

**ADVANCE UNEDITED VERSION**Distr.: General  
2 June 2023

Original: English

**Committee on the Rights of the Child****Concluding observations on the combined fifth and sixth reports of Finland\*****I. Introduction**

1. The Committee considered the combined fifth and sixth periodic reports of Finland (CRC/C/FIN/5-6) at its 2710th and 2711th meetings, held on 15 and 16 May 2023, and adopted the present concluding observations at its 2728th meeting, held on 26 May 2023.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State party under the simplified reporting procedure, which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

**II. Follow-up measures taken and progress achieved by the State party**

3. The Committee welcomes the various legislative, institutional and policy measures taken by the State party to implement the Convention, including the development of its first National Child Strategy (2021), and the new legislation (2023) on sexual offences in the Criminal Code.

4. The Committee also welcomes the accession to the following instruments:

(a) Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in April 2014;

(b) Convention on the Rights of Persons with Disabilities, in May 2016;

(c) International Convention for the Protection of All Persons from Enforced Disappearance, in March 2023;

(d) Paris Agreement under the United Nations Framework Convention on Climate Change, in November 2016.

**III. Main areas of concern and recommendations**

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following

\* Adopted by the Committee at its ninety-third session (8 – 26 May 2023).

areas, in respect of which urgent measures must be taken: non-discrimination (para. 16), violence against children, including sexual exploitation and abuse (para. 23), children deprived of family environment (para. 27), children with disabilities (para. 30), asylum-seeking, refugee and migrant children (para. 39) and administration of child justice (para. 41).

6. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It recommends the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.**

#### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

##### **Legislation**

7. **While welcoming the legal reforms on the wellbeing services counties and the proposal to Parliament (HE 144/2022 vp) to speed up the handling of crimes against children, the Committee recommends that the State party:**

- (a) **Consider the incorporation of the Convention into the national legislation;**
- (b) **Take measures to strengthen child rights impact assessment in the legislative process;**
- (c) **Reform legislation relating to the Sami people, in particular regarding the cultural and linguistic rights of the Sami children.**

##### **Coordination**

8. **The Committee welcomes the establishment of a permanent National Child Strategy with a coordination function at the national level. The Committee recommends that this new body be responsible for ensuring the effective coordination of the implementation of the Convention at the central, regional and municipal levels and across various sectors, such as education, health, social services and the child justice system.**

##### **Allocation of resources**

9. **Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party incorporate a child rights-based approach into the State budgeting process and:**

- (a) **Implement a tracking system for the allocation, use and monitoring of resources for children throughout the State party, including by the wellbeing services counties and municipalities, and assess how investments in all sectors serve the best interests of children;**
- (b) **Define budgetary lines for children in disadvantaged or vulnerable situations, including children with disabilities, children belonging to minority groups, children living in poverty, and asylum-seeking, refugee and migrant children;**
- (c) **Strengthen transparent and participatory budgeting processes at the national and municipal levels in which civil society, the public and children can participate effectively.**

##### **Data collection**

10. **While the Committee welcomes the development of indicators to assess trends in the realization of children's rights, the Committee recalling its previous recommendations, recommends that the State party:**

(a) Continue strengthening its data-collection system regarding both qualitative and quantitative indicators that encompass all areas of the Convention;

(b) Ensure that the data are disaggregated also by disability, migration status, socio-economic background, minority (e.g. Roma), indigenous (Sami), and children in vulnerable situations, such as those of imprisoned parents, in situation of violence or in alternative care in order to facilitate analysis of the situation of children;

(c) Ensure the effective coordination and sharing of data among relevant ministries and entities and the use of data for the formulation, monitoring and evaluation of policies and projects on children's rights.

#### Independent monitoring

11. While noting the strengthening of resources of the Ombudsman for Children, and recalling its previous recommendation, the Committee recommends that the State party:

(a) Allocate sufficient economic and technical resources to allow for the regular monitoring and evaluation of progress in the implementation of the Convention;

(b) Continue to strengthen the independence of the Ombudsman for Children, including by ensuring that the arrangement of "result management" does not compromise functional independence and all government assignments are agreed through a consultative process;

(c) Strengthen awareness raising among children to ensure that all children are aware of their right to file a complaint to the different complaints procedures, including the Parliamentary Ombudsman, and receive the necessary support to do so and ensure that all complaints received are investigated and addressed in a child-friendly manner;

(d) Strengthen awareness among children and parents on the Optional Protocol to the Convention on a communication procedure.

#### Dissemination, awareness-raising and training

12. The Committee recommends that the State party:

(a) Continue its awareness-raising regarding children's rights among the public and professionals alike, including by disseminating child-friendly educational material, and promote the active involvement of children in civil society, including in large scale projects;

(b) Ensure continuing systematic training on children's rights, the Convention and its Optional Protocols, including on a communication procedure, for all professionals working for and with children.

#### International cooperation

13. The Committee commends the State party for its long-term commitment to official development assistance and notes that State party has not met its commitment to reaching the internationally agreed target of 0.7 per cent of GNI by 2015. The Committee encourages the State party to continue strengthening a child rights-based approach in respect of its trade agreements and development aid policy and programmes, including through child rights impact assessments of international assistance and cooperation programmes.

#### Children's rights and the business sector

14. The Committee notes with appreciation the adoption of a national implementation plan of the UN Guiding Principles on Business and Human Rights but is concerned about the lack of legal accountability for business enterprises that have violated children's rights. Recalling its general comment No. 16 (2013) on State

obligations regarding the impact of the business sector on children's rights, the Committee recommends that the State party:

(a) Enact national corporate responsibility legislation for business enterprises and their subsidiaries operating in or managed from the State party's territory to identify, prevent, mitigate and account for activities that negatively affect human rights or endanger children's rights, including risks posed by global warming;

(b) Establish monitoring mechanisms for the investigation and redress of violations by the business sector of children's rights, with a view to improving accountability and transparency;

(c) Require companies to undertake assessments of, and consultations on, and fully disclose the environmental, health-related and other child rights impacts of their business activities, and to submit their plans to address such impacts.

## **B. General principles (arts. 2, 3, 6 and 12)**

### **Non-discrimination**

15. The Committee welcomes the action plans for Combating Racism and Promoting Good Relations between Population Groups and the one for combatting bullying, as well as the National Roma Policy (2023-2030) and the Action Plan on Persons with Disabilities, but is deeply concerned about the persistent discrimination against children and adolescents based on gender, age, language, and national or ethnic origin, migratory background, children with disabilities, and lesbian, gay, bisexual, transgender, and intersex children, and bullying.

16. The Committee recommends the State party to:

(a) Strengthen the fight against discrimination, including racial discrimination, hate speech and hate crimes;

(b) Redouble efforts to achieve a better impact of targeted policies and programmes to eliminate discrimination against children in all spheres and sectors of Finnish society, involving civil society, communities and children and adolescents themselves from an early age;

(c) Adopt measures that include awareness campaigns that promote equality, and that in the media promote messages that can contribute to changing conduct and behaviour of people, for the transformation of social norms that contribute to discrimination, in particular based on ethnicity, immigration status, disability, religion, sexual orientation and gender identity, among others.

### **Best interests of the child**

17. While welcoming the incorporation of the best interests of the child into numerous Acts, the Committee is concerned this is often not consistently applied. The Committee recommends that the State party:

(a) Guarantee the correct and systematic application of the principle of the best interests of the child in all areas of rights protection, in accordance with General Comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration;

(b) Establish monitoring mechanisms to measure the impact of the principle of the best interest of the child in the execution of the programs and in the legislative, administrative and judicial procedures, including as a principle of the Constitution, and in relation to custody and contact with parents, alternative care modalities, justice for adolescents in conflict with the law, asylum, particularly in case of return of parents who receive negative asylum decisions on their applications, and support for children who are victims or witnesses of crimes;

(c) Provide guidance and training to all professionals who work in the provision of services, rights of children and adolescents, as well as reinforce and

intensify training to all competent authorities in charge of applying the principle of best interests of the child.

#### **The right to life, survival and development**

18. The Committee recommends that the State party strengthen its efforts to prevent suicide among children, including children with disabilities, children who do not identify with the gender assigned to them at birth, transgender children and unaccompanied asylum-seeking children, and set up inter-agency child death review teams with the aim of strengthening preventive measures. The Committee also recommends that the State party continue to act with a sense of urgency to repatriate all children of Finnish nationals in armed conflict areas.

#### **Respect for the views of the child**

19. Noting that children's views are not systematically taken into account in decisions affecting them and that the Child Welfare Act (417/2007) only allows a child aged 12 or older to have the formal opportunity to be heard, the Committee recommends that the State party:

(a) Guarantee that all children can express their opinion and be heard in all decisions affecting them, in courts and administrative proceedings, with special observation in decisions regarding migration and asylum, custody, residence and contact, adoption of protection measures in alternative care to the family, social services and domestic violence, without the requirement for the consent of a parent or guardian;

(b) Adopt relevant legislative amendments to ensure that children's views, regardless of their age, are heard and taken into account in the above-mentioned decisions;

(c) Take the necessary measures to guarantee that all municipalities establish policies and structures, such as youth councils, for enforcing the right of children to participate in all spheres of society and in particular in local decision-making;

(d) Reinforce measures to promote the meaningful and empowered participation of all children, including children in disadvantaged situations, within the family, communities, schools and include children in decision-making in all matters related to children in the area of policymaking at the municipal and national levels;

(e) Guarantee and strengthen that all relevant professionals, including judges, teachers and youth care professionals, working with and for children, systematically receive appropriate training on the right of the child to be heard and have his or her opinion taken into account in accordance with the child's age and maturity.

### **C. Civil rights and freedoms (arts. 7, 8 and 13-17)**

#### **Nationality**

20. While concerned with the increased risk of statelessness when government officials do not ensure that children are duly registered as being born in the State party before deportation, the Committee recommends that the State party:

(a) Further facilitate the acquisition at birth of nationality for children who could otherwise be stateless and in particular, ensure that government officials duly register all children born in the State party before deportation as this might jeopardize access to citizenship and basic services and could increase the risk of statelessness;

(b) Adopt pending legislation amendments on prevention and reduction of statelessness and its related procedures.

**Right to privacy and access to appropriate information**

21. **Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party:**

- (a) **Strengthen regulations and safeguarding policies to protect the rights and safety of children in the digital environment;**
- (b) **Ensure that laws on access to information and the digital environment protect children from harmful content and materials and online risks;**
- (c) **Continue efforts to enhance the digital literacy and skills of children, teachers and families.**

**D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)****Violence against children, including sexual exploitation and abuse**

22. The Committee welcomes the Non-Violent Childhoods: Action Plan for the Prevention of Violence against Children (2020-2025), the national plan to prevent bullying, violence and harassment in schools and educational institutions (2021), the Barnahus project and the amendments to the Criminal Code on sexual abuse, but is deeply concerned about the:

- (a) High level of violence against children, including sexual harassment, rape, sexual abuse, sexual exploitation, gender-based violence, and online violence;
- (b) Particular vulnerability of girls, children with disabilities, children in alternative care, migrant and refugee children and children in socioeconomically disadvantaged situations;
- (c) Lack of a legislative framework for ensuring multisectoral coordination and quality standards for forensic interviews in child-friendly environment, comprehensive support services for victims of violence (Barnahus), and the fact that not all children have access to specialized support;
- (d) The lack of defined and allocated resources to implement the Action Plan for the Prevention of Violence against Children and the need for clearly defined responsibilities for the implementation of the Action Plan on different levels;
- (e) Insufficient resources allocated to social services and accessibility to social services offices when addressing cases of child abuse and domestic violence;
- (f) Lack of a centralised mechanism to collect data on child sexual abuse and exploitation.

23. **The Committee urges the State party to:**

- (a) **Respond to all forms of violence against children in all settings, including by providing sufficient human and financial resources to effectively implement the Non-Violent Childhood action plan (2020-2025) and ensure the legal basis for the coordination of intersectoral and child-friendly services of Barnahus;**
- (b) **Ensure that strategies and plans include targeted measures for girls, children with disabilities, children in socioeconomically disadvantaged situations, migrant children and children belonging to minority groups (Roma and Sami), and that it is adequately resourced and comprehensively addresses sexual exploitation and abuse;**
- (c) **Ensure the implementation of effective preventive and protective measures against online and offline violence, including bullying in schools as well as carry out research on root causes of violence;**
- (d) **Take measures against all forms of bullying and adopt, update and follow-up on the various prevention of bullying programmes and amend legislation accordingly;**

(e) Strengthen and standardize the national implementation of Barnahus to ensure that all children who are victims of all forms of violence, including sexual abuse and sexual exploitation, have access to multidisciplinary support, medical assessment and trauma focused therapy;

(f) Ensure the effective investigation of and intervention in all cases of violence against children, in and outside the home, and ensure that perpetrators are prosecuted and punished with penalties commensurate with the gravity of their acts and that the appropriate therapy, recovery, social re-integration and compensation of victims is available;

(g) Increase interventions on violence between children, including sexual abuse and violence in sports and leisure activities;

(h) Ensure that children have access to confidential and child-friendly complaint mechanisms, including helplines, for the reporting of all forms of violence and abuse, and encourage children to use those mechanisms;

(i) Further strengthen awareness-raising and education programmes, including campaigns, with the involvement of children, in order to enhance awareness of all forms of violence and abuse among members of the public, teachers, health-care professionals, social workers and other professionals working with and for children, and to identify and report to the relevant agencies;

(j) Incorporate educational programs on violence against children in relevant higher education and ensure that professionals working with and for children receive mandatory training on violence;

(k) Ensure the systematic collection and analysis of data on all reported, investigated and prosecuted violence against children as well as comprehensive and regular victim surveys to inform the implementation of the Non-Violent Childhood Action Plan.

#### **Harmful practices**

24. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:

(a) Ensure that the performance of unnecessary medical or surgical treatment on intersex children is safely deferred until children are able to provide their informed consent, and provide adequate social, medical and psychological services, counselling and support for intersex children and their families;

(b) Provide reparations and support for intersex children who received unnecessary medical or surgical treatment, including irreversible medical interventions, sometimes without intersex's children consent, by ensuring that their access to justice is not hindered by any statute of limitations;

(c) Strengthen measures aimed at preventing female genital mutilation including through the allocation of sufficient resources for awareness-raising campaigns, support for victims and the training of relevant professional groups to identify potential victims.

#### **E. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

##### **Family environment**

25. The Committee recommends that the State party:

(a) **Continue strengthening the provision of social services throughout the country by effective coordination of social services at the local level and the wellbeing services counties;**

(b) **Strengthen family support, including mediation services in divorce and separation cases, and provide the children with appropriate counselling and trauma support when needed;**

(c) **Promote joint parenting after divorce and separation and provide family counselling, including with the aim to ensure the regular contact between the child and the parent in situations where one parent is living abroad;**

(d) **Take measures to provide appropriate interventions and treatment services for parents with alcohol and substance abuse problems and provide the children with specialised support with the aim of avoiding family separation.**

**Children deprived of a family environment**

26. While welcoming the measures taken to strengthen the child care and protection legislation, the Committee is still concerned about:

(a) The high number of children who are deprived of their family environment;

(b) The insufficient human and financial resources available for the implementation of the Child Welfare Act;

(c) The insufficient monitoring of the conditions and quality of care in residential homes and foster homes, including on protection of children from violence and abuse;

(d) Insufficient access of children in alternative care to information about their rights as well as to child friendly channels to report violence;

(e) Insufficient measures to support children leaving care.

27. **Drawing the State party's attention to the Guidelines for the Alternative Care of Children,<sup>1</sup> the Committee recommends that the State party:**

(a) **Adopt a comprehensive strategy on alternative care for children and ensure that children are separated from their families only when necessary and in their best interests and that placement decisions are regularly reviewed with the aim of family reunification;**

(b) **Guarantee sufficient human and financial resources to implement such strategy as well as the of Child Welfare Act, including by increasing the number and the capacity of professionals;**

(c) **Ensure that adequate monitoring mechanisms of the conditions and quality of care are in place in alternative care;**

(d) **Ensure that children in alternative care have access to child-friendly information about their rights, that they can express their views in placement decisions and throughout their stay in alternative care;**

(e) **Ensure that accessible and child-friendly channels for reporting and remedying violence or abuse are available and that children are regularly informed on their rights;**

(f) **Ensure that individual post care paths are designed with the aim of providing social, educational and other appropriate support for successful reintegration in the family and the community.**

---

<sup>1</sup> General Assembly resolution 64/142, annex.



### Children of incarcerated parents

28. **The Committee recommends that the State party strengthen the capacity of municipalities for providing information and assistance to children with incarcerated parents and support for maintaining regular personal contact with their parents.**

## F. Children with disabilities (art. 23)

29. While welcoming the Second National Plan on the Convention on the Rights of Persons with Disabilities, the Committee is concerned about:

- (a) Children with disabilities not being successfully included in general education;
- (b) Long-term placements of children with intellectual disabilities in institutions;
- (c) Views of children with disabilities not sufficiently taken into account;
- (d) Social barriers to the inclusion of children with disabilities.

30. **The Committee recommends that the State party:**

(a) **Strengthen measures for ensuring inclusive education in mainstream schools for all children with disabilities, including by adapting curricula and training, providing adequate resources and competence, and assigning specialized teachers and professionals so that children with disabilities and learning difficulties receive individual support and due attention;**

(b) **Prevent and reduce long-term placements of children with intellectual disabilities in institutions and prioritise family and community-based services for such children;**

(c) **Ensure the right of children with disabilities to receive all necessary information to form their opinion, to be heard and to receive appropriate communication support in all decision-making that affects them;**

(d) **Reinforce the support for social inclusion and individual development of children with disabilities.**

## G. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)-(3) and 33)

### Health and health services

31. **The Committee recommends that the State party:**

(a) **Strengthen measures, including through training for health-care professionals, to ensure prompt and efficient access to high-quality health services for children throughout the country, paying particular attention to children in disadvantaged or marginalized situations, including children in alternative care, children living in poverty, Sámi children, asylum-seeking and refugee children, children who do not identify with the gender assigned to them at birth, and children without, or at risk of losing, parental care;**

(b) **Provide health and social services to all children and pregnant women, regardless of documentation;**

(c) **Raise awareness of the importance of breastfeeding among families and monitor the implementation of the International Code of Marketing of Breast-milk Substitutes;**

(d) **Ensure that children's rights to self-determination and participation are considered as a cross-cutting issue in all areas of social welfare and health care.**

### **Mental health**

32. Welcoming the National Mental Health Strategy and Suicide Prevention Agenda and noting with concern the prevalence of depression, anxiety and self-harm among children, the Committee recommends that the State party:

(a) Expediently provide adequate resources, implement the mental health strategy and substance abuse services as well as the reform of the Child Welfare Act;

(b) Strengthen mental health services and programmes for children, including by ensuring: (i) the availability of therapeutic mental health services in schools, detention facilities and within communities in all regions; (ii) a sufficient number of qualified professionals, including child psychologists and psychiatrists, to meet children's mental health needs in a timely manner; and (iii) that such services are tailored to address the specific needs of girls, asylum-seeking and refugee children, low-income households, children with disabilities and lesbian, gay, bisexual, transgender and intersex children, in particular services for preventative and early intervention;

(c) Invest in preventive measures, address the underlying causes of high suicide rates and mental health issues among children and ensure that children's perspectives are included in the development of response services available for them;

(d) Ensure that the prescription of drugs for children, including for anxiety, depression, psychosomatic disorders and attention deficit hyperactivity disorder, is used only when strictly medically indicated and after an individualized assessment of the best interests of the child, and that medical practitioners, children and their parents are properly informed about non-medical alternatives to and the possible side effects associated with such drugs;

(e) Provide community-based education and support, including periodic home visits, for parents and caregivers of children with mental health issues.

### **Adolescent health**

33. Welcoming that sex education is part of the national core curriculum, recalling its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party:

(a) Adopt a comprehensive and effective gender-sensitive sexual and reproductive health policy for adolescents and raise awareness amongst the health community about the health of LGBTI children and adolescents, particularly trans adolescents;

(b) Ensure that all children receive age-appropriate sexual and reproductive health education that includes education on gender equality, sexual diversity, sexual and reproductive health rights, responsible parenthood and sexual behaviour, and violence prevention;

(c) Strengthen efforts to prevent and address the incidence of drug, alcohol and tobacco use by adolescents, in particular in schools, and ensure the early identification and adequate referral of adolescents requiring treatment;

(d) Ensure that children and adolescents with gaming disorders, gambling addiction or other forms of online addiction, receive the necessary help and support;

(e) Put in place early detection programmes and mechanisms for intervention on the high numbers of girls with eating disorders and take actions to promote a healthy lifestyle.

### **Impact of climate change on the rights of the child**

34. While welcoming the State party's adoption of the Climate Act (2022), the Committee recommends that the State party:

(a) Ensure that national policies, laws, strategies and programmes on climate change and mitigation and adaptation are implemented in accordance with the rights

presented in the Convention, integrate the protection of children and take into account the urgency of children's needs and views;

(b) Evaluate the possible effects of climate actions and mitigation measures on children and their rights, including Sámi children;

(c) Undertake legislative and other measures to uphold its extraterritorial obligations concerning impacts on the environment that affect children's rights abroad, including in the context of business operations and international cooperation operating in or managed from the State party's territory.

#### Standard of living

35. The Committee recommends that the State party:

(a) Avoid cuts in social security benefits that impact on children at risk of poverty and exclusion;

(b) Further strengthen its policies to ensure that all children have an adequate standard of living, including by improving the financial situation and increasing social benefits for children with disabilities, asylum-seeking children, and children with an irregular residence status;

(c) Develop measures to prevent homelessness and expeditiously provide adequate and long-term social housing and other support measures for families in need;

(d) Collect and publish statistics on the number of children in street situations and children living in temporary accommodation and take measures to adequately address their needs.

## H. Education, leisure and cultural activities (arts. 28-31)

### Education, aims of education and human rights education

36. While noting the principle of inclusive education promoted by the State party, the Committee remains concerned about disparities in access to quality education, the large gap in knowledge between children of immigrant origin and children in general and discrimination, harassment and high incidence of bullying in schools. The Committee recommends that the State party:

(a) Ensure the equal access of children from disadvantaged groups, including Roma children, children with disabilities, asylum-seeking, refugee and migrant children, children in alternative care and children from socioeconomically disadvantaged families, to quality education, including by: (i) allocating resources to ensure the high quality and accessibility of public education and regulating and monitoring private schools and home schooling with the aim of addressing inequality in the education system; (ii) offering children with migrant background high-quality preparation for basic education and (iii) making primary and secondary education compulsory for all children in Finland and Åland, including asylum-seeking children, children with an irregular residence status and children with temporary resident permit;

(b) Reduce and prevent school dropout and absenteeism, including by adopting a national strategy, developing guidelines for identifying, registering and responding to such cases and regularly collecting data to inform the implementation of related measures;

(c) Ensure the availability of quality multilingual, intercultural, education free from discriminatory attitudes for migrant, Roma and Sami children, including through appropriate materials, multilingual teachers and educational tools;

(d) Strengthen measures to combat violence in schools, including sexual harassment, bullying, cyberbullying and online violence, and ensure that the measures encompass prevention, early-detection mechanisms, intervention protocols, mandatory

training for teachers, the empowerment of children and awareness-raising on the harmful effects of bullying and violence;

(e) Ensure the active participation of children and adolescents in the formulation of educational policies;

(f) Strengthen the teaching of human and children's rights and the principles of the Convention within the mandatory school curricula in all educational settings and in the training of and support to teachers and other education professionals; Develop human rights education material that promote intercultural dialogue and foster respect for and appreciation of racial, cultural, gender and other diversities and enhance teacher training in diversity of cultures, the rights of minorities and non-discrimination.

#### **Rest, leisure, recreation and cultural and artistic activities**

37. Recalling its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party:

(a) Ensure that sporting, recreational, leisure, cultural and artistic activities are available, safe and accessible for girls, children with disabilities, asylum-seeking and migrant children, socioeconomically disadvantaged children and children living in rural areas;

(b) Ensure that every municipality offers free-of-charge and affordable leisure activities for children;

(c) Strengthen measures to combat segregation, abuse and harassment in sport, promptly investigating all reports of abuse or harassment;

(d) Fully involve children in planning, designing and monitoring the implementation of policies and programmes relevant to leisure, play, recreation, cultural life and the arts.

### **I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)**

#### **Asylum-seeking, refugee and migrant children, including unaccompanied children**

38. Recalling joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, the Committee is seriously concerned about current practices towards unaccompanied children and family reunification, including legal and income obstacles to family reunification, processing times of asylum applications, access to services and the practice of detaining asylum seeking and migrant children.

39. The Committee urges the State party to ensure full respect for the rights of asylum-seeking, refugee and migrant children by:

(a) Strengthening measures for ensuring that the legal principle of the best interest of asylum-seeking, refugee and migrant children is given primary consideration in all asylum processes, migration decisions and procedures, particularly concerning unaccompanied children, and that their views are heard, including by: (i) ensuring that all asylum claims are individually assessed in a child-sensitive manner; (ii) considering the integration of best interests of the child determination into immigration legislation; and (iii) ensuring that children who are separated from and put into care after suffering violence or abuse from their parents are not deported with their abusive parents;

(b) Reduce processing times for asylum applications and put in place legislation that ensures that all children seeking asylum or who have received temporary protection, including unaccompanied children, have prompt affordable and quality access to psychosocial and integration support, health, welfare and education services, including day-care services;

(c) **Grant asylum to all unaccompanied children, remove legal and income obstacles to family reunification, making it possible for all refugees and asylum-seeking children, without discrimination, and introduce alternative care arrangements for unaccompanied children;**

(d) **Ensure that unaccompanied children are promptly assigned to a qualified guardian and receive regular support that is tailored to their specific needs**

(e) **End the detention of asylum seeking, and migrant children.**

#### **Administration of child justice**

40. The Committee is concerned about the:

(a) The length of trials;

(b) Children isolated at times during pre-trial detention;

(c) Children serving their sentences in the same facilities with adults;

(d) Deficient quality of education in detentions facilities.

41. **Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee recommends that the State party:**

(a) **Develop a strategy for the prevention of child offending based on research and analysis of the root causes of children's involvement in crime, in particular organized crime, and ensure that it includes early intervention directed at children at risk or in vulnerable situations and support for their families;**

(b) **Reduce the length of trials;**

(c) **Ensure that children are not kept in isolation during pre-trial detention;**

(d) **Actively promote non-judicial measures, such as diversion, mediation and counselling and evidence-based therapeutic services, for children accused of criminal offences and, wherever possible, the use of non-custodial measures such as probation or community service; establish time-frames for probation and clarify it does not imply proof of guilt;**

(e) **For the exceptional situations where deprivation of liberty is justified as a measure of last resort, ensure that children do not serve sentences in the same facilities as adults, it is for the shortest period of time possible, it is reviewed on a regular basis with a view to its withdrawal;**

(f) **Systematically provide long-term services to children who are detained and ensure the quality of education in detention facilities.**

## **J. Implementation of the Optional Protocol on the involvement of children in armed conflict**

42. The Committee recommends that the State party:

(a) **Prevent and prohibit in national legislation the trade in and export of arms, including small arms, light weapons and components for weapons systems, to countries where children are known to be, or may potentially be, recruited or used in hostilities;**

(b) **Establish a mechanism for the early identification of children who may have been recruited or used in hostilities, and ensure that they receive support for their physical and psychological recovery and reintegration into society.**

## **K. Ratification of international human rights instruments**

43. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

## **L. Cooperation with regional bodies**

44. The Committee recommends that the State party continue to cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other States members of the Council of Europe.

# **IV. Implementation and reporting**

## **A. Follow-up and dissemination**

45. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country and in child-friendly versions.

## **B. National mechanism for reporting and follow-up**

46. The Committee recommends that the State party strengthens its mechanism for reporting and follow-up as a standing government structure that is mandated with coordinating and preparing reports to and engaging with international and regional human rights mechanisms, as well as with coordinating and tracking national follow-up to and implementation of treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the Finnish National Human Rights Institution and civil society.

## **C. Next report**

47. The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

---