

**Questionnaire to Governments
UN Permanent Forum on Indigenous Issues**

**Questionnaire on the report of 14th session of the UN Permanent Forum on
Indigenous Issues**

Response by the Government of Finland

May 2016

Question 1

Briefly state what recommendations from the Fourteenth Session of the United Nations Permanent Forum on Indigenous Issues (UNPFII)¹ or recommendations from previous sessions (not included in your previous reports) that have been addressed by your Government. Where possible, also provide information on the situation of indigenous women.

Regarding the recommendation in paragraph 6 of the Report on the Fourteenth Session of the Permanent Forum (E/2015/43) that States, indigenous peoples and United Nations agencies, funds and programmes immediately engage in a consultative process focused on the full and effective implementation of the outcome document at the local, national, regional and international levels, Finland would like to inform that a national coordination meeting on Sámi issues between relevant sectoral ministries and the Sámi Parliament was organized by the Ministry of Justice in October 2015. In that context, a practical working tool in the follow-up was discussed. This practical working tool is a table on the Outcome document paragraphs and relevant national action related to the Outcome document paragraphs. A column with the views of the Sámi Parliament in Finland will be added to this table. The table is to serve as a practical working tool for both relevant sectoral ministries and the Sámi Parliament in the follow-up to the World Conference on Indigenous Peoples.

Finland (the Ministry for Foreign Affairs) will publish the translations of the UN Declaration on the Rights of Indigenous Peoples and the Outcome Document of the High-Level Meeting of the General Assembly known as the World Conference on Indigenous Peoples in Finnish and the three Sámi languages spoken in Finland (North Sámi, Skolt Sámi language and Inari Sámi language) as well as the original English version as a printed publication in June 2016.

In December 2015 a Nordic expert meeting on the follow-up to the World Conference on Indigenous Peoples with the participation of both government representatives and Indigenous representatives from all Nordic countries was organized. The meeting focussed in particular on the review of the Expert Mechanism on the Rights of Indigenous Peoples as well as the participation of Indigenous Peoples at the United Nations.

With respect to the recommendation in paragraphs 13 and 18 regarding suicides and self-harm, Finland wishes to refer to our response to the Permanent Forum in 2015 and in addition to provide the following information. Finnish municipalities have the duty to provide social

¹ The following paragraphs of the Report on the Fourteenth Session of the Permanent Forum (E/2015/43) contain recommendations addressed to Member States: 6, 8, 10, 13, 18, 22, 28, 29, 31, 32, 33, 35, 36, 40, 41.

welfare and health care services for their residents. This duty also applies to the Sámi population. Social welfare and health care services of an equally high standard must be provided for Sámi speakers and the majority population.

In addition to general central government transfers to municipalities, a separate discretionary transfer has been granted since 2002 for one budget year at a time to safeguard the availability of Sámi-language social welfare and health care services that complement the municipal services in the Sámi homeland. The Sámi homeland comprises the areas of Enontekiö, Inari and Utsjoki municipalities as well as the area of the reindeer owners' association of Lapland (Vuotso) in Sodankylä. The purpose of the discretionary government transfer is to cover the costs of social welfare and health care services provided in all the Sámi languages (North Sámi, Inari Sámi and Skolt Sámi) spoken in Finland. In 2016, the discretionary transfer for Sámi-language social welfare and health care services will amount to some EUR 480,000.

This appropriation, which will be paid out through the Sámi Parliament, is a discretionary transfer intended for safeguarding the availability of Sámi-language social welfare and health care services in the Sámi homeland municipalities referred to in Section 4 of the Act on the Sámi Parliament (974/1995). The government aid authority responsible for administering the transfer is the State Regional Administrative Agency of Lapland. The Sámi Parliament prepares an annual plan for spending the appropriation, which in practice is binding the municipalities.

In 2016, priority areas of the appropriation were services for older people and health care. The discretionary government transfer is a key channel through which the Sámi people can influence the provision, organisation methods and contents of services arranged for them and thus steer the way their language and culture are maintained and developed in their homeland. The services are mainly provided by the municipalities.

Sámi children, similarly to all other children living in a municipality, are entitled to child health clinic services and school health care, on which provisions are contained in the Health Care Act (1326/2010; Sections 15 and 16).

The tasks of the Sámi unit at the Centre of Expertise on Social Welfare of Northern Finland (Poske) concern developing social welfare expertise, basic, further and continuing education in the social welfare sector, and research, trial and development activities in this sector (Act on Centres of Excellence on Social Welfare (laki osaamiskeskustoiminnasta, 1230/2001)). The special national task of the centre is developing services based on the Sámi language and culture. The Sámi unit operates in conjunction with the Sámi Parliament.

Of the discretionary government transfer granted to the Centre of Excellence on Social Welfare, 1.5% is earmarked as a special grant for responding to the service needs of the Sámi-speaking population.

The current social welfare and health care sector reform is likely to change the role of municipalities as service providers. The Sámi Parliament will be informed as the reform

progresses, and it will have a possibility to participate in the reform processes. The Sámi Parliament will be consulted separately once the proposals concerning the reform have been developed further.

As regards the recommendation in paragraph 31 of the report , Finland supports the participation of Indigenous Peoples' representatives and institutions in UN meetings affecting them and works together with other partners to ensure relevant references to Indigenous Peoples in international documents. Finland was pleased that Indigenous Peoples were taken into account in the Paris Agreement under the United Nations Framework Convention on Climate Change and the 2030 Agenda for Sustainable Development.

With respect to the recommendation in paragraph 35 of the report regarding national legislation, Finland would like to inform that during the current electoral period the Ministry of Justice aims at revising the Act on the Sámi Parliament in the manner proposed in the related Government Bill (HE 167/2014 vp), which was submitted and later cancelled during the previous electoral period. Now, the Ministry intends to present most of the proposed revisions to Parliament again. In this context the Ministry will reiterate the proposal that the current obligation to negotiate (section 9) should be changed to better comply with the principle of free, prior and informed consent.

In November 2014 a Government Bill to ratify ILO Convention No. 169 (HE 264/2014 vp) was submitted to Parliament. The reading of the matter was transferred to the post-electoral new Parliament. This year the Government has commissioned a new study which draws from the international norms, experiences and practices relating to the rights of indigenous peoples.

Question 2

What are some of the obstacles your Government has encountered in implementing the recommendations of the Permanent Forum?

The number of adopted recommendations per session continues to be relatively high. More targeted, precise and implementable recommendations would facilitate their consideration and implementation at the national level. Recommendations should be focused on areas that the Permanent Forum sees as priority issues for consideration at a given point in time.

Question 3

What are some of the factors that facilitate your Government's implementation of the recommendations of the Permanent Forum?

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Question 4

The theme of the Permanent Forum's fifteenth session in 2016 will be "Indigenous peoples: conflict, peace and resolution".

Briefly state how your Government deals with this issue in regards to indigenous peoples?

Mediation supports the achievement of a lasting peace by means of creating a foundation for the construction of political, economic and social institutions. Mediation is a priority area in Finland's foreign policy. For example, through her co-chairmanship of the UN Group of Friends on Mediation, Finland supports strengthening the UN structures on mediation and works to ensure that mediation and dialogue are at the forefront of the UN's work. In that work, Finland emphasizes inclusiveness, local ownership, women's participation and the role of civil society in peace processes.

Finland has a National Action Plan 2012-2016 on the UN Security Council Resolution 1325 (2000) "Women, Peace and Security". It acknowledges that Indigenous Peoples as well as persons belonging to different minorities are often the population groups in society facing the most discrimination.

Question 5

Please provide information on how your Government currently promotes and/or implements the United Nations Declaration on the Rights of Indigenous Peoples.

The UNDRIP has been translated into Finnish, Swedish and the three Sámi languages (North Sámi, Inari Sámi and Skolt Sámi) in Finland. The Declaration is considered a policy document, which has a guiding effect in the work of authorities as well as in legislative work.

In Finland all ministries are responsible for legislative drafting, issues pertaining to research, development and monitoring, and international affairs in their own administrative branches. Thus, human rights are integrated into all sectors of government and administration. A human rights-friendly interpretation is applied.

Question 6

Does your national statistics agency or a similar public entity collect disaggregated statistical data about indigenous peoples? If so, please provide practical information on how to access this information (i.e. website address, publications or other sources of information).

Statistics Finland collects statistical data on persons residing in Finland based on nationality, language and country of birth. Statistics may also be compiled according to origin, which means the country of the person's parents, as is the case also in other Nordic Countries. Pursuant to the Personal Data Act (523/1999), the processing of sensitive data is prohibited. Personal data are deemed to be sensitive, if they relate to or are intended to relate, inter alia, to race or ethnic origin. However, this prohibition does not prevent processing of data for purposes of historical, scientific or statistical research. Since census is based on registers, Finland cannot produce official statistics on ethnic groups.

Question 7

The outcome document of the 2014 World Conference on Indigenous Peoples (A/RES/69/2) invites the UN system to “...to support the implementation, upon request, of national action plans, strategies or other measures to achieve the ends of the...” UN Declaration on the Rights of Indigenous Peoples (paragraph 32).

Please provide information on how the UN system (at all levels) could best support your Government’s efforts to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples.

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