

Implementation of the voluntary pledges made by the Government of Finland on the occasion of the High-Level Meeting on the Rule of Law in 2012

I. ENHANCING WOMEN'S ACCESS TO JUSTICE BY:

1. *Ratifying the Council of Europe Convention on Prevention and Combating Violence against Women and Domestic Violence (CAHVIO) and organizing an international seminar in Helsinki in 2013 to enhance its implementation;*

- ✓ On 18 September 2014, the Finnish Government submitted a Government Bill for ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence to the Parliament.
- ✓ On 17-18 January 2013, the Ministry for Foreign Affairs, together with the Council of Europe and the Finnish Delegation to the Parliamentary Assembly of the Council of Europe, organized in Helsinki a regional conference on the Istanbul Convention, titled "From signature to ratification and implementation - Exchange of experience and practices". The conference brought together over 150 participants from Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland, the Russian Federation and Sweden. Participants included representatives from government structures and institutions, parliaments and local authorities, judiciary and law enforcement, other regional and international organizations, notably UN Women, the Fundamental Rights Agency of the European Union (FRA), the European Institute for Gender Equality, NGOs and civil society as well as media. The conference aimed at raising awareness of the Istanbul Convention, discussing the benefits and challenges of ratifying the Convention and encouraging member states to sign and ratify it. It also provided an excellent opportunity to exchange experiences and know-how and to network.

2. *Implementing the Cross-Sectoral Action Plan to Reduce Violence against Women by 2015, including securing necessary resources to that end;*

- ✓ The Cross-Sectoral Action Plan to Reduce Violence against Women for years 2010-2015 was published in 2010. The aims of the Action Plan are (i) to tackle violence proactively by seeking to influence attitudes and behaviours, (ii) to prevent repeated violence, (iii) to improve the position of victims of sexual violence and the crisis assistance and support provided for them, (iv) to develop methods for identifying and intervening in the violence experienced by vulnerable groups, and (v) to enhance the knowledge and skills of the authorities and professional service providers in preventing violence against women and in helping victims. The Action Plan has been designed to respect the international conventions and treaties that Finland has signed.
- ✓ The Action Plan contains a total of 59 tasks, whose implementation has been divided to different years. A total of 22 tasks have been finished, while 19 are still ongoing and five are pending due to the social and

healthcare organization's renewal process. A total of seven tasks, six of which are studies, will not be put into effect. The Action Plan will be evaluated during 2015.

3. *Reforming the legislation on sexual offences to the effect that it will better serve the right to sexual self-determination;*

- ✓ The legislation on sexual offences has been amended to better serve the right to sexual self-determination. The new provisions became operative on 1 September 2014.
- ✓ The bill included multiple amendments: The provision on coercion into sexual intercourse, i.e. rape committed under mitigating circumstances, was repealed. Likewise, a provision on waiver of measures in cases the victim request the charges not be brought was repealed. The public prosecutor may now bring charges for nearly all sexual offences without a complaint filed by the victim. The proceedings may continue even if the victim withdraws his or her statement. The victim being under 18 years of age is now one of the statutory aggravating circumstances of rape. Sexual harassment has been criminalized and the definition of sexual intercourse in the criminal code has been amended to be truly gender-neutral.

4. *Incorporating gender perspective and the promotion of gender equality in the future Government Report on Democratic Policy and in broader measures to promote democracy and citizen's participation.*

- ✓ Finland's commitment to mainstream gender equality in its democracy and citizen participation policies is proceeding on schedule. A large collection of democracy indicators has been developed to monitor and enhance access and equal participation. Further, a democracy indicator report was published in October 2013 and will be updated during the forthcoming years.
- ✓ A study on political and civic participation, focusing on gender equality, has been conducted. Although the report concludes that there is a high degree of gender equality, women are still underrepresented in democratically elected bodies. The Government aims to encourage participation in municipal politics by improving the conditions of municipal councilors and by introducing more participation opportunities in the new municipal law, entering into force on 1 January 2015.
- ✓ A Democracy Report was submitted to Parliament in March 2014, with a description of the efforts to enhance equal participation, and the Parliament has issued guidelines for further development. The report is intended to initiate an action programme for monitoring and enhancing the development of equal access to participation.
- ✓ The Ministry of Justice has developed a website for citizen participation, including e-democracy services for collecting citizens'

initiatives, municipal initiatives and for commenting and discussing legislation under preparation.

II. OTHER PLEDGES:

5. *Promoting the Rule of Law related objectives of Finland's newly adopted Development Policy Programme (2012) during the programme period;*

- ✓ Finland has actively promoted the Rule of Law related objectives of the Development Policy Programme during the period and has strengthened its support to relevant programmes.
- ✓ According to its Development Cooperation Policy, Finland is committed to: promotion of human rights, democracy and an accountable society by supporting human rights actors, good governance and the rule of law; inclusion of the human rights based approach in all activities; strengthening openness, access to information and accountability; building the capacity of democratic public institutions in partner countries; carrying out anti-corruption work; supporting the duty-bearing authorities in monitoring and implementation of their human rights obligations, particularly in relation to the most vulnerable groups; and acting for settlement of land ownership and securing the land rights of the poor and the women.
- ✓ Finland allocates funds to NGOs promoting human rights and democracy, including the following:
 - Finland has been a long-term partner of the International Center for Transitional Justice (ICTJ), which works to help societies in transition to address legacies of massive human rights violations and to build civic trust in state institutions. In 2014-2015, Finland provides core support to the ICTJ in the amount of EUR 500,000. Further, the Finnish Embassy in Lebanon provides local support to the ICTJ's project in Lebanon and Syria (EUR 100,000).
 - Finland is also supporting the International Commission of Jurists' work on ensuring access to effective remedies and reparations by women and vulnerable groups, strengthening of the independence of judges and lawyers and the development and strengthening of international human rights law, particularly on economic, social and cultural rights. Finland's contribution in 2015-2016 amounts to EUR 1.4 million.

6. *Supporting United Nations Rule of Law activities, through, inter alia, its continued financial support to the UNDP Law and Order Trust Fund in Afghanistan;*

- ✓ In 2014-2016, Finland contributes EUR 11.3 million to the UNDP Law and Order Trust Fund in Afghanistan (LOTFA). LOTFA enables the international community to mobilize resources to strengthen law enforcement in Afghanistan. Funds are used to pay police officers' and

prison guards' salaries, build infrastructure, and support the professionalization of police officers, including women. LOTFA supports the capacity of Family Response Units and Gender and Human Rights Units and works with e.g. the Ministry of Interior Affairs to ensure a safe and equal working environment for both men and women.

- ✓ Finland supports the Afghan Subnational Governance Programme (ASGP) implemented by the UNDP. It strengthens effective subnational governance that promotes public participation. The programme supports the rule of law and sustainable development in Afghanistan. Finnish contribution to the ASGP is EUR 1.2 million in 2013-2015.
- ✓ Finland also supports other United Nations Rule of Law activities, including, for example:
 - UNDP programmes in Nepal, named "Strengthening the Rule of Law and Human Rights Protection System in Nepal" (EUR 5.4 million in 2013-2017) and "Strengthening the Capacity of Human Rights Commission in Nepal" (EUR 600.000 in 2009-2014);
 - UNDP Pillar III programme to strengthen democratic institutions and advancement of human rights in Myanmar (EUR 2 million in 2014-2015); and
 - UN Team of Experts' project to support a panel of judges in Guinea (EUR 150.000 in 2013).

7. *Continuing to support regional and bilateral programmes to promote the rule of law, such as the programme "Equal before the Law: Access to Justice" in Central Asia throughout 2013 which aims at strengthening links between international norms and national law and improving access to justice by especially vulnerable groups, such as rural women, children at risk and disabled persons;*

- ✓ The programme "Equal before the Law: Access to Justice" (EBL) was extended until April 2014 and the experience therefrom has been used in preparing two UNDP follow-up projects. Both projects, titled "Widening Access to Justice for Legal Empowerment in the Kyrgyz Republic" and "Strengthening the Rule of Law and Human Rights to Empower People in Tajikistan" cover years 2014-2017, the Finnish contribution totalling EUR 2 million. The projects aim at legal empowerment of the vulnerable groups (mainly rural women and disabled people) and at assisting state institutions in complying with the relevant international standards.
- ✓ Finland has actively participated in the activities of the EU Rule of Law Platform in Central Asia i.e. by organizing a Regional Conference on Constitutional Law in Helsinki in September 2014 and by assigning experts to other seminars arranged by the Platform. Finland will continue until February 2015 its cooperation with the Venice Commission of the Council of Europe in the implementation of the

project "Supporting Constitutional Justice, Access to Justice and Electoral Reform in the Countries of Central Asia", funded jointly with the European Commission.

- ✓ Further, Finland is also providing support to other programmes, such as:
 - OXFAM's project titled "Women's Access to Justice in the Middle East and North Africa (MENA) Region Phase 2" in Jordan, Lebanon, Yemen and Egypt, with an objective to contribute to equitable access to formal and informal justice for poor and vulnerable women in the targeted countries (EUR 2.9 million); and
 - an institutional capacity building project between the Ministry of the Interior of Tunisia and the Police College of Finland, aiming at developing the capacity of the Tunisian Police and the National Guard to coordinate and absorb international assistance directed to them (EUR 0.5 million).

8. *Supporting training of criminal justice and related professionals in the investigation of international crimes, through continued financial support to the Justice Rapid Response in 2013;*

- ✓ Finland has continued to support the Justice Rapid Response (JRR) mechanism, which it considers as an important instrument in the fight against impunity. After becoming operational in 2009, the JRR has attained excellent results and its current roster comprises approx. 450 trained experts. In 2013, Finland contributed funds to the JRR in the amount of EUR 80,000, and in 2014, Finland increased its financial support to EUR 180,000.
- ✓ In addition to its financial support, Finland is an active member of the executive board of the JRR. Ambassador Marja Lehto has acted as the chairperson of the executive board since September 2014. Finland became a member in the JRR Association in late 2014.

9. *Continuing to support the efforts of the Trust Fund for Victims for the benefit of victims within the jurisdiction of the International Criminal Court and of the families of such victims, by contributing funds to the Trust Fund;*

- ✓ Finland has continued to support the Trust Fund for Victims (TFV), which it considers as a valued partner in its foreign and development policy. The TFV provides assistance to victims of the most serious crimes and their families through means of physical and psychological rehabilitation and material support.
- ✓ In 2012, Finland and the TFV signed a multi-annual donor agreement, according to which Finland contributes, from 2012 to 2015, a total amount of EUR 800,000. The contribution is earmarked to projects assisting victims of sexual and gender-based violence in Northern Uganda and the Democratic Republic of the Congo. In 2014, Finland

contributes an additional EUR 300,000 to the TFV, to be used to finance assistance projects in Sub-Saharan Africa.

- ✓ Together with actors from the private sector and civil society, Finland has taken a national initiative to inspire private donations to the TFV.

10. Submitting jointly with other like-minded States on targeted sanctions by the end of 2012 and by 2014 to the UN Security Council suggestions on ways to strengthen the UN sanctions system by further improving fair and clear procedures, especially with regard to enhancing the scope and mandate of the Ombudsperson procedure.

- ✓ Jointly with other like-minded States on targeted sanctions Finland submitted to the Security Council suggestions on ways and means to strengthen the UN sanctions system by further improving fair and clear procedures both in November 2012 and in May 2014. These included several proposals aimed at enhancing the scope and mandate of the Ombudsperson procedure, promoting transparency and the exchange of information, and gradually extending stronger guarantees of fair and clear procedures to other UN sanctions regimes. A number of these suggestions were reflected in subsequent Security Council Resolutions on sanctions against Al Qaida, namely Resolution 2083 (2012) of 17 December 2012 and Resolution 2161 (2014) of 17 June 2014.