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25 August 2010

Excellency,

I have the honour to refer to the examination of the fifth and sixth periodic reports of Finland, at the forty-first session of the Committee on the Elimination of Discrimination against Women (CEDAW), held in July 2008. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/FIN/CO/6). In follow-up to those concluding observations, the Committee requested Finland to provide, within two years, written information on steps undertaken to implement the recommendations contained in paragraph 174 of the concluding observations.

The Committee welcomes the information submitted by Finland under CEDAW's follow-up procedure on 14 July 2010 (CEDAW/C/FIN/CO/6/Add.1) in a timely fashion.

At its forty-sixth session, held in July 2010 in New York, the Committee examined the information provided and noted with appreciation the well-structured and informative follow-up report of Finland. The following observations are made by the Committee in respect of the State party replies:

The Committee notes that Finland has responded to all recommendations contained in paragraph 174 and taken various recent initiatives for their implementation. However, considering that some recommendations have been partially implemented, the Committee would like to request further information in the next report in respect of the following issues:

- a) With regard to the Act on Conciliation in Criminal and Certain Civil Cases (1015/2005), the Committee notes that the National Institute for Health and Welfare has carried out a study on the implementation of this Act, the results of which were published on

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10 March 2010. Paragraph 53 of the replies refers to a conclusion of the study, based on feedback received from the persons using the services, that intimate-partner and domestic violence constituted a challenge for the authorities involved. However, the Committee also takes note of the statement that the Government considers that the conciliation procedure in Finland is applied carefully and professionally as well as the information provided in paragraph 55 of the replies about possible suspension of the procedure in certain circumstances.

Noting that a significant number of cases is directed to conciliation/mediation, the Committee is concerned at the statement in paragraph 56 of the replies that, in comparison with other types of criminal cases (such as theft or assault), the conciliation in domestic violence cases had the highest proportion of parties for whom the conciliation procedure did not offer any relief or parties whose understanding of the opposing party did not improve. The Committee remains concerned that the conciliation/mediation procedure may lead to the re-victimization of women who have suffered violence and it also regrets the lack of research data as to the conciliation/mediation's effect on the probability of cases proceeding to court or on the severity of penalties. To this end, the Committee reiterates its recommendation that the State party continue to closely monitor the new law on the mediation procedure in order to ensure that such procedure is implemented in a way that respects and promotes women's human rights and does not lead to perpetrators escaping prosecution. The Committee requests the State party to provide further information on measures taken to address the above concerns in the next report.

b) According to paragraphs 57 to 61 of the follow-up replies, there are 21 shelter homes in Finland and the Government acknowledges that the geographical distribution of such homes is not even and that there is a lack of places in shelter homes particularly in the eastern and northern parts of the country as well as in Pohjois-Pohjanmaa. The Committee also notes that there are no shelter homes with services in the Sámi language, nor emergency help lines within the Sámi areas. The Committee would appreciate receiving further information about the development of additional shelter homes, their geographical distribution as well as human and financial resources allocated for their functioning, in the next periodic report.

The Committee looks forward to pursuing its constructive dialogue with the authorities of Finland on the implementation of the Convention, and, in that context, it would appreciate receiving your response to the Committee's enquiries in the next periodic report in 2011. A Word electronic version of the information should be sent to the Secretariat of the Committee on the Elimination of Discrimination against Women by email to cedaw@ohchr.org

Please accept, Excellency, the assurances of my highest consideration.



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