

**Comments by the Government of Finland on the Draft General recommendation No. 37 (2023) on Racial discrimination in the enjoyment of the right to health**

**15 July 2023**

The Government of Finland welcomes this opportunity to contribute to the preparation of Draft General recommendation No. 37 (2023) on Racial discrimination in the enjoyment of the right to health

The Government considers the Draft General recommendation highly important and supports the Committee’s work in this regard.

The Government would suggest the following comments to the draft:

The draft general recommendation deals comprehensively with racial discrimination and the right to health. At the same time, it should be noted that the elimination of racial discrimination and promotion of equality also require competence at various levels of the healthcare and social welfare system.

With regard to **paragraphs 48–51**, the Government considers it important to support the development of the competence and organisational practices of healthcare and social welfare professionals who are already working. However, as a state, Finland does not have a mechanism to lay down detailed provisions on the content of continuing professional education, and Finland as a state does not provide education. However, the wellbeing services counties as organisers of health and social services have a statutory obligation to provide continuing education for healthcare and social welfare staff. Healthcare and social welfare professionals also have a specific statutory obligation to participate in continuing professional education. The Government considers the issue itself to be important but proposes that a recommendation be issued to Member States to promote the issue in a variety of ways. For example, in Finland in order to ensure that the Sami people’s right to receive services in the Sami language is realised, the Government has supported the provision of continuing professional education that takes Sami culture into account and Sami language instruction aimed at healthcare and social welfare professionals.

The Government further notes that some indigenous peoples and minorities live in the territory of multiple states. Some of the challenges facing the development and availability of health and social services include providing services in the native language of customers and patients, developing the cultural sensitivity of services, and improving the availability of services. In Finland, these challenges relate particularly to small language minorities and sparsely populated regions. The development of health and social services that are sensitive to the Sami language and Sami culture is supported by an annual government grant, but these challenges remain difficult to respond to due to, among other things, a shortage of personnel. Improving cooperation between Member States could support responding to these challenges.

The Government proposes to include the following measure to the draft recommendation: *Member States will seek opportunities to work together to develop and provide the health* *and social services required by indigenous peoples and minorities living in the territory of several states in order to improve the quality and availability of services.*

The Government notes that in Finland, higher education institutions are in charge of providing medical education (doctors and nurses), and they have broad legal autonomy to decide on the content of their degree programmes. Therefore, as a state, Finland cannot make decisions on the mandatory nature of the curricula or content of degree programmes. It follows that **paragraph 49** is problematic as regards the following sentence: "*Human rights education should be included as mandatory course in curricula of medical schools and other health related schools and departments*." While Finland considers the matter important, in practice the Government can only recommend its inclusion.

**Paragraph 65** refers to the negotiations concerning a pandemic treaty currently under way in the WHO.

It includes references to articles of the zero draft of the treaty published on 1 February 2023. The Government considers such detailed references to be problematic, because the treaty negotiations are ongoing, and it is not yet known in what form and with what article numbering the proposed treaty provisions may be adopted. The Government also notes that the negotiators are currently working on a newer text published at the end of May 2023, in which the numbering and content of the articles have partially changed. Therefore, the Government proposes that if the reference in question is made, it should be slightly more general in nature and avoid references to concrete articles.

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