



REFERENCE:KF/fup-115

10 December 2015

Excellency,

In my capacity as Special Rapporteur for Follow-up to Concluding Observations of the Human Rights Committee, I have the honour to refer to the follow-up to the examination of the sixth periodic report of Finland.

At the end of its 108th session, the Committee transmitted its concluding observations to your Permanent Mission. You may recall that, in paragraph 19 of the concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 10, 11 and 16 of the concluding observations.

On 23 June 2014, follow-up information on the referred paragraphs was received. At its 113th session, held in March and April 2015, the Committee analysed the follow-up reply provided by the State party and decided that additional information was necessary.

On 1 May 2015, the Committee received the reply of the State party. At its 115th session, held in October 2015, the Committee analysed this information and adopted the following decisions:

- **Paragraph 10: (a) [B1]:** The Committee welcomes the amendments to the Aliens Act and the Act on the Treatment of Aliens Placed in Detention and Detention Units, which prohibits placing children in police detention facilities and detaining unaccompanied children seeking asylum. Additional information is required on:

(i) all legislative changes introduced regarding the process and circumstances for detaining asylum seekers and irregular migrants, and improving living conditions in detention facilities, in addition to the ones already mentioned by the State party.

(ii) The progress of the project on alternatives to detention launched by the Ministry of the Interior, including the changes being proposed; and

Her Excellency
Ms. Päivi Kairamo
Ambassador Extraordinary and Plenipotentiary
Permanent Representative
Fax: 022 740 02 87



(iii) The progress made by the National Police Board in reviewing its instructions and making changes needed to comply with the new legislation. Further information is also required on additional measures taken by the State party to ensure that administrative detention for immigration purposes is justified as reasonable, necessary and proportionate, including for detention of adults.

(b) [C2]: The Committee welcomes the opening of the new the Joutseno detention Unit and the fact that there is no longer any need to place detained aliens in police facilities. However, the Committee notes that the State party has not provided information on the number of irregular migrants and asylum seekers detained in Metsälä in the last three years and the length of their detention. The Committee reiterates its recommendation.

- **Paragraph 11: (a) [C1]:** The Committee encourages the efforts of the working group to examine the possibility of introducing alternatives to remand imprisonment and requests information on any progress in this respect. The Committee expresses regret that the State party has not required that suspects be brought before a judge within 48 hours of their arrest on criminal charges and reiterates its recommendation in that regard.

(b) [A]: The Committee notes the information provided by the State party on the provision of a defender for suspects and welcomes the new provisions in the Criminal Investigations Act for notifying suspects. The State party should provide information in its next periodic report on trainings for criminal investigation officials on the new provisions in the Criminal Investigations Act, particularly to ensure that the right to legal assistance is respected in practice.

- **Paragraph 16: (a) [C1]:** The Committee notes the information provided on the progress of the adoption of the two legislative proposals. Given the withdrawal of the Bill on the Act on the Sami Parliament, the Committee reiterates its recommendation to the State party to advance the implementation of the rights of the Sami by strengthening the decision making powers of Sami representative institutions.

[B2]: The Committee notes that the proposed amendments to Metsähallituslaki, including the initiative to ratify the ILO Convention No. 169, are under consideration. Additional information is required on measures taken to ensure that Sami people participate in the discussion of these amendments and on the progress to adopt the proposed amendments.

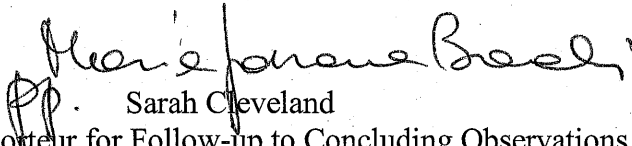
(b)[A]: The Committee welcomes the information provided by the State party regarding measures taken to facilitate education in their own language for all Sami children in the territory of the State party. The State party should provide additional information in its next periodic report on the impact of the Action Programme for the Revitalisation of Skolt Sami, Inari Sami, and North Sami Languages and the nationwide action plan to revive the Sami language.

The next follow-up report of the Human Rights Committee will be adopted in July 2016. If the State party wishes the information referred to be taken into account on that occasion, the reply should be sent in a Word electronic version to the Secretariat of the Human Rights Committee by **11 April 2016** (Kate Fox: kfox@ohchr.org and Fernanda Santana: fsantana@ohchr.org).



The Committee looks forward to pursuing its constructive dialogue with the Finnish authorities on the implementation of the Covenant.

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



Sarah Cleveland
Special Rapporteur for Follow-up to Concluding Observations
Human Rights Committee