**20.12.2018**

**Submission for the purpose of the List of Issues Prior to Reporting, Finland**

I would like to thank the Committee on its statement from 8 October 2018 on climate change. I would kindly request you to ask the Government of Finland to provide answer in their report on, how they have guaranteed the protection of economic social and cultural rights on times of climate change.

In light of the information that I have, the Government of Finland has failed to prevent foreseeable human rights harm caused by climate change as it has not mobilized the maximum available resources in effort to do so (Article 2). Finland has been ranked as the most stable nation (Fragile States Index 2018), most secure state (The Travel & Tourism Competitiveness Report 2017), 4th best country (The Good Country Index) and the state having best governance (The Legatum Prosperity Index 2018). This means that Finland has full capacity and should have high standards in showing example on how to protect economic, social and cultural rights from the implications of the climate change.

I will elaborate this inaction of the Government of Finland as follows.

The Government of Finland has reported transparently (https://kestavakehitys.fi/seuranta/tulkinnat/-/blogs/resurssiviisas-talous-ja-hiilineutraali-yhteiskunta), that in 2016 the climate change related emissions increased 6 %. This is not in compliance with the aim to decrease emissions every year within the timeframe of 12 years, that the recent IPCC report has defined as a timescale to decrease emissions.

The Government of Finland has failed to take effective measures to decrease the average of the carbon footprint per person. The average carbon footprint of a Finnish citizen has been from 10,5 to 12 tons between 2003-2013 (<https://kestavakehitys.fi/seuranta/tulkinnat/-/blogs/julkiset-hankinnat-ja-kuluttaminen-yksityisen-kulutuksen-hiilijalanjalki-ei-noussut-vaikka-euroja-on-enemman-kaytettavissa>).

In parallel, the Government of Finland has decreased significantly the funding for development and research projects aiming to find solutions on climate related business. The difference between the years 2015 and 2016 was significant, as it dropped from 172 million euros to 140 million euros. In 2017 the level remained lower than in 2015.

**Climate change and threats of realization ICESCR Rights in Finland**

1. The State Parties to the ICESCR have committed to recognize the right of everyone to an adequate standard of living, including food and housing as well as improvement of living conditions (Article 11). Currently the climate change is posing the realization of the right in threat as the improvement of living conditions would require strong protection of forest, that are crucial to combat against climate change. However, the state has maintained policies and practice, that do not execute the effective protection of the nature and the environment.
2. In addition, Finland has agreed to recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (Article 12). The highest attainable physical health in our understanding refers and is also connected to the surrounding environment. Climate change will have a significant influence on the four seasons of Finland. The environment, nature and biodiversity is based on four seasons, where there is snow and frost in the winter. Climate change will influence on, what species can survive. In particularly different Arctic species and arctic culture and work is threated. It can be dangerous to do anymore for example winter fishing, if the ice is not strong enough. The lack of snow and ice is also strongly connected on the possibilities of indigenous peoples, Sami people to continue with their traditional activities and culture, including reindeer herding and picking berries (https://ilmasto-opas.fi/en/ilmastonmuutos/vaikutukset/-/artikkeli/98d25017-430a-405b-80f3-ddefcc534d75/saamelaiset.html).
3. There is increasing amount of climate anxiety, in particular among the youth that researchers have discussed in public (<https://yle.fi/uutiset/3-10140284>). Youth barometer found that youth have currently lower and lower trust on the future of the society and the world and statistically more and more concerns and feeling of insecurity because of climate change, currently approximately 70 % is concerned, among which 24,4 % very concerned (<https://yle.fi/uutiset/3-10346864>). I have faced climate anxiety of the youth in the research project ALL-YOUTH (allyouthstn.fi) continuously.
4. An important failure in the national Climate Law (609/2015) is, that is does not protect any effective means and measures, which protect the right to access to court. The Finnish constitutional right 20 § protects in general the right to access environmental information, participation and access to court. In addition it requires, that the public authorities should try to protect the healthy environment. However, in practice, in order to take any cases before the court on breaching of climate change, there should be an article in Climate Law providing such procedural safeguards. In addition taking a climate change related human rights issues before the court is not possible only on the basis of constitutional rights, but there is a requirement, that there has to be either a crime, specific legislative permit to apply before the court or a decision from the authority that includes right to appeal in respect to the specific decision.

For all the above reasons, the Government of Finland should intensify its efforts to reach climate neutrality and that it comply with its obligations under Paris Agreement. In addition, it should take effective legislative measures to guarantee the procedural rights that enable individuals effectively realize their rights also before the courts, if necessary.

References are made to year 2016, as the Government of Finland itself has provided the information currently from 2016 in its official online-participation page of sustainability indicators (kestavakehitys.fi/seuranta).

Sincerely,

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