**Recommendations by UN human rights mechanisms concerning the rights of persons with disabilities with respect to Finland**

**Main issues raised by TBs**

* Definitions with respect to **disability** are not yet in conformity with international standards, including the CRPD
* Need for comprehensive and disaggregated data collection, including on children with disabilities
* Reliance on civil society to provide social services to children with disabilities, which may reduce the responsibility of the State party as the primary duty-bearer for the realization of the rights
* Need to increase access to health insurance, and community based health and rehabilitation services for children with disabilities
* Inclusive education: Need to increase access of children with disabilities to education (only 1,1% accessing education)
* Pending ratification of the Optional Protocol to the CRPD

Concluding Observations of the CESCR Committee,[E/C.12/EGY/CO/2-4](http://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/EGY/E_C-12_EGY_CO_2-4_15900_E.doc), 2013

3. The Committee welcomes the State party’s ratification of the following instruments since the last dialogue in 2000:

a) The Accession to the International Convention on the Rights of **Persons with disabilities** in 2008;

4. The Committee notes with appreciation the State party’s efforts to promote the implementation of economic, social and cultural rights, which have included:

a) The adoption of a National Programme to reduce disabilities in 2009;

b) The adoption of Law No. 71/2009 providing for care of psychiatric patients; and establishment of regional councils for mental health

6. The Committee is concerned that the reduction in the proportion of budgetary resources allocated for health, education and housing, has resulted in retrogression in the effective enjoyment of the rights enshrined in the Covenant, disproportionately impacting disadvantaged and marginalized individuals and groups. The Committee is also concerned at the increasing recourse to regressive indirect taxes without prior assessment of their potentially severe human rights impacts and careful consideration of more equitable revenue collection alternatives (art. 2.1).

The Committee recommends that the State party increase the proportion of its budget allocated to sectors directly related to the Covenant rights, particularly health, education, housing and food. In doing so, the State party should ensure a budget formulation process that allows for meaningful inputs of stakeholders, including civil society. The Committee also reiterates its previous recommendation (, para. 28) and urges the State party to ensure that obligations under the Covenant are taken into account in all aspects of its negotiations with international financial institutions, to ensure that economic, social and cultural rights, particularly of the most vulnerable groups, are not undermined. The Committee also draws the attention of the State party to its general comment No. 3 (1998) on the nature of States parties’ obligations and general comment No. 19 (2007) on the right to social security.

9. The Committee is concerned about the serious and widespread discrimination against women, particularly with regards to their low representation in the workforce, disadvantageous wide wage gap, and prevalence of employment in the informal sector. The Committee is equally concerned that there continue to be laws that discriminate against women in the context of divorce and inheritance. Furthermore, the Committee is concerned about the low number of women in decision-making positions and the withdrawal of reservation of seats for women in parliament (art. 3).

The Committee recommends that the State party take steps to enhance the participation of women in the labour force. The Committee also recommends that the State party ensure adequate legislation to guarantee employment conditions and fair and equal remuneration for women that is in compliance with the Covenant. In doing so, the State party should place particular emphasis on addressing these issues in the informal employment sector. Furthermore, the Committee recommends that the State party consider adopting temporary special measures for promoting the substantive equality of women and men in all areas, in particular, in the areas of employment, and participation in political and public life, including in parliament.

18. The Committee is concerned at the increased rates of food insecurity, particularly in rural areas and among families in vulnerable situations. The Committee is concerned that retrogressive measures, such as the reduction or removal of subsidies, without adequate alternative support measures, disproportionately impact vulnerable and marginalized groups. (art. 11).

The Committee urges the State party to expeditiously assess the human rights impact of the reduction in food subsidies and undertake immediate measures to address the retrogression in the right to adequate food.

21. The Committee is concerned that the health care expenditure as a percentage of the budget of the State party has declined significantly; resulting in a fragmented and increasingly privatised health care system. It is also concerned that this results in a large percentage of the population, particularly those in vulnerable situations, being excluded from health insurance and deprived of access to health facilities, goods and services. Moreover, the Committee is concerned that the highly fragmented structure of the State party’s health care system is exacerbating the resource scarcities that are resulting in poorer health outcomes for the population which, inter alia, include increased maternal mortality rates and decreased rates of vaccination (art. 12).

The Committee recommends that the State party increase public spending on health with a view to providing health insurance for all, non-discriminatory access to health facilities, goods and services, provision of essential medicines, access to reproductive, maternal and child health care and immunisation against major infectious diseases. Furthermore, the Committee recommends that the State party undertake measures to ensure effective inter-sectoral coordination on health programmes and policy, particularly with regard to addressing geographic disparities in the provision of health care.

22. The Committee is concerned that the State party has decreased the budgetary share of its expenditure on education, resulting in the poor quality public education, particularly in rural areas and informal settlements, and exacerbating the problem of unequal access to education for children in vulnerable situations (art. 13 and 14).

The Committee recommends that the State party increase its expenditure in education. In doing so, the Committee recommends that the State party prioritise educational reforms that ensure the equitable provision of free and quality education for children in rural areas and/or situations of socio-economic vulnerability and ensure the regular review of quality of teaching and school conditions.

Concluding Observations of the CRC Committee, [CRC/C/EGY/CO/3-4](http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhso1Q2s755AxsWlLMpbBrBttxv249Mhm4QR%2bD3jX%2f9n10lim7eVxsHiLwC72697dCf2e%2f2fjWjssXWv2h79%2f77oydGF2o78ex2IxV%2fNtSFfib), 2011

The Committee’s previous recommendations

9. The Committee notes as positive the efforts by the State party to implement the Committee’s concluding observations on the State party’s previous report (CRC/C/15/Add.145, 2001) which have yielded positive results. However, it regrets that many of its concerns and recommendations have been insufficiently or only partly addressed.

10. The Committee urges the State party to take all necessary measures to address those recommendations it made in its concluding observations on the second periodic report under the Convention which have not been implemented or sufficiently implemented, including those related to coordination, data collection, allocation of resources, independent monitoring as well as those concerning adolescent health, the best interest of the child in all matters affecting children, **children with disabilities**, economic exploitation, sexual exploitation and abuse of children. The Committee further urges the State party to provide adequate follow-up to the recommendations contained in the present concluding observations.

Data collection

21. The Committee welcomes efforts of the State party to strengthen its data collection system on child rights, notably the creation of a central database at the National Child Rights Observatory of the National Council of Childhood and Motherhood. It further notes as positive that the collection of data from all line ministries through the coordination committee for data collection has started, and the ongoing efforts of the NCCM to develop child rights indicators as well as a child rights index intended to monitor the situation of children in the State party. Nevertheless, the Committee is concerned that its previous recommendation for systematic data collection on children (CRC/C/15/Add.145, para. 16) is yet to be implemented. The Committee is deeply concerned that the absence of a comprehensive data collection system contributes to the State party’s lack of data on children deprived of their liberty, children subjected to torture and ill-treatment, **children with disabilities**, and children in street situations.

22. The Committee reiterates its recommendation that the State party provide adequate human, technical and financial resources to the Child Rights Observatory in order to ensure systematic collection and analysis of data – disaggregated by age, sex, geographical location and socio-economic background – on the implementation of children’s rights. It also calls upon the State party to intensify efforts to ensure the proper functioning of the central database of the Observatory, in close coordination with the National Centre for Statistics and with meaningful participation and cooperation with civil society active in the field of children’s rights, and to make the database readily available and accessible to the public as soon as possible. It recommends that the State party continue seeking technical assistance from UNICEF in this regard.

Cooperation with civil society

27. The Committee notes the high number of civil society organizations involved in promoting understanding of the Convention and the Child Law (2008) and the active cooperation by the National Council for Childhood and Motherhood with such organizations, notably in the areas of education and health. It also welcomes the provision in the Child Law (2008) calling for the inclusion of representatives from non-governmental organizations (NGOs) in all Child Protection Committees at governorate and district levels. The Committee is nevertheless concerned at the State party’s reliance on civil society organizations in the provision of social services for children, notably in the fields of family support, care of children deprived of their family environment, **children with disabilities**, and children who are victims of violence and abuse, which may reduce the responsibility of the State party as the primary duty-bearer for the realization of the rights guaranteed under the Convention. Furthermore, the Committee is concerned at the absence of a monitoring and evaluation system of social services provided by private entities.

28. While acknowledging the important role played by non-governmental actors in the provision of services for children, the Committee recommends that the State party undertake a comprehensive review of their involvement in the provision of core social services for children as well as their participation in policy formulation and programme development for children. The Committee, recalling paragraph 44 of its general comment No. 5 (2003) on general measures of implementation, reminds the State party of its obligation to ensure that non-State service providers operate in accordance with the Convention. The State party is encouraged to establish a system of continuous monitoring and evaluation of social services provided by private entities for children, including by elaborating appropriate standards.

**Children with disabilities**

60. The Committee welcomes the strengthening of legal protection for **children with disabilities** pursuant to the Child Law (2008). Nevertheless, the Committee is concerned that definitions with respect to **disability** are not yet in conformity with international standards, resulting in persistent discrepancies and very limited available data on **children with disabilities**. The Committee is concerned at the extremely low number of **children with disabilities** (4 per cent) who access services provided by the State. It finds particularly worrisome that rehabilitation services and the general health insurance do not cover **children with disabilities** who are outside the education system, affecting especially children with mental, severe and multiple disabilities. Despite efforts of the State party to establish community-based services, the number of villages providing such services through health centres remains very low. While noting the integration of inclusive education as a key component of the national plan for educational reform, the Committee is concerned at the limited number of schools in this regard and the extremely low number of **children with disabilities** (1,1 per cent) enjoying their rights to education compared to other children.

61. The Committee urges the State party to:

(a) Ensure that the draft law on the rights of **persons with disabilities** fully conforms with the Convention on the Rights of **Persons with disabilities** and the Convention, and recommends that it adopt the law, in accordance with the State party’s voluntary pledge during its consideration under the universal periodic review (A/HRC/WG.6/EGY/1, p. 24);

(b) Adopt a national strategy on the rights of **persons with disabilities** with special attention to children, so as to ensure respect for difference and acceptance of **persons with disabilities**;

 (c) Strengthen the availability and accessibility of community-based educational and health services for **children with disabilities**, in particular by strengthening inclusive education which promotes the child’s self-reliance and active participation in the community in line with article 23, paragraph 1 of the Convention;

(d) Ensure that all **children with disabilities** regardless of their status, in light of the State party’s obligation under article 23, paragraph 3 of the Convention, enjoy access to rehabilitation services and increase the coverage of community-based rehabilitation facilities across its territory;

(e) Review the current health insurance system in order to cover all children and to lower the cost of health services for the most disadvantaged families;

(f) Ensure that data and statistics on the situation of and enjoyment of rights by **children with disabilities** is collected, stored and analysed, including through the database of the Child Rights Observatory.

Ratification of international human rights instruments

89. The Committee welcomes the State party’s announced plans to accede to all United Nations human rights treaties. It recommends that the State party, in order to strengthen the fulfillment of children’s rights, ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention against Torture, the **Optional Protocol to the Convention on the Rights of Persons with disabilities**.

Concluding Observations of the CEDAW Committee, [CEDAW/C/EGY/CO/7](http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhssmw5jHDQuNBd%2bTWAIG8TlGIavwOKsw7LRXOCA99TlAeuX0skAl25EB7vBTTFF2lAICEF5Gi%2fUriX9MkkIX%2fVj%2bM6prlPs6vt21OVxyqQn8V), 2010

Vulnerable groups of women

45. The Committee is concerned at the very limited information and statistics provided about vulnerable groups of women and girls, including older women, **women with disabilities**, refugee women and girls living in the street. The Committee is also concerned that those women and girls often suffer from multiple forms of discrimination, especially with regard to access to education, employment and health care, protection from violence and access to justice.

46. The Committee requests the State party to provide, in its next report, a comprehensive picture of the de facto situation of vulnerable groups of women and girls in all areas covered by the Convention and information on specific programmes and achievements.