FINNISH GOVERNMENT

Information by Finland

for the open-ended intergovernmental working group on an optional protocol to the Convention on the Rights of the Child (Human Rights Council Resolution 56/5)

16 May 2025

The Government of Finland submits the following information for the preparation of the first session of the Working Group.

Introduction

The provision of pre-primary education is based on section 16 of the Constitution of Finland (*Suomen perustuslaki, Finlands grundlag;* 731/1999), which provides that everyone has the right to basic education free of charge. Early childhood education and care (later, ECEC) is based on section 19, subsection 3 of the Constitution, according to which the public authorities shall support families and others responsible for providing for children so that they have the ability to ensure the wellbeing and personal development of the children.

Free primary and lower secondary education is a subjective right, not a principle. The term "free of charge" means that education must not cause costs to the pupil. The Constitution also contains provisions on equality and prohibits people from being treated differently without an acceptable reason (§ 6). Thus, regardless of their financial position, every child has the right to education referred to in the Basic Education Act (*perusopetuslaki, lag om grundläggande utbildning;* 628/1998).

Further provisions on the free provision of basic education are included in the Basic Education Act. Under section 31 of the Act, teaching, textbooks and other learning materials necessary for the participation as well as tools and work materials are free of charge for pupils. Disabled pupils and other pupils in need of special support are entitled to assistance services and aids necessary for their participation in instruction. All pupils are entitled to receive a free, balanced meal every school day. Furthermore, pupils are also entitled to free accident treatment (§ 34) and, under certain conditions, to free transport (§ 32) and accommodation (§ 33).

School visits and excursions, overnight field trips and events related to teaching can be supported by funds raised jointly by pupils and their guardians. The collection of funds must be voluntary for pupils and guardians. Every pupil must have the opportunity to participate in the same activities in accordance with the school curriculum and the annual

plan based on it, regardless of whether he or she or his or her guardian has contributed to fundraising.

More information regarding free basic education is available at the Finnish National Agency for Education's (EDUFI) website: www.oph.fi/en/education-system/basic-education.

1) What are the main barriers to public pre-primary education available free to all in law, policy, and practice in your country and what is their impact on the rights of the child? Please consider the specific situation of marginalized children and those in vulnerable situations in your response.

There are no barriers as pre-primary education is available free to all.

In Finland, pre-primary education is free education that all children attend in the year they turn 6, which is the year preceding compulsory education. It is regulated in the Basic Education Act. Pre-primary education is obligatory, but it is not part of compulsory education. Pre-primary education period (at least 700 hours per year) is free of charge. Under certain conditions, children may be entitled to school transport allowance for attending pre-primary education.

In addition to free pre-primary education, children have the right to early childhood education and care, which is subject to a charge. The principle of local school (*i.e.* the principle according to which a local school is assigned to the child based on the child's home address) also extends to pre-primary education.

Children are entitled to receive support for learning and school attendance. This support is central in the provision of pre-primary education. Around 98 % of 6-year-olds participate in pre-primary education.

An amendment to the Act on Early Childhood Education and Care (*varhaiskasvatuslaki, lag om småbarnspedagogik;* 540/2018), effective as of 1 August 2020, reinstated equal access to ECEC for all children. For instance, the child of a parent who is unemployed or on childcare leave is entitled to full-time ECEC.

ECEC is subject to a charge. The client fees are determined based on the size and income of the family and the number of hours that the child participates in ECEC.

Provisions are laid down in the Act on Client Fees in Early Childhood Education and Care (*laki varhaiskasvatuksen asiakasmaksuista, lag om klientavgifter inom småbarnspedagogiken*; 1503/2016). In recent years, several reforms have been made to the income limits for client fees, with the result that around a half of families are exempt from fees. The fees are modest in international comparison.

It is worth noting that it is up to municipalities to decide whether they charge a client fee for ECEC services from families. There is a dozen of smaller municipalities in Finland that

offer ECEC free of charge for all. These municipalities have estimated that the free ECEC is contributing to the vitality of the municipalities and attracting families with small children to live and stay in the municipality.

Organising ECEC services is mandatory for municipalities. Although municipalities are not obliged to assign ECEC places for children near their homes, the Act on Early Childhood Education and Care provides that the municipalities shall strive to organise ECEC services near the users of the service, with consideration given to the distribution of residence and transport connections (§ 5.4).

The children's right to receive the individual and appropriate support for their development and learning, is central in the provision of ECEC services.

Early childhood education and care, pre-primary education and primary and lower secondary education form a coherent entity that progresses in terms of children's development and forms the basis for lifelong learning.

2) What are the main barriers to public secondary education available free to all in law, policy, and practice in your country and what is their impact on the rights of the child? Please consider the specific situation of marginalized children and those in vulnerable situations in your response.

There are no barriers, as in Finland, both upper secondary general education and upper secondary vocational education and training (later, VET) are free of charge (including but not limited to computers needed for completing studies, equipment, competence demonstrations (in VET), school lunches, etc.).

Completing the first vocational qualification or upper secondary school curriculum and the matriculation examination is free of charge for all students until the end of the calendar year in which the student turns 20.

Students may apply for an extension of the fee exemption if the completion of their studies has decelerated due to a justified reason. A justified reason can be, for instance, the student’s learning difficulties or illness.

3) What are examples of innovative and sustainable financial mechanisms to support the full and effective implementation of public pre-primary and secondary education available free to all children in your country?

Public funding covers both public pre-primary and secondary education.

4) What steps is the Government taking to remove barriers and make public pre-primary and secondary education available free to all, including through the allocation of adequate resources and cross-sectoral and international cooperation? Please provide examples of specific laws and regulations, measures, policies, and programmes.

Both public pre-primary and secondary education are available free to all.

Additional information regarding ECEC:

The Government refers to the reforms to address the income limits for client fees in ECEC (as mentioned in the response to Question 1), resulting in that half of families are exempt from the client fees.

The ECEC services include all meals: breakfast, lunch and an afternoon snack.

A pilot of two-year free of charge pre-primary education was carried out as a five-year investment by the Government with the aim of increasing participation in ECEC and pre-primary education. The results were positive in terms of higher participation rates. The Finnish Education Evaluation Centre conducted an assessment on the pilot.

Additional information regarding the public secondary education can be found at the website of the EDUFI in Finnish and in Swedish.

= = =