems have been the increased substance use, eating disorders, and mental issues among girls. This information is also collected in too narrowly for today's needs. The questionnaires should include questions about personal wellbeing on subjects such as loneliness and the sense of insecurity.

Children and young people live in a continuous flood of stimuli from media and advertising, which has a significant impact on how they grow up. The over-sexualisation of media and advertising probably influences the way both girls and boys view women, as well as affecting their self-esteem. The impact of environmental pressures can be seen clearly for instance in a Nordic study entitled *Youth, Gender and Pornography in the Nordic Countries*. In this study girls described their poor self-esteem, which started when they compared their own bodies to the pornographic pictures. According to the results of the Nordic *Inequal Childhoods* research project, Finnish girls were less satisfied with their appearance than girls in other Nordic countries.

Particularly the Ombudsman for Children in Finland has noted the content Finnish tabloid press posters, seen from the viewpoint of children. Children have the right to grow up in a safe environment, where there is no material on public view that is harmful considering their development stage and age. When drafting advertisement posters, the tabloid press should consider the ethical principles of advertising and child protection, whilst meeting the needs of journalism. The ethical rules of journalism should be modified in this respect. Furthermore, the tabloid press should abide by the ethical rules of advertising in their advertisement posters. The Ombudsman for Children in Finland notified the tabloid press of this request in the autumn of 2005. Schools and parents should jointly ensure that children have a media literacy, to enable them to handle the flood of stimuli they are subjected to with a critical eye.

Eating disorders are presently much more common among girls and women than among boys and men. Eating disorders often start in the early teens, between 12–14 years of age, or in young adulthood, at 17–20 years of age. Currently, approximately 2 % of the population suffers from a serious eating disorder, and well-behaved, conscientious 12–18-year old girls suffer the greatest risk. An eating disorder is a serious illness, which often requires outside help to improve. Eating disorders among young women are increasing and there are unfortunately significant regional variations in the care they receive.

Although suicides are relatively rare in children under the age of 15, in 2005, for instance, suicide was the second most common cause of death among 15–24-year olds. Boys aged 15–24 commit more suicides than girls in the same age group, but suicides among girls are also on the increase. In 2005, there were, for the first time, more suicides among under-aged girls (15–17-year olds) than among boys of the same age.<sup>123</sup> According to WHO statistics, the prevalence of suicide among 15–24-year old Finnish girls is the second highest in the world after China. Finnish boys come fifth in the same WHO study. These figures reflect that society has not been able to respond to young people's unhappiness in time.

Substance use among girls is also on the increase. The trend of 14–16-year olds drinking to get drunk, which had been falling, has stabilized. The numbers of 18-year olds drinking themselves into oblivion are the highest in the 30-year research period, particularly in the case of girls. The previously growing popularity of abstinence has stagnated in all age groups, and with both genders. The use of snuff and roll-your-own cigarettes has increased in the past two years. In 2007–2009, the proportions of 14-, 16- and 18-year-old boys having tried snuff increased. One half of the 14-year-old boys who smoked daily rolled their own cigarettes, as do one third of the girls in the same age group who smoke daily.

Violence experienced by children is most typically an act by another child in familiar surroundings. In 10 % of the cases, the culprit is an adult in the family.

Judged on the reports to the police, violence seems to be gender-specific in that girls are subjected to sexual violence more often than boys. Boys are subjected to other forms of violence somewhat more than girls. Based on questionnaires, the difference between girls and boys in experiencing violence appears twofold. When violence is considered without defining the perpetrator, it appears that boys declare to experience violence more often than girls do. This is generally violence is perpetrated by other young people. When asking about violence where the perpetrators are the parents, girls are somewhat more likely say they have experienced it than boys. Girls experience violent chastising more often than boys, and the study shows that children subjected to violent chastising also experience other types of violence at home.

Violence and harassment committed by children against other children is often belittled and referred to with the imprecise term “bullying”. Finland must improve mechanisms for eliminating bullying and sexual harassment at school. The security plans and regulations of schools must include a ban on all kinds of sexual or gender-based violence and harassment. This would give schools better means to prevent bullying. The application of the Gender Equality Act, in particular in the case of gender equality planning and the prevention of harassment, should be extended to basic education. Children and young people must be included in the gender equality planning. The participation of children would increase awareness of violence as a gender equality question and would commit the children to reducing violence and bullying.

One is a new and worrying phenomenon is violence experienced by children and young people in electronic media. More attention must be given to research this phenomenon and to prevent it. Sufficient resources must also be allocated to monitoring chat rooms and online communities popular among young people.

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<sup>123</sup> According to Central Statistical Office of Finland (2007), 12 girls and four boys committed suicide.

According to police statistics, violence among girls is on the increase, but data obtained asking young people show it is decreasing. A study by the National Research Institute of Legal Policy (Optula) shows that the conflicting results may be explained by the tightening control of young people and by more effective police work. The public debate on the increasingly violent behaviour of young women may prompt people to report incidents to the police, and the police to document them. The Optula study also mentions that the conflicting trends in these statistics may reflect a division among the young: a majority of young people are more law abiding than before, whilst a small percentage to commit a lot of crimes. Among the latter, there may be more girls than before. Relatively little is known about these girls, but Optula's study suggests that their backgrounds are likely to reveal hardship and other social problems.

A study by the Finnish Social Insurance Institution shows that girls' violence is often different to that of boys, and that their symptoms are not recognised as easily. In girls who show behavioural problems, the symptoms more often relate to problems within the family than is the case with boys. Aggressive girls, more often than boys, also have mental problems. Special attention should be paid to the recognition, treatment, and early prevention of violent tendencies in girls.

Of all reported sexual exploitation of children in 2007, 60 per cent of the victims were 12–14-year olds and 25 per cent under 8 years of age. Ninety per cent of the victims were girls. In 50 % of the incidents, the alleged perpetrator was an adult known to the child but living outside the family home, and in about 10 % of the cases the perpetrator was a member of the family. According to the study by the Police College of Finland, children who are victims of sexual abuse rarely report the crime themselves (in just 12 % of cases). The ability of adults who work with children to recognise and intervene in the sexual exploitation of children should be improved. In preventive work, more giving children age-appropriate sex education and teaching them how to behave in risk situations (safety training) should be highlighted. Children must be taught early that they have the right to decide fully over their own bodies.

Special attention should be paid to the particular questions of immigrant girls. Since the 1990s, asylum seekers and refugees have been arriving in Finland from countries with traditions of circumcision of children. In several immigrant communities there are groups that circumcise both girls and boys. The circumcision of girls has been stated to be strictly forbidden in Finland, but there are no specific criminal sanctions against it. Honour killings and honour-related violence are phenomena that have become known to the authorities as the number of immigrants has increased. Honour-related violence may be psychological or physical, and it is usually directed at girls and women. More information on the prevalence of and how to identify honour-related violence is needed. Information should be distributed especially among those working with immigrant youth (teachers, health care professionals, therapists, social workers), and children's awareness of their own rights should be reinforced.

Racism against children is also a problem to be focused on. In recent years, suspected racist crimes against children below the age of 15 have increased. In 2006, approximately 6 % of alleged racist crimes were against a young person below 15 years of age, and in 2007 this figure had increased to 10 %. Assaults accounted for as many as 60 % of these acts. According to the Finnish League for Human Rights, the majority of racist crimes are never even reported to the police. The likelihood of a victim reporting a crime remains low as long as the general attitude towards racist crimes remains dismissive. Every child should be ensured the right to a safe and accepting environment.

Studies, projects, and measures to do with young people's wellbeing must be gender-sensitive.
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Research surveys should include questions on mental wellbeing, for example loneliness and a sense of insecurity.

The Government must react to the results of studies and surveys, and develop systems that enable effective and fast responses to problems.

Girls suffering from depression and eating disorders must be guaranteed fast access treatment across Finland.

More resources must be allocated to children's and young people's mental health services and those services must be gender-sensitive.

Education and training on the prevention of substance abuse must be gender-aware and gender differences in substance abuse must be considered.

International ethical principles as well as the need for child protection should be considered in the depiction of women by the media and in advertising.

Children and young people's media awareness must be improved in cooperation with teachers and parents.

The implementation of the Gender Equality Act must be extended to comprehensive schools.

Group activities must be offered to girls who have experienced sexual violence. The activities must take place in facilities that are easily approachable for girls of that age.

The ability of adults working with children to recognise and intervene in the sexual exploitation of children should be improved.

#### References:

- Aaltonen, Milla & Lampinen, Johanna (2009): Lapsiin kohdistuva rasismi on todellinen ongelma. Letter to the editor by the Finnish League for Human Rights, Helsingin Sanomat 15.5.2009. <http://www.ihmisoikeusliitto.fi/Lapsiin%20kohdistuva%20rasismi%20on%20todellinen%20ongelma.pdf>
- Because I Am a Girl. The state of the world's girls 2009.* (2009). Girls in the global economy: adding it all up. Plan International.
- Brusila, Pirkko; Hyvärinen, Salla; Kallio, Maaret; Porras, Kirsi & Sandberg, Tarja (2009): *Eikö se kuulu kenellekään? Rohkene kohdata seksuaalisesti kaltoinkohdeltu nuori.* Helsinki: Väestöliitto.
- Ellonen, Noora (2008): Lasten ja nuorten väkivaltakokemukset. Tutkimus peruskoulun 6. ja 9. luokan oppilaiden kokemasta väkivallasta. The Police College of Finland. [http://www.minedu.fi/export/sites/default/lapset\\_nuoret\\_perheet/Tapahtumat\\_ja\\_aineistot/2008/Ellonen\\_061008.pdf](http://www.minedu.fi/export/sites/default/lapset_nuoret_perheet/Tapahtumat_ja_aineistot/2008/Ellonen_061008.pdf).
- Friidu. Tyttöjen ja naisten ihmisoikeudet. Opetusmateriaali tyttöjen ja naisten oikeuksista Suomessa ja maailmalla.* (2004). Kauhava: Amnesty Finland, FinnWID, The Finnish League for Human Rights, The UN-association of Finland, Tyttöjen talo, The Feminist Association Unioni.
- Honkatukia, Päivi (2007): ”Naiset rikoksenteijöinä ja uhreina.” In *Rikollisuustilanne 2006*.

Rikollisuus ja seuraamusjärjestelmä tilastojen valossa, Publications by The National Research Institute of Legal Policy 229. Helsinki: The National Research Institute of Legal Policy: 205–224.

Information by Päihdelinkki on eating disorders: <http://www.paihdelinkki.fi/Tietoiskut/422-mista-saada-apua-syomishairioihin>.

*Maahanmuuttaja- ja turvapaikanhakijalasten katoamiset. Opas viranomaisten yhteistyöstä lasten katoamisissa ja niihin liittyvissä ilmiöissä.* (2006). Publications by the employment administration 2006.

[http://www.mol.fi/mol/fi/99\\_pdf/fi/06\\_tyoministerio/06\\_julkaisut/07\\_julkaisu/thj370.pdf](http://www.mol.fi/mol/fi/99_pdf/fi/06_tyoministerio/06_julkaisut/07_julkaisu/thj370.pdf).

Myllyniemi, Sami (ed) (2009): *Taidekohtia. Nuorisobarometri 2009*.

Nuorisotutkimusverkosto/Nuorisotutkimusseura, publications 97, The Advisory Council for Youth Affairs (NUORA), publications 41. Helsinki: The Ministry of Education.

Rainio, Susanna; Pere, Lasse; Lindfors, Pirjo; Lavikainen, Hanna; Saarni, Lea & Rimpelä, Arja (2009): *Nuorten terveystapatutkimus 2009. Nuorten tupakkatuotteiden ja päihteiden käyttö 1977-2009*. The University of Tampere, Department of Health Sciences. Reports by the Ministry of Social Affairs and Health 2009:47. Helsinki: The Ministry of Social Affairs and Health.

Sørensen, Anette Dina & Knudsen, Susanne V. (2007): *Nuoret, sukupuoli ja pornografia Pohjolassa. Loppuraportti*. Publication 2007:712. Copenhagen: The Nordic Council of Ministers. E-publication: <http://www.norden.org/fi/julkaisut/julkaisut/2007-712/>.

Statement by the Ombudsman for Children in Finland on The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) to the Ministry for Foreign Affairs 8.5.2007: <http://www.lapsiasia.fi/nyt/lausunnot/lausunto/view/1394663>.

*Tyttöihin kohdistuva kouluväkivalta estettävä.* Amnesty “Joku raja!” information 2008: <http://www.amnesty.fi/uutishuone/tiedotearkisto/2008/amnesty-tyttoihin-kohdistuva-kouluvakivalta-estettava/>.

Varanka, Jouni & Seligson, Anna (2007): *Sukupuoli ja nuoret – eväitä käytännön työhön.*

*Konferenssiraportti*. Publication 2007:737. Copenhagen: Nordic Council of Ministers.

von der Pahlen, Bettina; Lepistö, Jaana & Marttunen, Mauri (2008): *Nuoret, päihteet ja väkivalta*. Publications of the National Institute for Health and Welfare (former Kansanterveyslaitos) C 4/2008.

[http://www.ktl.fi/attachments/suomi/julkaisut/julkaisusarja\\_c/2008/2008c04.pdf](http://www.ktl.fi/attachments/suomi/julkaisut/julkaisusarja_c/2008/2008c04.pdf).

Website of the Association for Eating Disorders (SYLI):

<http://www.syomishairioliitto.fi/syomishairiot/>.

Website of Tyttöjen talo: <http://www.tyttojentalo.fi/>.

## V INSTITUTIONAL DEVELOPMENTS

### H. INSTITUTIONAL MECHANISMS FOR PROMOTING THE STATUS OF WOMEN

#### Objectives

1. Create or strengthen national machineries and other governmental bodies
2. Integrate gender perspectives in legislation, public policies, programmes and projects
3. Generate and disseminate gender-disaggregated data and information for planning and evaluation

#### National gender equality bodies

The Beijing Platform for Action states that almost all states have founded national institutions for the advancement of the status of women. At the same time, however, the BPFA poignantly notes that these institutions are often marginalized in national government structures, and that these activities are frequently hampered by unclear mandates and a lack of adequate staff, training, data, and sufficient resources. The support from national political leadership is also insufficient.

In 2001, a reform of the organization of the gender equality mechanism in the central Government of Finland was carried out and it was divided into three parts: subordinated to the Ministry of Social Affairs and Health, *the Gender Equality Unit (TASY)*; encompassing also representatives from parties in opposition; *the Council for Gender Equality (TANE)*; and the independent supervisor of compliance with the law, *the office of the Ombudsman for Equality (TAS)*. Presently, the organization of Finnish gender equality politics can be seen to be structured on a model of power divided in three: the gender equality policies of the Government are prepared and implemented by TASY; TANE acts as a parliamentary advisor and political initiator; and TAS independently oversees the compliance with the Gender Equality Act.<sup>124</sup> Sweden and Norway, who are seen to lead the way regarding gender equality policy, use a similar structure, which, based on Nordic comparative research, is the most effective structure.

Actions and legislative measures on the level of central government in Finland have increased especially after 1995, for instance due to the Beijing world conference on women and Finland becoming a member of the European Union. The national gender equality politics indeed currently form a very broad and inter-ministerial entity, and ambitious targets are set for promoting gender equality. Unfortunately, the national mechanism suffers from the same problem as five and ten years ago: *the scarcity of funds in relation to the expected activities and set goals*. It is futile to imagine that the three gender equality bodies in Finland combined have enough resources to promote the status of women and further gender equality. They all have very limited personnel, and in the Gender Equality Unit, for instance, much work is done on fixed-term contracts linked to projects. The Gender Equality Council TANE has two persons with open-ended employment contracts: the Secretary General and the Departmental Secretary who handles administration. In the organizational reform TANE was generally on the losing side concerning resources, since its allocation of funds was cut considerably.<sup>125</sup>

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<sup>124</sup> Holli 2007.

<sup>125</sup> In 2002 TANE was allocated €140 000 for its activities, but in 2004 only €80 000. The appropriation has slowly been increased again, from €90 000 in 2007 to €106 000 in 2009.



The actions of the official gender equality bodies *also do not take the diversity among women into consideration*, nor the special concerns of subgroups – this deficiency is certainly also connected to scarce resources.<sup>126</sup> The CEDAW Committee, for instance, has separately expressed its concern in connection with Finland's most recent periodic report about the special concerns of immigrant, Roma, Sami, and disabled women. The committee asked for more information and statistics on aforementioned groups of women in the future, and demanded that Finland take action to improve their position. The central government is also lacking knowledge on women belonging to sexual and gender minorities. One might consider the official gender equality policy of Finland as currently furthering only the gender equality of some women (and men), and that the differences and inequality between and among women is rendered invisible.

Another problem, which concerns especially the Gender Equality Unit implementing the gender equality policy of the government, is that *the gender equality work of the government is very short-sighted and dependent on various projects with time-limited funding*. Because each respective item concerning gender equality in the government programmes dictates both the focus of the gender equality policies of each government as well as serves as a guideline for the government action plans for gender equality, there is no long-term strategy. Also the impact and results of successful projects remain questionable if there is no continuity for the projects and no wider utilization of the experience gained. The work of the Gender Equality Unit is further impeded by the fact that it does not have any means to interfere in the gender equality measures of other administrative sectors. The unit may only train civil servants and coordinate cross-sectoral projects, but in a situation of neglect, it cannot force anyone to take action. Even in the ministry where the Gender Equality Unit is located, in the Ministry of Social Affairs and Health, it has difficulties as a unit (i.e. it is at the bottom of the hierarchy within the ministry, as a part of the finance and planning department) to influence the actions of other departments and units.

Also the Ombudsman for Equality is a disturbing example of, for instance, how duties and allocated resources do not correspond. Decrees imposing new duties on the Ombudsman have repeatedly been enacted without a corresponding increase in the capacities of the office of the Ombudsman. The reforms of the legislation since the year 2000 have increased the duties of the Ombudsman for Equality to promote gender equality and oversee gender equality planning, and the discrimination ban has been extended to encompass also educational institutions as well as goods and services. The complete legislative reform of 2005 with its new obligations concerning gender equality planning is at risk of remaining just a good intention without any concrete realization, if no one has the time to oversee the compliance with the new regulations.

Another question currently yet to be resolved is *the monitoring of discrimination bans in accordance with the Gender Equality Act in relation to other discrimination bans* and the monitoring of fundamental and human rights.<sup>127</sup> For example, when reviewing the Gender Equality Act, the Parliament's Employment and Equality Committee noted that the discrimination of gender minorities is not mentioned as unlawful discrimination in the Act. The legal protection against discrimination for transgendered persons is unclear and weak: it is mentioned only in the motivations part of the Gender Equality Act. The Act as such does not include any reference to intersex, transvestites, or such transgendered people who are not in the process of gender reassignment. The Ombudsman for Equality does not have enough resources to increase its expertise on gender diversity nor for an active monitoring of compliance with the legislation. Due

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<sup>126</sup> See Chapter III, section 2 in this report for more information: Ignoring the diversity of women.

<sup>127</sup> See Chapter II of this report for more information.

to inadequate information, persons belonging to gender minorities are not aware that they have the possibility to contact the Ombudsman for Equality. According to the interpretation of the ombudsman, as long as no separate discrimination ban of gender minorities is enacted, the Ombudsman for Equality is the institution in charge of monitoring the discrimination bans in relation to gender identity and gender expression. The committee pondering a reform of the non-discrimination legislation in its report puts forward a suggestion for the Gender Equality Act to be renewed and that a ban on discrimination based on gender identity and gender expression should be explicitly included in the act.

The status of the Ombudsman for Equality will most probably also be affected by the trend for how legislation within the EU is developed, since the trend has been to merge anti-discrimination legislation and monitoring authorities. Also in Finland a committee in 2008 pondered the merging of the Non-Discrimination Act and the Act on Equality between Women and Men (the Gender Equality Act) as well as combining the authorities that monitor the respective acts: the Ombudsman for Minorities and the Ombudsman for Equality. Although the committee has since given up on the idea of combining the legislation and the authorities, it seems clear that the attention that especially multiple discrimination<sup>128</sup> has been receiving will keep up the pressure to standardise the regulations and law enforcement concerning different grounds for discrimination also in Finland. The committee submitted its report in December 2009, but had not reached consensus about the proposed changes: five dissenting opinions and several statements were appended to the proposal, and it was not considered a complete government proposition; instead, the legislative procedure will continue in the Ministry of Justice. The mandate of the ombudsman would be extended to encompass all the grounds for discrimination covered in the Non-Discrimination Act – hitherto it has only extended to ethnic discrimination. The committee further proposes that the National Discrimination Tribunal of Finland, which oversees the compliance with the Non-Discrimination Act, and the Equality Board, which oversees the compliance the Gender Equality Act, would be combined to one Equality Board. This would most certainly also affect the protection against discrimination based on gender. Additionally, the Council of State in the autumn of 2009 proposed founding a new national human rights institute.

The occupational health and safety districts are the only authorities with a responsibility to monitor discrimination based on sexual orientation, and the districts do not have the necessary expertise nor the resources for monitoring discrimination in working life based on sexual orientation or for preventive work in the same field. Employees do not necessarily dare to contact the districts in cases concerning discrimination based on sexual orientation, or they might not even know that they can do so. It may also be very difficult for employees to contact the occupational health and safety officer. Additionally, the monitoring duty of the occupational health and safety districts naturally concerns only working life, not, for instance, services or educational institutions.

One of the black spots in the gender equality politics is *the possibilities for NGOs to influence* the gender equality actions of the government. Finland's official Beijing +15 country report gives the impression that NGOs would have been cooperating closely with the government, and that the government and NGOs together would have attended to the implementation of the Beijing Platform for Action. This was indeed the state of affairs 15 years ago immediately after the conference, but it is not the case anymore. The two umbrella organizations of women's organizations, National Council of Women of Finland and Coalition of Finnish Women's Associations (NYTKIS) are expert members of TANE, but they do not have the right to vote in the decision-making body of the

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<sup>128</sup> Multiple discrimination signifies a situation where a person is put in a less favourable position than others on the basis of several characteristics of the person, for instance, gender and ethnic background.

council like the regular members do. Otherwise, the status of these two umbrella organizations has been amended by the enactment of a decree that allocate earmarked funding for these organizations from the state budget: however, the development for the amount of appropriation must be monitored and the amount tied to an index.

It is, however, a positive sign that the current Government in the autumn of 2010 will be the first to submit a Government report on gender equality to Parliament. The NGOs find it very positive indeed that Parliament will finally, thanks to this report, have a chance to discuss gender equality policies and the state of gender equality in Finland. Additionally, it is of utmost importance that the Beijing Platform for Action not be forgotten when the report is discussed in Parliament. The BPPFA would namely for its own part help Parliament to evaluate the Government's actions and gender equality action plans, as well as to draw up extensive guidelines for the future.

### **Integrating a gender perspective (gender mainstreaming)**

Integrating a gender perspective implies evaluating all activities, decisions, and measures connected to people separately from the perspectives of women and of men, respectively. In public administration, integrating a gender perspective should be seen as a part of good governance. At its best, it is a means to making the different status of women and men visible, which makes it easier to promote gender equality. On the other hand, it is important to remember that gender equality cannot be achieved by means of gender mainstreaming alone, but that also women-specific and men-specific projects and measures are required. The Finnish Governments have tried to integrate a gender perspective in all administrative sectors during the whole first decade of the 21st century.<sup>129</sup> At their worst, these attempts have resulted in gender mainstreaming being seen as a superficial reference to gender in all contexts, as well as imagining that this would be sufficient – no analysis nor gender-specific actions required.

The three previous gender equality action plans have all in their targets reiterated the integration of a gender perspective in the central Government. Training of civil servants and the highest management have been arranged for more than a decade – in vain, it seems. The most recent Government Programme, that of Prime Minister Matti Vanhanen's Second Cabinet, states that "the gender perspective is mainstreamed across all law drafting, budget procedures, and other major projects", which could be even be seen as a narrowing of the original goal for gender mainstreaming: not all activities and operations have to be mainstreamed anymore, only the most significant ones.

According to the first follow-up report of the Government Action Plan for Gender Equality 2008–2011, the integration of a gender perspective seems to have been very inadequately fulfilled. It is emblematic that of the legislative propositions given in 2008 (a total of 236 government proposition), only 32 (less than 14 %) even mentioned the gender perspective or gender impact.<sup>130</sup> Additionally, even when gender was mentioned, it does not imply a deeper analysis and consideration of the matter.

### References:

*Act on Equality between Women and Men 2005.* (2009). The Gender Equality Unit, the Ombudsman for Equality, the Ministry for Social Affairs and Health, Helsinki.

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<sup>129</sup> During 1997 to 2000, the Government Action Plan for Gender Equality also mentioned gender mainstreaming, although it used the concept of integrating a gender perspective ever more often.

<sup>130</sup> Follow-up Report (2009): 12.

- Act on Equality between Women and Men 609/1986.
- Act on the Ombudsman for Equality and the Equality Board 610/1986.
- From Beijing to Finland*. Government Action Plan for Gender Equality 1996. Publications of the Ministry of Social Affairs and Health 1997:11, The Gender Equality Office. Helsinki: The Ministry of Social Affairs and Health.
- Government Action Plan for Gender Equality 2004-2007: Follow-up Report (March 2006). Reports of the Ministry of Social Affairs and Health 2006:14. Helsinki: The Ministry of Social Affairs and Health.
- Government Action Plan for Gender Equality 2004-2007.
- Government Action Plan for Gender Equality 2008-2011: Follow-up Report (autumn 2009).
- Government Action Plan for Gender Equality 2008-2011.
- Holli, Anne Maria & Rantala, Marjo (2010) (ilm.): *Taustaselvitys tasa-arvoviranomaisten institutionaalista rakenteista*. Helsinki: The Ministry of Social Affairs and Health.
- Holli, Anne Maria, Saarikoski, Terhi & Sana, Elina (eds) (2002): *Tasa-arvopolitiikan haasteet*. WSOY, The Council for Gender Equality and the Ministry of Social Affairs and Health.
- Saari, Milja (2006): ”Yksijalkainen tuoli – sukupuolinäkökulman valtavirtaistaminen Suomessa.” In Moring, Anna (ed): *Sukupuolen politiikka – naisten äänioikeuden 100 vuotta Suomessa*. Otava, Helsinki, 109–117.
- Sukupuolivaikutusten arvioiminen lainsäädäntöhankkeissa (Suvaopas)* (2007). Reports of the Ministry of Social Affairs and Health 2007:25. Helsinki: The Ministry of Social Affairs and Health.
- Tasa-arvolaki 20 vuotta*. (2006). The Office of the Ombudsman for Equality, The Ministry for Social Affairs and Health, Helsinki.