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Ulkoasiainministeriö
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Asia **YK; Ihmisoikeustoimikunta; informaatio- ja aineistopyyntö koskien HIV/AIDS:ia ja ihmisoikeuksia**

Sosiaali- ja terveysministeriö toimittaa informaatiota ulkoasiainministeriön lausuntopyyntöön, mikä koskee ihmisoikeustoimikunnan hyväksymiä päätöslauselmaa 2005/84. Tämän vuoden kyselyn näkökulmana on naisten, lasten ja haavoittuvaisten ryhmien ihmisoikeusasema ja HIV/aids.

Neuvotteleva virkamies

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Liite 1

Comments by Finland on the implementation of resolution 2005/84 The protection of human rights in the context of human immunodeficiency virus/HIV and acquired immunodeficiency syndrome/AIDS.



Comments by Finland on the implementation of resolution 2005/84 *The protection of human rights in the context of human immunodeficiency virus/HIV and acquired immunodeficiency syndrome/AIDS.*

According to the statistics of the National Public Health Institute, a cumulative total of 2061 cases of HIV-infections were registered in Finland by 27 November 2006. The amount of new infections in 2006 was 172 (recorded until 27 November 2006). In 2005 (the whole year), the amount of reported new cases was 139. Collected information showed, that the increase was due to sexual transmission, both hetero- and homosexual routes. Part of the increase was due to business and holiday trips abroad. Due to the reasons of the increase the Finnish National Public Health Institute and a Finnish NGO Aids Support Centre will start a campaign directed to travellers. The PLHWA-NGO "The Positive Association" published a new manual of a HIV-positive person" with the financial assistance from the Ministry of Social Affairs and Health.

Health care in Finland is tax based and all persons residing in Finland are entitled to social and health care services on an equal basis. HIV testing in Finland is voluntary and free of charge. AIDS patients receive treatment and care free of charge for the patient. This includes also hospital charges and outpatient fees. Since 1997, free voluntary testing has been offered to all pregnant women attending the antenatal services, and uptake of testing has been close to 100%. In the deliveries among the hiv-positive women in Finland since then, no mother-to-child transmission have occurred.

The Act on the Status and Rights of Patients (1992/785) also applies to AIDS patients. They have the same rights as other patients, including the right to receive information, good care and treatment as well as to make informed decisions about their treatment.

Finland does not have any separate HIV legislation. In the Finnish legislation, HIV/AIDS is primarily dealt with in the Communicable Diseases Act (1986/583). The Communicable Diseases Act also regulates the prevention and treatment of HIV. The classification of HIV/AIDS as a notifiable communicable disease does not allow testing or treatment without consent.

The Act on the Status and Rights of Patients (1992/785) also stipulates that all patient information received within the social and health services is regarded confidential. The public's trust in the confidentiality of patient information is also regarded as a prerequisite for active testing behaviour and good compliance with the treatment; including counselling for prevention.

The legislation also prevents the discrimination of HIV/AIDS patients in working life. It is prohibited to exclude a person from work because of HIV/AIDS infection, unless the person's health is so poor that he/she is not capable of working and is thereby entitled to either sickness allowance or disability pension.

Finnish NGOs are important actors in promoting the human rights in the context of hiv/aids. More information about their activities can be found from their web pages: Finnish Aids Councils, Finnish AIDS Foundation, Finnish Body Positive Association

<http://www.positiiviset.fi/>. Finnish Red Cross, Diaconal Projects of Helsinki Deaconesses' Institution and Finnish HIV/AIDS Nurses' Association.

In 2005, the MSAH published guidelines on reducing the infection risk in day care. The guidelines affirmed that an HIV/positive child can participate in the normal day care system. The family may keep the information concerning the child's HIV status confidential if they so wish. Naturally, the information concerning a child's HIV status may not be disclosed by the health care personnel without the permission of the parents.

IV Drug users

The number of HIV cases among the IV drug users has decreased from 86 in 1991 to 16 in 2005. In year 2006, by 27 November the HIV cases of IV drug users was 7. HIV positive IV drug users receive specially tailored treatment and care organized by a chain of services, including social support and counselling that work in close cooperation with specialized health care. A network of approximately 20 low threshold health counselling centres, including needle exchange, is regarded one of the reasons for the decline in the number of new HIV cases. The compliance and the treatment results are very good.

Sex workers

There exists special targeted safer sex programmes and low threshold services and health care for the sex workers in collaboration with NGOs. Pro-tukipiste (Pro support point) makes statements in issues related to the status, human rights and welfare of sex workers. <http://www.pro-tukipiste.fi/index.php?lang=en>

Men who have sex with men

There exists targeted work and consultation services for men who have sex with men in collaboration with NGOs. <http://www.aidstukikeskus.fi/content.php?article.37.255>

Sexual and reproductive health rights

Since 2004 the curricula for primary and secondary education from the age of 11 onwards include education on sexual and reproductive health as a part of health education, with components that stress the right of girls and women to decide on their own sexuality. In autumn 2005, the National Research and Development Centre for Welfare and Health (Stakes) published a handbook "Lasten turvataito" for children and persons working with children dealing with the prevention of violence against children. The purpose of the handbook is to among other things support the self-determination of children and prevent sexual exploitation of children.

The Ministry of Social Affairs and Health and Stakes have in 2004 published in cooperation recommendations on the quality of school health to further improve access of all school children to local school health services. These include among others, counselling on sexual and reproductive health. Also, the new handbook for child health clinics (2004) includes a chapter on the promotion of sexual health of children under school-age and their parents. The handbook on student health services, published in 2006, includes the promotion of the sexual health of young adults as a central issue.

The new action plan on the promotion of sexual and reproductive health to be published in early 2007 includes activities for example for the prevention of sexual violence and HIV/AIDS transmission from mother to baby.

Finland has a multisectoral advisory working group on HIV/AIDS linked to the Ministry of Social Affairs and Health. The group consists of experts from the field of epidemiology, clinical practice, education authorities, people with HIV/AIDS, and relevant NGOs working in the field. The group advises the Ministry and the Government on issues concerning HIV/AIDS.

VICTIMS OF VIOLENCE

Key components of the Action Programme to Prevent Intimate Partner and Domestic Violence of the Ministry of Social Affairs and Health include developing the social welfare and health care staff's potential to identify and intervene in intimate partner and domestic violence as well as the services for the victims and perpetrators. Accordingly, the municipalities should have an effective service chain for helping the victims (and perpetrators) of violence. Special services, such as crisis and trauma therapies, exist at the moment only sporadically in mental health services. A few municipalities provide also peer group activities for victims of sexual violence. Usually these special services are provided by NGOs. The Ministry of Social Affairs and Health has published a handbook for municipalities with examples of how for instance the prevention of intimate partner and domestic violence should be organised in the municipality. (To whom the strikes belong? A handbook for municipalities for the prevention of partner and intimate violence. Handbooks of the Ministry of Social Affairs and Health 2005:7).

The Ministry of Social Affairs and Health has also published a handbook on screening of intimate partner violence at maternity and child health clinics. (Sirikka Perttu. Intimate partner violence against women and its screening at the maternity and child health clinic. Reports of the Ministry of Social Affairs and Health 2004:6). Screening is also recommended in the guidebook for child health clinics (Child health clinics in support of families with children. A guide for staff. Handbooks of the Ministry of Social Affairs and Health 2004:14).

The Finnish Family Federation has developed a handbook on emergency help for rape victims (Examination and treatment of victims of sexual violence at health care units). The handbook includes a protocol for examining and treating the victim and for taking samples, instructions for physicians regarding giving expert opinions at legal proceedings as well as information leaflets for victims and people close to them. It also includes guidance on mental first aid for rape victims. The handbook is available online at the Family Federation's webpages (www.vaestoliitto.fi, in Finnish).

In 2006 the Finnish Family Federation launched in Helsinki a NUSKA network for helping young people who have experienced sexual harassment or sexual abuse. The aim of the network is to develop a model for encountering and supporting young people aged 12-16 years who have experienced sexual harassment and abuse.

CHILD VICTIMS OF SEXUAL ABUSE

This part mainly refers to the child victims of sexual abuse.

In 2003, a renewed guidebook was published for social welfare and health authorities by the National Research and Development Centre for Welfare and Health (STAKES) to ensure detection, investigation and adequate treatment of child victims of sexual exploitation.

The main recommendations contained in the guidebook were:

- The suspected cases should be reported to the child welfare authorities who in turn report to Police. (According to the Finnish law, there is no obligation for reporting of crimes nor is it clear if the health authorities would have the mandate to do such a report directly to police; however reporting to child welfare is mandatory for social, health and school personnel)
- There are recommendations for the collection of the data from the parents, guidelines for the physical examination of the child as well as a model form for interviewing the child. The interview has to be videotaped.
- The investigations asked by the Police should be done merely in central hospitals or in such big family guidance centres which have psychologists, social workers and medical doctors trained in this field.

The guidelines have been very well received and they have unified the procedures over the field. There still are problems with the resources to investigate the suspected cases.

DEVELOPING THERAPEUTICAL TECHNIQUES

Almost all child victims do receive therapeutic treatment, mostly in Family Guidance centres, hospitals or other institutions.

1) STAKES conducted a two-year training program (2004-2005) for the development of therapy of children and adolescents who have been sexually abused. The program is divided in two groups: a) for 16 therapists who treat sexually abused children as well as abusing youngsters and b) for 105 other persons working in social and health institutes where the personnel meet such children.

2) Group therapies for adults are conducted mostly by NGOs specially grounded for this purpose. They get financial support from public funds. Especially two NGOs have been successfully working for several years: a) Tukinainen, having group therapy among other services. b) Suomen Delfinit (Finnish Dolphins) has many very innovative ways to reach their clients in their groups.

IMMIGRANTS

The Ministry of Social Affairs and Health has published a handbook for identifying violence against immigrant women and its specific features such as genital mutilation, forced marriage, honour killing and potential previous experiences of sexual violence in war and conflict circumstances. (Immigrant women and violence. Handbook for victim help in social welfare and health care. Handbooks of the Ministry of Social Affairs and Health 2005:15).