**2 September 2020**

 **Replies by the Government of Finland to the questionnaire by**

**the Office of the United Nations High Commissioner for Human Rights**

The Government of Finland thanks the office of the United Nations High Commissioner for Human Rights for its work, and presents the following replies to the questionnaire sent by the OHCRH on 25 June 2020 for the preparation of the next annual thematic study on the rights of persons with disabilities on participation in sport under article 30 of the Convention.

The replies to the questionnaire received by the Ministry of Education and Culture of Finland, Ministry of Social Affairs and Health of Finland and the Finnish Paralympic Committee.

1. **Ministry of Social Affairs and Health of Finland**

The instructions related to disability sports have been added to the Handbook of Disability Services maintained by the Finnish Institute for health and welfare. The handbook contains instructions to the municipalities when providing personal assistance and transport services in accordance with the Disability Services Act.

The Online Handbook on Disability Services provides information about disability rights and -services that the social workers in the municipalities can use as a support for their work and decision making with people with disabilities. The handbooks are only in Finnish in the internet.

<https://thl.fi/fi/web/vammaispalvelujen-kasikirja/tuki-ja-palvelut/henkilokohtainen-apu>

<https://thl.fi/fi/web/vammaispalvelujen-kasikirja/tuki-ja-palvelut/liikkuminen/kuljetuspalvelu-ja-saattajapalvelu>

The Equality Ombudsman issued a statement on 17 April 2019 on promoting non-discrimination of disabled athletes. According to the Equality Ombudsman equality for athletes with disabilities must be promoted. Sports should be paralleled with work when assessing the need for personal assistance. While assessing the need for transport services for the elite athletes who receive grants, sports should be paralleled with work.

1. **Ministry of Education and Culture of Finland**

***Recreation and leisure***

***1(a).******Does your country have laws, policies, plans, strategies or guidelines1 and departments at any level of government relating to the inclusion of persons with disabilities in mainstream (not disability-specific) recreational and leisure physical activity, including but not limited to:***

* ***Private settings: Private gymnasiums, sports clubs, sports associations and foundations, summer camps, marathons, swimming pools, among others;***
* ***Public and private tourism platforms: tourism facilities (e.g. beach, mountain, forest, among others), including services for persons with disabilities;***
* ***Public settings in urban areas: Urban sports trails, cycling trails, public physical training, yoga, recreational sports, playgrounds for children, recreational facilities for older persons, among others.***
* ***Nature trails: hiking trails, nature centers, toilets, viewing platforms, count with accessibility and services.¨***
1. The Sports Act (390/2015), Act on Equality between Women and Men (609/1986; amendments 915/2016) and Non-discrimination Act (1325/2014).
2. Land Use and Building Act (132/1999, amendment 222/2003), and government accessibility regulation (241/2017) give guidelines for accessibility. Ministry of Education and Culture has also published guidebooks accessible outdoor recreation and accessible indoor sport facilities. A mapping report on accessibility is a precondition to public funding for establishing or renovating sports facilities from the Ministry of Education and Culture.

**1(b).** ***What are the challenges to implementing the above? Are you aware of good practice related to the above?***

See the contribution of the Finnish Paralympic Committee.

***Education***

**2(a).** ***Does your country have laws, policies, plans, strategies or guidelines on physical education in public and private schools, including in special education, informal education and extra-curricular activities, relating to the inclusion of persons with disabilities, particularly children and young people, to avoid their exclusion or exemption from physical education and facilitating contact with disability-specific sports? What are the objectives of these instruments?***

The main objective of Finnish education policy is to offer all citizens equal opportunities to receive education. The structure of the education system reflects these principles. An inclusive approach to education and early intervention are key factors in the Finnish education system. In Finland, the ideology is to provide special needs education primarily in mainstream education

Physical education instruction is outlined in the national core curriculum on the different levels of education. According to the National Core Curriculum for Basic Education 2014, the task of physical education is to influence the pupils' well-being by supporting their physical, social and psychological functional capacity and a positive body image. Positive experiences associated with physical education lessons and supporting a physically active way of living are important in the subject. Physical elements, physical activity, and exercising together are emphasised in the lessons. Physical education promotes equity, equality, and togetherness and supports cultural diversity.

The activities should give all pupils the opportunity to succeed and participate and support well-being.

***2(b)(i). Are teachers and professors of physical education trained to include students with disabilities in either mainstream or disability-specific physical education?***

In Finland, universities enjoy freedom of research, science, art and tuition. They have a high degree of autonomy in designing their curricula and are responsible for the content and quality of the education they provide.

Physical education teachers are trained at the University of Jyväskylä in the Faculty of Sport and Health Sciences. The faculty’s combination of subjects related to health and physical activity gives the study programmes in the sport pedagogy good opportunities to take into account in a versatile manner aspects related to disabilities and students with disabilities as part of the degree contents.

In Finland, physical education teachers hold master’s degree. Teacher training in physical education involves studies in educational, sport and health sciences, sport pedagogy, pedagogical studies and guided teaching practice as well as communication and language studies. In addition to pedagogical viewpoints and themes, student teachers study e.g. the structure and basic functions of the human musculoskeletal system, aspects and phenomena related to physical activity and health (physical activity also from the point of view of developmental disabilities and muscular diseases), and the role of physical activity for people’s physical, psychological and social development. Physical education teachers’ studies include also courses that deal with questions related to physical education for students who need different kinds of support, i.e. for children with disabilities, as well as questions related to equality in physical education, to bodily diversity, and to wellbeing.

The basic principle is that physical education teacher training is based on research. This guides teachers’ pedagogical thinking and serves as a criterion for practical solutions. The goal is to produce pedagogically-thinking teachers who can combine research findings about teaching, wellbeing, physical activity etc. with the profession’s practical challenges.

***2(b)(ii). Do persons with disabilities who want to be teachers and professors of physical education have access to equal certification to exercise the profession?***

Yes. The qualification of a subject teacher is regulated by the Decree on the qualification requirements for teaching personnel (986/1998). According to Section 5 of the Decree, a subject teacher in basic education is required to have a master's degree and pedagogical studies (60 cr or 35 cu). In each subject taught, the studies of the subject to be taught as a subject teacher must be completed (60 cr or 35 cu). The studies of the subject to be taught must have been completed at the university or must have a certificate of equivalence issued by the university. The studies of a subject taught in basic education include basic and subject studies.

***2(c). What are the challenges to implementing the above? Are you aware of any good practices related to the above?***

Finnish Schools on the Move is a national action programme aiming to establish a physically active culture in Finnish comprehensive schools. Schools and municipalities participating in the programme implement their own individual plans to increase physical activity during the school day. More than 90% of municipalities and of comprehensive schools (2 116 schools) are involved in the programme.

The Finnish Schools on the Move programme started with a pilot phase (2010-2012). In the years 2015-2018 the programme was one of the key projects in the field of knowledge and education in the Government Programme of Finland. The programme is carried out by the Finnish National Agency of Education and the Ministry of Education and Culture. The programme is financed with lottery funding and coordinated by the LIKES Research Centre for Sport and Health Sciences.

***Sports***

***3(a). Does your country have national, regional and local sports departments addressing and promoting competitive sports that cover both mainstream and disability-specific sports, either integrated or separated?***

Yes. In the central government, the Ministry of Education and Culture is responsible for creating favourable conditions for sports and physical activity for all as well as for the reconciliation and development of sport policy. The work is carried out in cooperation with a range of different sectors.

Sport policy is designed to promote sport and physical activity and, through them, the wellbeing of the whole population, as well as competitive and performance sports and related civic activity.

Physical activity is one of the basic services provided by municipalities. Municipalities maintain facilities for sport and physical activity and provide services for sport and physical activity, support civic activity in sport and athletic clubs and organizations, and espouse physical activity that boosts health and wellbeing for everyone.

***3(b). Do disability-specific competitions have a similar structure to mainstream competitions, either integrated or separated, to organize local, regional, national, continental and international competition?***

Yes.

***3(c). What are the challenges that persons with disabilities face to access training centers prepared for high-performance sports at local, regional and national levels?***

See the contribution of the Finnish Paralympic Committee.

***3(d). Are there laws, policies and mechanisms in place to ensure fair distribution of public grants, awards and other financial support to ensure that sportspersons with disabilities have equal opportunities to succeed in competitive sports****?*

Yes. The Sports Act (390/2015) and the Sports Degree (550/2015).

From 2016 onwards implementation of equal treatment criteria (proven by non-discriminatory and gender equality plan) has been one of the preconditions for sport organizations to receive public funding from the Ministry of Education and Culture.

***3(e).******Please provide information on the organizational structures of disability-specific sports, including examples and good practices. Kindly consider the following aspects when replying:***

* ***Are they separate structures, or are they integrated into mainstream federations and clubs? Both.***
* ***Are they decentralized covering the whole territory or they only operate in capital city/area? Yes.***
* ***Are they sports-discipline specific, or they integrate multiple disciplines? Both.***
* ***Do they receive equal funding opportunities compared to mainstream sports? Yes.***
* ***Are joint activities between sportspersons in disability-specific sports and mainstream sports encouraged or carried out to facilitate exchange among sportspersons within similar disciplines? Yes.***
* ***Are persons with disabilities considered in sports beyond their role as sportspersons, including as referees, coaches, spectators, administrators, workers, volunteers in the sports industry, board members, among others?***

See also contribution of the Finnish Paralympic Committee.

1. **The Finnish Paralympic Committee**

***Recreation and leisure***

**1(a).**

* The Sports Act (390/2015), Act on Equality between Women and Men (609/1986; amendments 915/2016) and Non-discrimination Act (1325/2014) state that everyone is equally entitled to participate sports and physical activity (PA) at all levels and chosen roles. The CRPD (27/2016), stresses the importance of choice.
* Land Use and Building Act (132/1999, amendment 222/2003), and government accessibility regulation (241/2017) give guidelines for accessibility. Ministry of Education and Culture has funded guidebooks, such as *Esteetön luontoliikunta* 2017 [Accessible Outdoor Recreation] and *Esteettömät liikuntatilat* 2013 [Accessible Indoor Sport Facilities] which provide sports specific information. A mapping report on accessibility must be included if the constructor wishes to get government grant for establishing or renovating sports facilities. There is an accessibility evaluator network with special knowhow on recreation and leisure facilities.

<https://www.invalidiliitto.fi/esteettomyysesteettomyyskeskus-eske/eskeh-kartoitusmenetelma> (in Finnish only)

* There are some 100 adapted physical activity (APA) instructors hired by the municipalities. In the light of participant numbers municipalities are the biggest service providers of APA for PWD’s. The Finnish Society of Sport Sciences (LTS) keeps up the APA network and the working group and organizes meeting places for researchers and practitioners.

<https://www.sportscience.fi/adapted-physical-activity.html>

**1(b).**

* The Sports Act is noncompulsory and gives municipalities a lot of freedom in implementation of the Sport Act. The Disability Services and Assistance Act (380/1987) which regulates transportation, personal assistance and special aids, is outdated. PA of PWD’s is often deprioritized in municipalities due other more pressing issues.
* There are still many who believe that accessibility in PA concern only wheelchair users and those who are esteemed as participants or clients. Accessibility needs of those with sensory impairments (seeing, hearing) or those in other roles, such as a coach, instructor or a volunteer, are often ignored.
* The traditional medical model in PA is often dominant, for instance activities are organized for groups of PWD’s with similar functional difficulties. Co-operation in PA between municipalities and mainstream service providers is limited. Consequently, needs of those who need or prefer more individual options, or who are too few to make a group (women and girls, persons with multiple impairments) are often forgotten.
* There are fewer women and girls in PA. In the Valtti-programme (see III) only 1 of 3 have been girls, despite active attempts to favour girls in the selection phase. There is lack of data concerning hindrances to participation of women and girls with PWD in PA and leisure.

**Examples of good practices:**

**1-I.** *SOLIA* is an equipment rental service for disability sport and adapted sports with five regional rental centers. The most popular equipment are the ones which can be used with one’s family and friends. Website (Finnish only): <https://www.paralympia.fi/palvelut/solia>

**1-II.** *LUKA* [Outdoor recreation for all] is a 3-year project which supports accessibility knowhow so that outdoor entrepreneurs can better serve their clients with disabilities. It has been supported by the *Eräpolku* [wilderness trails] -project, which has developed accessibility mapping tools for national parks and wilderness trails.

Website (Finnish only): <https://www.paralympia.fi/liikunta/luontoliikunta>

**1-III.** *Valtti* is a programme which helps children with special needs to find a physical hobby with a personal APA instructor (PAPAI). Since 2017 out of 900 participants almost half has found a hobby and almost as many increased one’s PA levels.

Website <https://www.paralympia.fi/liikunta/lapset-ja-nuoret/valtti/in-english>

**1-IV.** *Löydä oma Seura* [Find your sport club] is a platform for sport service providers who wish to advertise their offer for PWD’s. Website (Finnish only): <https://www.paralympia.fi/palvelut/loyda-oma-seura>

***Sports***

**3(a).** The Finnish Paralympic Committee (FPC), along with The Deaf Sport Federation have traditional roles of organizing and governing sports, PA and recreation for their members, which are mainly disability-specific clubs.

Integration and inclusion (see 3-I)

* 38 out of 70 National Sports Federations has taken responsibility of disability sports, but there is variety on commitment, magnitude and dimensions (Saari 2015). Some federations may prioritize elite level Paralympians whilst others try to cover the whole spectrum from grassroots and recreation to Special Olympics and elite level parasports. The three most inclusive sports are judo, swimming and equestrian.
* FPC steers integration processes. It also serves as a national sport federation for two kind of sports. There are sports which have the potential to move into mainstream federation, and the disability-specific ones, which do not. FPC governs the disability-specific sports such as goalball, boccia, wheelchair rugby and showdown which, in terms of integration, have no other place to go. FPC still governs chess and shooting for the visually impaired, para ice hockey, electric wheelchair hockey, para powerlifting and seven-a-side soccer which are esteemed to move under the mainstream sport federation.
* The Special Olympics Finland and Transplant Sports operate under the FPC’s umbrella.

**3(b).** Yes. Disabled athletes have lesser national competition opportunities, and often there is the need to unify classes because the small number of participants.

**3(c**). There are 21 sport academies all around in Finland which promote goal-oriented training and studying for all athletes, including para-athletes. KIHU Olympic Research Institute is focused on elite sport research, including Paralympians and Paralympic sports. Out of 11 national, and three regional sport institutes most have some programmes or services for PWD’s, and some 3-5 perform very well in disability sports, such as the Pajulahti Sports Institute.

**3(d)**. Para-athletes are equally entitled to receive grants for elite athletes from the Ministry of Education and Culture.

**3(e).**

* Separate or integrated- see 3a.
* Finland’s geography poses a challenge. Certain team sports (e.g. wheelchair rugby, goalball) can only be practiced in biggest cities (see 3 b). To increase service delivery of disability sports the FPC has launched a new project called Avoimet ovet {open Doors] which advices mainstream sport providers in adapting and disability sports related issues.
* Sport clubs have different ways to provide services for PWD’s. There may be a single PWD in an open mainstream group, or a unified training group for both Special Olympics and cp-soccer players. There are also separate Unified teams in mainstream sport clubs.
* Funding opportunities are relatively equal.
* There are projects, events and workshops which offer a platform for knowhow exchange between sports practitioners.

***Notes***

**3-I.** The purpose of integration processes in Finnish disability sports is inclusion. Inclusion is understood as the PWD’s ability to freely choose one’s preferred activity forms, sports, levels and roles in disability-specific or mainstream settings (see CRPD 30.5).

**3-II.** The Ministry of Education and Culture (MEC) finances Finnish sports. Since 2015 MEC has required a non-discrimination and equality plan from sports organizations as a factor affecting the allocation of grants and as a condition for receiving them. This has given an extra boost in terms of integration.