

4. Country Profile: Finland

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4.1. Introduction

The information gathered in this profile is based on three different sources of information:

- Responses returned by the Finnish Ministry of Labour in May 2000 to a questionnaire prepared by PLS RAMBOLL Management
- Background documentation (mainly statistics)
- Information gathered during visits and interviews with key actors in the Finnish asylum procedure.

The visits and interviews in Finland were carried out between the 12th and 14th of July 2000.

The following persons and institutions were visited:

Ministry of Labour:

Senior Officer, Team Leader, Ms. Sirkku Päivärinne

Senior Officer, Mr. Veikko Pyykkönen

Senior Officer, Ms. Sinikka Keskinen

Refugee Advice Centre:

Lawyer, Ms. Sari Sirva

Helsinki Accommodation Centre:

Leading Refugee Secretary, Ms. Leena Markkanen

Refugee Secretary, Ms. Minna Tuovinen

Ministry of the Interior, Directorate of Immigration:

Deputy Head of Refugee Unit, Senior Adviser Mr. Matti Heinonen

Hufvudstadsbladet (daily newspaper in Swedish):

Journalist, Mr. Jan-Anders Ekström.

4.2. Background Statistics on Finland

Please note that where no other source of information is mentioned, the source is the Finnish Ministry of Labour's responses to the questionnaire used in this study.

4.2.1. Recent Trends

The change in the number of asylum applicants from 1990-1999 in Finland has been as follows:

Table 4.1: Development in applications for asylum 1991-1999¹

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Applicants	2743	2137	3634	2023	839	854	711	973	1272	3106

The table shows that there has been a substantial increase in the number of applications since 1996, so that the number of asylum applications in 1999 is almost as high as in the peak year, 1992. It can be mentioned that it is the assessment of the Ministry of the Interior that the total number asylum applications will increase again from 1999 to 2000.

¹ Source: Ministry of the Interior

Figures for the change in the number of asylum seekers actually granted asylum between 1990 and 1999 are shown below:

Table 4.2: Changes in the number of asylum seekers granted asylum 1990-1999²

Year	Category				Favourable decisions
	A	B	C	D	Total
1990	15		93	49	157
1991	16		1684	19	1719
1992	12	128	339	97	576
1993	9	91	1952	30	2082
1994	15	30	247	24	316
1995	4	29	170	20	223
1996	11	16	305	13	345
1997	4	16	231	30	281
1998	7	56	300	16	379
1999	29	155	270	42	496
Total	122	521	5591	340	6574

Explanation: A = Asylum; B= Residence permit for need of protection; C= Residence permit for a strong humanitarian reason; D= Residence permit for other reasons.

The table shows that the number of asylum seekers granted asylum (Convention status), has generally been low, while a relatively large number of asylum seekers were granted protection on the basis of humanitarian reasons.

² Source: Ministry of the Interior. In 1990-91 group C also includes permits granted for the need of protection. In 1993 group C includes 1,614 permits granted under the Special act on the local police (14/93). As from May 1, 1999 asylum applicants will not be granted residence permits for strong humanitarian reasons (Act on Amending the Aliens Act 537/1999). The decisions are 1st instance decisions and do not include decisions by the Helsinki Administrative Court, (the 2nd instance, previously the Asylum Appeals Board or the Uusimaa County Administrative Court).

Figures for changes by country of origin of applicants and refugees are shown below:

Table 4.3: Trends in country of origin of applicants and refugees 1990-1999 (ranked by number of applicants)³

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	Total
Yugoslavia*	183	244	1868	515	68	38	47	105	16	20	3104
Somalia	1441	320	171	155	177	133	140	184	135	73	2929
Soviet Union*	195	486	809	309	8	6	14	2	1	3	1833
Slovakia				2					41	1516	1559
Iraq	13	23	147	179	55	78	72	102	84	97	850
Romania	336	284	50	26	21	15		11	2	36	781
Russia				184	91	94	63	70	65	189	756
Turkey	59	208	48	42	23	44	30	47	98	115	714
Yugoslavia, Fed. Rep.								184	348	127	659
Iran	32	46	37	53	66	67	37	23	46	50	457
Poland	2	7	4	3	2	4	1			324	347
Congo**	20	40	78	67	41	34	13	10	18	5	326
Sri Lanka	3	9	31	57	18	17	37	25	39	24	260
Bulgaria	101	71	33	18	4	19	3	3	3	3	258
Bangladesh	33	69	57	15	9	13	8	5	13	26	248
Estonia			21	170	18	11	5	4	2	10	241
Ethiopia	96	12	14	7	5	9	8	10	20	10	191
Stateless	30	32	6	3	2	6	13	4	17	60	173
Algeria	4	14	12	7	23	33	14	15	19	15	156
Ghana	33	59	6	8	7	7	4	2	5	4	135
Angola	5	3	12	44	12	11	16	5	8	7	123
Afghanistan	1		10	1	9	3	11	7	55	24	121
Nigeria	18	13	8	12	10	10	10	13	15	4	113
Pakistan	18	15	4	9	4	12	10	15	8	16	111
Other	120	182	208	137	166	190	155	127	214	348	1847
Total	2743	2137	3634	2023	839	854	711	973	1272	3106	18292

Note: * =former; ** = former Zaire

The table shows that the main groupings of asylum seekers come from the former Yugoslavia, from Somalia, from the former Soviet Union and from Slovakia.

4.2.2. Expenditure

While a breakdown of costs is not available, the Ministry of Labour has provided a figure for the total cost of expenditures for asylum seekers covering the benefits mentioned in the table below:

³ Source: Ministry of the Interior

Table 4.4: Total expenditures for asylum seekers and refugees

Benefits	Costs
Accommodation	FIM 28 mill. / EUR 4.7 mill.
Means of subsistence	FIM 50 mill. / EUR 8.3 mill.
Education	FIM 0.5 mill. / EUR 0.083 mill.
Labour market related activities	FIM 0 mill. / EUR 0 mill.
Health care	FIM 14 mill. / EUR 2.3 mill.
Total cost	FIM 170 mill. / EUR 28.3 mill.

It can be added that the Ministry of the Interior states that the 1999 net annual budget for the Directorate of Immigration (DI, or in Finnish, UVI), which handles asylum applications, family reunification, travel documents and quota refugees, was FIM 30 mill. / EUR 5 mill. The 2000 net annual budget is FM 37 mill. / EUR 6.17 mill.

4.3. Organisation of Asylum Procedure

4.3.1. Overall Organisation

Before 1997, the Ministry of Social Affairs had the responsibility for reception and accommodation of asylum seekers. However, increased political emphasis on the integration of asylum seekers and refugees in Finnish society has led to a focus on working life as the main component in the integration strategy. Therefore the responsibility for the area was moved to the Ministry of Labour.

Thus, since March 1997 the two main organisations involved (the “two-pillar approach”) are:

- Ministry of the Interior (entry and registration: duties concerning the asylum procedure, permit registration and surveillance)
- Ministry of Labour (integration: questions related to reception and integration of refugees).

The organisation of the policy area can be illustrated as follows:

Figure 4.1: Main official institutions involved in the asylum procedure

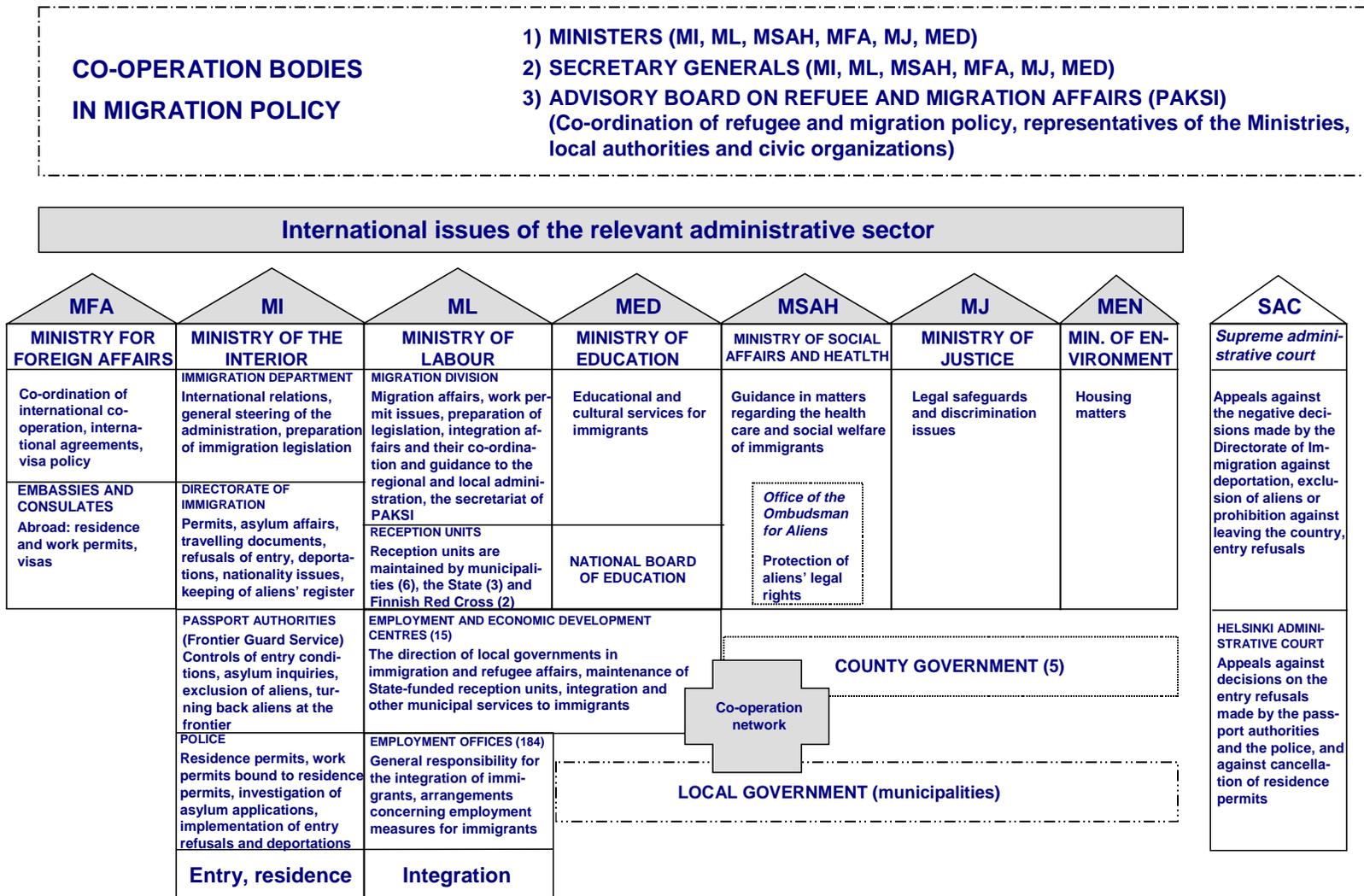


Figure 4.1 above shows all of the main institutions involved in the administration of migration affairs in Finland. State organisations involved in the administration of include the Ministry of Foreign Affairs, the Ministry of Labour, the Ministry of the Interior, the Ministry of Social Affairs and Health, the Ministry of Justice, the Ministry of the Environment and the Ministry of Education, Science and Culture. In addition, Country governments and local government (municipalities) play an important role. Finally, the county administrative courts and the Supreme Administrative Court (SAC) constitute the appeal bodies.

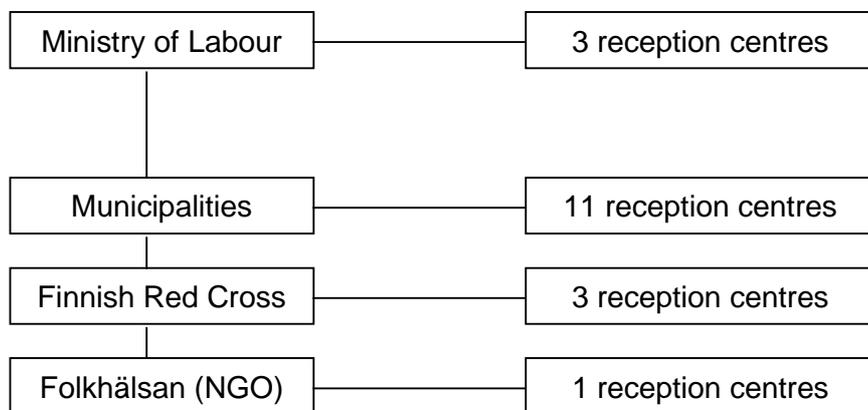
As mentioned, the two main administrative “pillars” are the Ministry of the Interior and the Ministry of Labour.

Coordination of the policy area is handled through co-ordinating bodies at the ministerial and secretary-general level, as well as through ad hoc meetings and working groups.

The asylum process as such involves the Ministry of the Interior’s Directorate of Immigration, the Ombudsman for aliens, the Helsinki Administrative Court and the Supreme Administrative Court (the process is detailed in section 4).

The figure below shows the organisations involved in accommodation:

Figure 4.2: Main organisations involved in accommodation of asylum seekers



The Ministry of Labour has the overall administrative and financial responsibility for the accommodation of asylum seekers. It also has overall responsibility for the integration of refugees into society and the functioning of a multi-ethnic society.

Meanwhile, the practical responsibility for the majority of the accommodation centres rests with the Finnish municipalities as well as with the Finnish Red Cross and the Swedish NGO Folkhälsan.

4.3.2. Main Non-governmental Organisations Involved

According to the interviews, other organisations involved in the asylum field include:

The UNHCR

From its regional headquarters in Stockholm, Sweden, the UNHCR undertakes monitoring of legislation and reception conditions in Finland.

Refugee Advice Centre

The Refugee Advice Centre is an NGO that provides legal assistance and counselling to asylum seekers in Finland. The work of the Centre includes:

- counselling at the first stage of the asylum process as well as at later stages (the appeals procedure)
- promotion of the interests of asylum seekers.

With regard to the counselling, the Centre works closely with the Ministry of Labour and the individual accommodation centres. The Centre has offices in Helsinki and in three regional locations.

With regard to promoting asylum seekers' interests, the Refugee Advice Centre is regularly consulted on new asylum legislation, and is represented in the Ministry of the Interior's Committee on common EU legislation in the field.

The Centre is mainly funded by the Ministry of Labour, while the Finnish Lutheran Church provides some funding. The Refugee Advice Centre is a member of ECRE.

The Finnish Human Rights League

This NGO carries out general work on combating discrimination, including discrimination against asylum seekers and refugees

4.4. Legal Basis

4.4.1. Main Legislation

The following main laws govern activities under the asylum procedure in Finland:

- The Finnish Aliens Act 378/1991 (as amended by 693/93, 640/93, 154/95, 511/96, 606/97, 1183/97, 1269/97, 112/98, 593/98, 537/99)
- Act on the Integration of Immigrants and Reception of Asylum Seekers 493/1999.

The Aliens Act, which has most recently been amended on 10 July 2000, is concerned with the asylum procedure and the legal rights of asylum seekers.

The Act on the Integration of Immigrants and Reception of Asylum Seekers regulates a range of social rights of asylum seekers and other persons seeking residence in Finland.

4.4.2. Recent Legislative Changes

Aliens Act

According to the Ministry of the Interior, recent legislative changes in Finland with regard to the asylum procedure include:

- Act on Amending the Aliens Act 112/98
- Act on Amending the Aliens Act 593/98
- Act on Amending the Aliens Act 537/99
- Act on Amending the Aliens Act (entered into force 10 July 2000)

Changes regarding the asylum procedure on 10 July 2000

The latest amendment of the Aliens Act entered into force on 10 July 2000. The purpose was to increase the efficiency of the accelerated procedure, which is used when the application for asylum is considered manifestly unfounded. Until this change, even the accelerated procedure took up to 6 months. It is hoped that increased efficiency in the accelerated procedure will free resources so that the Directorate of Immigration can handle an increased number of applications under the normal procedure.

According to the new Section 34 of the Aliens Act, the application for asylum shall be considered manifestly unfounded if:

1. the applicant for asylum has not claimed as grounds serious violations of human rights or other reasons related to injunctions against repatriation or fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion;
2. the application is lodged with the intent to abuse the asylum procedure;
3. the applicant for asylum has come to Finland from a safe country of asylum or of origin to which he or she can safely be returned, and the Directorate of Immigration has not, for a weighty reason, been able to make a decision on the application for asylum within the time provided in section 33 c.

Further, under the amended Aliens Act, either a normal asylum procedure or one of the accelerated asylum procedures can be applied when processing applications for asylum. Accelerated procedures are applied to situations in which the applicant comes from a safe country of origin or a safe country of asylum or in which the application is considered manifestly unfounded. An accelerated procedure is also followed if the Dublin Convention or the Nordic Passport Control Convention can be applied. Furthermore, an accelerated procedure is applied in cases where the applicant lodges a new application of asylum after having received a negative decision on asylum.

The application for asylum shall be considered manifestly unfounded if the applicant has not claimed as grounds serious violations of human rights or other reasons related to injunctions against repatriation or fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion or if the application is lodged with the intent to abuse the asylum procedure.

The Act defines the concept of a safe country of origin. As regards an individual applicant, a country in which the applicant does not risk persecution or severe violations of human rights is considered a safe country of origin. The grounds for applications for asylum and residence permit are always assessed individually. Finnish authorities will not make such lists of safe countries of origin on the basis of which applicants could be returned to their home countries.

The Directorate of Immigration shall make a decision within seven days in cases where the applicant comes from a safe country of origin or a safe country of asylum. No time limit is laid down for the other asylum procedures.

It is also provided in the Act that asylum interviews will be gradually transferred from the police to the Directorate of Immigration.

Under the amended Act, a similar appeal system shall be applied to all procedures. The first instance decision of the Directorate of Immigration can be appealed against to the Administrative Court of Helsinki. The second instance decision of the Administrative Court of Helsinki can in turn be appealed against to the Supreme Administrative Court if a leave is granted.

There are differences between the asylum procedures regarding the enforcement of the decision on refusal of entry. Under the normal procedure, the decision on refusal of entry can be enforced as soon as the Administrative Court of Helsinki has given its decision, and the decision has been served on the applicant. If the applicant applies for a leave to appeal against the decision to the Supreme Administrative Court, this will not suspend the enforcement.

In cases where the applicant comes from a safe country of origin or a safe country of asylum, or the application is considered manifestly unfounded, the first instance decision of the Directorate of Immigration on refusal of entry can be enforced eight days after serving the decision on the applicant. Before the authorities take measures to

enforce the decision, they have to make sure that the time limit of eight days mentioned above has included at least five weekdays. An appeal to the Administrative Court of Helsinki will not suspend the enforcement.

In cases where another contracting State is responsible for the asylum applicant under the Dublin Convention or the applicant lodges a new application after having received a negative decision on asylum, the first instance decision of the Directorate of Immigration on refusal of entry can be enforced as soon as the decision has been served on the applicant. An appeal to the Administrative Court of Helsinki will not suspend the enforcement. A new application can, however, have suspensive effect if it contains substantially new grounds for staying in the country.

The applicant may request the Administrative Court of Helsinki to interrupt the enforcement of the decision on refusal of entry. The Administrative Court has to make a decision urgently. Making a request does not, however, prevent the enforcement. A decision of the Administrative Court is needed to interrupt the enforcement.

Changes regarding the asylum procedure on 1 May 1999

Before the changes mentioned above, a number of revisions were included in the amendment to the Aliens Act (537/99), which entered into force 1 May 1999, and which contained the following main revisions:

Family reunification: More detailed provisions were enacted on the possibilities of refugees and other persons for family reunification. Legal protection of persons applying for family reunification were strengthened so that a decision on a residence permit related to family reunification was made subject to appeal in all cases.

Residence permit due to the need of protection: Before the amendment there were two categories of subsidiary protection in Finland. Instead of a refugee status and asylum, in practice, the applicants for asylum have in most cases been granted residence permits for reasons similar to refugeeism, because their need of protection or strong humanitarian reasons have been regarded as a ground for issuing a residence permit. Most of the applicants were issued residence permits on strong humanitarian grounds. One segment of those given residence permits on strong humanitarian reasons have now been given residence permits because a refusal would be unreasonable. After the amendment an asylum seeker who is escaping a threat of a violation of his rights or the circumstances in his home country but does not fulfil the criteria for being granted asylum is granted a residence permit on the basis of the need of protection. Residence permit on the basis of need of protection is granted in cases where the asylum seeker is threatened by the death penalty, torture or other inhuman or degrading treatment, armed conflict or environmental catastrophe that prevents the applicant from returning to his or her home country.

Safe countries of Asylum: A provision was enacted on the criteria for safe countries of asylum. The country must have acceded to the UN convention on refugees without a geographical reservation and also comply with the International Covenant on Civil and Political Rights and the UN convention against torture.

Important earlier changes to the asylum procedure

An important earlier amendment, no. 1296/97 of the Aliens Act that entered into force on 1 January 1998, reformed the system of appeal pertaining to asylum affairs so that the Asylum Appeals Board, which previously acted in conjunction with the Ministry of Justice as a second instance in matters that pertained to asylum and abrogation of refugee status, was abolished. The appeal powers that had belonged to the Board were transferred to the County Administrative Court of Uusimaa (currently the Administrative Court of Helsinki). As of 1 January 1998, the Administrative Court has received appeals against the Directorate of Immigration's decisions on asylum, residence permits granted on the basis of the applicant's need of protection or abrogation of refugee status or against the Directorate of Immigration's decision on refusal of entry and entry.

According to the amendment a decision of the Administrative Court as a second instance on matters that used to belong to the Asylum Appeals Board may be appealed against to the Supreme Administrative Court after being granted a leave to appeal. Applying for a leave to appeal to the Supreme Administrative Court will suspend the enforcement of the decision until the matter has been decided on.

According to the Ministry of the Interior, the amendment made decision-making in immigration affairs more effective so that it was made possible to include a decision on refusal of entry in the Directorate of Immigration's negative decision on asylum or residence permit. Earlier, appeals against the Directorate of Immigration's decisions on asylum were lodged with the Asylum Appeals Board and appeals against decisions on refusal of entry were lodged with the Supreme Administrative Court. The amendment brought the decisions on asylum and on refusal of entry within the same process and system of appeals.

In addition, the accelerated asylum procedure was reformed by the Amendment. Previously, a decision of the Directorate of Immigration which considered an application for asylum as manifestly unfounded was not subject to appeal. After the amendment, the two different accelerated procedures that had existed were abandoned (manifestly unfounded and clearly unfounded applications for asylum), and instead, provisions on only one accelerated procedure for manifestly unfounded applications for asylum were included in the Aliens Act.

Changes implied in the Act on Integration of Immigrants and Reception of Asylum Seekers

The Ministry of Labour states that the Act on the Integration of Immigrants and Reception of Asylum Seekers (493/1999) includes new provisions regarding:

- work and training activities for asylum seekers: a special emphasis is placed on ensuring that asylum seekers are offered a range of activities as well as educational opportunities during their procedure
- the establishment of group homes to accommodate unaccompanied minors
- children are now subject to the same legislation as Finnish children, which implies that primary and secondary schooling is no longer an offer, but a requirement.

The rationale behind the Act can mainly be said to be an emphasis on ensuring that asylum seekers feel responsible for their own lives.

4.4.3. Planned Changes

Currently it is planned to draft an entirely new Asylum Act, in order to restructure and simplify the existing Act. The existing Act has been modified a number of times and is considered overly complicated. It is expected that the new draft will be structured more in line with the Finnish Government programme for asylum and integration issues. This change is not, however, expected to imply any changes to the substance of the legislation.

With regard to accommodation, there are plans to change the system of detention, so that asylum seekers are not placed in prison but rather in an ordinary accommodation centre with certain limits to their movement. In addition, these centres will be equipped with special safety equipment.

Finally, it is planned to change both the Asylum Act and the Act on the Integration of Immigrants and Reception of Asylum Seekers in order to clearly define the concept of temporary protection in Finnish legislation.

4.4.4. Types of Statuses Granted

In Finland the legislation earlier operated with four different statuses, but following the Act on Amending the Aliens Act 537/99, the statuses used now include only:

1. Asylum (Convention Status)
2. Residence permit based on the need of protection

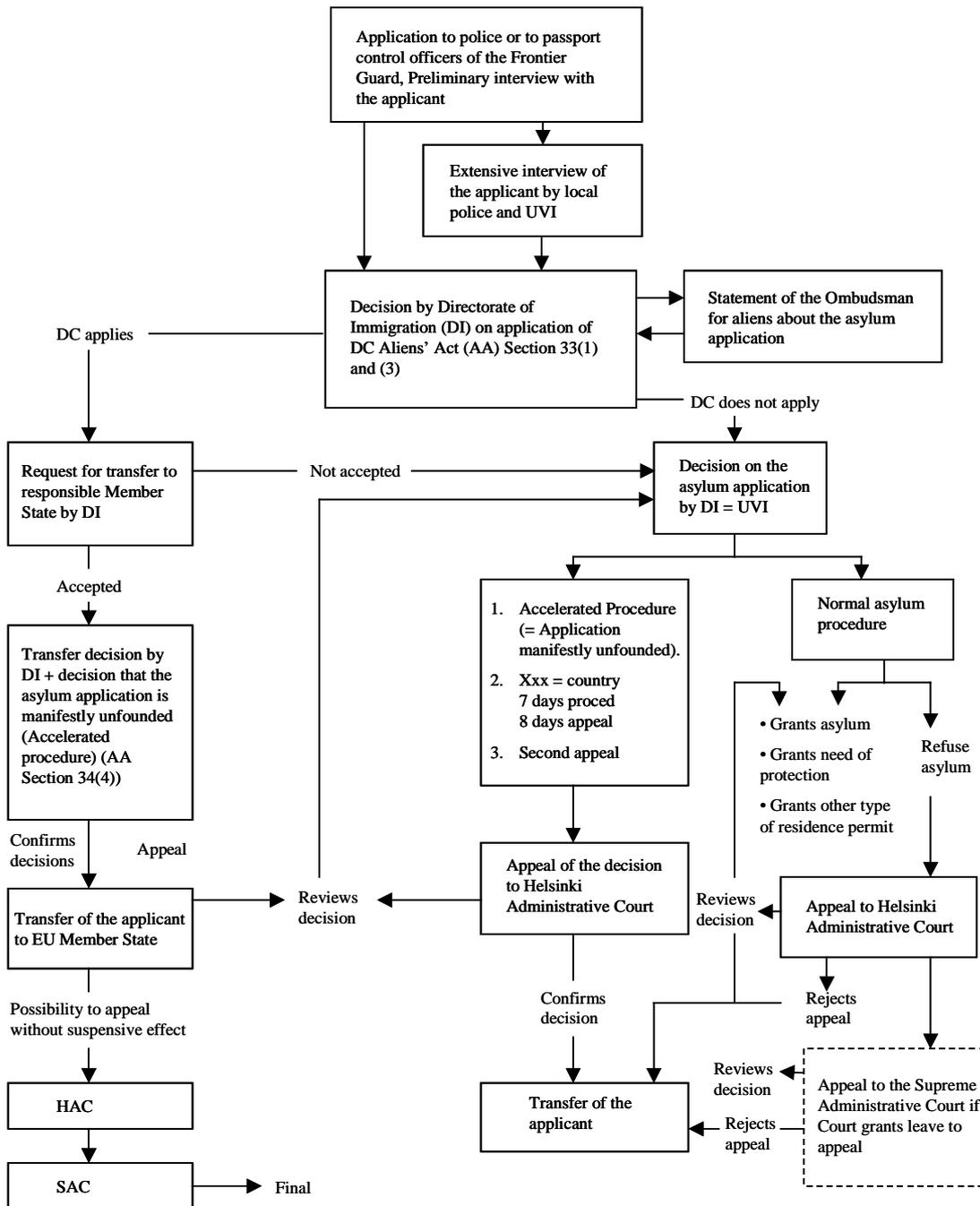
4.5. Arrangements Immediately Upon Arrival

4.5.1. Main Procedures and Arrangements

The figure below illustrates the main procedures and arrangements immediately on arrival and after a person has been identified as a person seeking protection. The figure takes into account the most recent changes in the Aliens Act, which were adopted on 10 July 2000.

The figure is explained in detail in the text below.

Figure 4.3: Arrangements and procedures immediately upon arrival



According to the Finnish Aliens Act the application for asylum can be made upon entering Finland or soon thereafter. An application can be made to the police or frontier guard at an airport, seaport, and land border or inside

the country. The police or frontier guard receiving the application carries out a preliminary interview. It is not possible to apply for asylum at Finnish diplomatic missions abroad.

After the application has been lodged and the preliminary interview conducted, the police carries out an asylum interview and investigation. The purpose is to find out the applicant's personal data, travel route and grounds for the application. During the investigation the applicant has the right to use the services of an interpreter and legal aid. The police draws up a report on the basis of the interview and submits it to the Directorate of Immigration with other material submitted by the applicant.

The Directorate of Immigration makes the decision concerning asylum as a first instance. The Ombudsman for aliens shall be given an opportunity to be heard when the application is being considered unless so doing would be manifestly unnecessary. There are two different asylum procedures, the normal procedure and the accelerated procedure. One basis for using the accelerated procedure is the applicability of the Dublin Convention and the first step to be taken by the Directorate of Immigration is to make possible requests to other contracting states to determine which state is responsible for the asylum applicant. If no other member state is responsible under the Dublin Convention, the decision to take responsibility for the asylum seeker is made by the Directorate of Immigration.

The Directorate of Immigration makes a decision either to grant or not to grant the asylum request. The decision is based on the information obtained in the asylum investigation and on further information about the applicant's home country. If the decision on asylum is negative, the Directorate of Immigration may decide on refusal of entry at the same time.

The decision may be appealed against to the District Administrative Court of Helsinki on the grounds that the decision is contravenes the law. The decision of the Administrative Court may be appealed against only if the Supreme Administrative Court grants a leave to appeal. The leave may be granted only if it is important to have the issue decided by the Supreme Administrative Court for the application of law in other similar cases or for reasons of uniform practice or if there are other weighty grounds for granting the leave. If a leave is issued, the Supreme Administrative Court has the competence to decide on both the facts and the judicial questions of the case. The decision on refusal of entry may not be enforced before it has become final and an application for a leave to appeal in the Supreme Administrative Court suspends the enforcement. If the Supreme Administrative Court refuses to process the case, or if a leave to appeal against the decision of the District Administrative Court is not applied for in due time, the decision on refusal of entry can be enforced.

Described as a list, the normal asylum procedure consists of the first instance decision of the Directorate of Immigration, the second instance decision of the District Administrative Court of Helsinki and the decision of the Supreme Administrative Court if a leave to appeal has been granted.

As mentioned above, a bill to amend the provisions concerning the asylum procedure was passed on 10 July 2000 by Parliament in order to accelerate the procedure.

4.6. Accommodation

The accommodation of asylum seekers in Finland has not changed substantially over time.⁴ However, it may be noted that in the early 1990s the Finnish Red Cross was responsible for accommodation, while the Finnish municipalities have had this responsibility since 1993. Further, the Ministry of Labour states that the general quality of the accommodation centres has improved since the early 1990s. They are now characterised by more professionalism and a more coherent approach.

Below follows a brief description of the system of accommodation.

4.6.1. Reception Figures

Table 4.5: Reception for asylum seekers

Number of reception centres	Same as accommodation centres; However, the Helsinki Accommodation Centre coordinates the reception asylum seekers in Finland, and is therefore mainly used for short-term reception.
Capacity of reception centres	-
Number of accommodation centres	16 accommodation centres
Capacity of accommodation centres	2.550 persons
Total capacity of reception/accommodation centres	2.550 persons
Number of persons accommodated in private housing	Approximately 500.

The various centres are located in different parts of the country.

In addition, approximately 700 quota refugees are accommodated directly by municipalities.

4.6.2. Names and addresses of accommodation and reception centres

Reception/ accommodation centres are maintained by the Government, Ministry of Labour, the Finnish Red Cross, Folkhälsan and communities. The Ministry of Labour pays the costs for accommodation for all centres. The asylum seeker herself pays private accommodation.

⁴ It may be noted, however, that according to Finland's new Constitution, which entered into force in 1999, any person residing in the country holds the right to a minimum living standard and certain social rights. This naturally includes asylum seekers.

Reception / Accommodation centre	Name and Address	Authority managing	Authority financing	Capacity
Reception/ Accommodation	Helsinki Reception Centre Kyläsaarenkatu 10 00 580 Helsinki	Communal Centre	Ministry of Labour	260
Accommodation	Alavus Reception Centre Kuivasjärventie 105 63 300 Alavus	Communal Centre	Ministry of Labour	100
Accommodation	Oravainen Reception Centre PI 12 66 801 Oravainen	Communal Centre	Ministry of Labour	190
Accommodation	Ruukki Reception Centre Tuomiojantie 513 92 400 Ruukki	Communal Centre	Ministry of Labour	100
Accommodation	Tampere Reception Centre Pohjolankatu 25 A 33 500 Tampere	Communal Centre	Ministry of Labour	250
Accommodation	Vaasa Reception Centre Kauppapuistikko 23 A 65 100 Vaasa	Communal Centre	Ministry of Labour	140
Accommodation	Punkalaidun Reception Centre Kostilantie 301 31 900 Punkalaidun	Community Centre	Ministry of Labour	150
Accommodation	Kotka Reception Centre Sammonkatu 17 48 600 Karhula	Community Centre	Ministry of Labour	150
Accommodation	Kuopio Reception Centre Piispantie 66 71 130 Kuopio	Community Centre	Ministry of Labour	100
Accommodation	Kajaani Reception Centre Salmijärventie 300 87 930 Salmijärvi	Community Centre	Ministry of Labour	100
Accommodation	Länsi-Uusimaa Reception Centre Högbenintie 10 10 350 Karjaa	Folkhälsan	Ministry of Labour	150
Accommodation	Rovaniemi Reception Centre Kolpeneentie 29 G 96 440 Rovaniemi	Finnish Red Cross	Ministry of Labour	150
Accommodation	Turku Reception Centre Metallikatu 6 C 20 240 Turku	Finnish Red Cross	Ministry of Labour	150
Accommodation	Joutseno Reception Centre Tiuruniementie 250 55 330 Tiuruniemi	Government Centre	Ministry of Labour	250
Accommodation	Oulu Reception Centre Heikinharjuntie 66 90 630 Oulu	Government Centre	Ministry of Labour	150
Accommodation	Perniö Reception Centre Germundsvijantie 181 25 610 Ylönkylä	Government Centre	Ministry of Labour	160

Kuopio, Alavus and Länsi-Uusimaa are going to be closed during 2001.

4.6.3. Special Treatment

Special treatment in relation to reception and accommodation is provided for the following groups:

- Unaccompanied minors are accommodated in special group homes operated by four of the accommodation centres.
- Persons identified by the authorities as subject to torture or organized crime are screened specially and will be offered assistance by nurses at accommodation centres, by doctors, or will be directed to the Rehabilitation Centre for Torture Victims in Helsinki, the Crisis Prevention Centre of the Mental Health Association of Finland, or in rare cases to a psychologist.
- Pregnant women have access to the same health services as Finnish residents.

4.6.4. Standard of Accommodation

There is no formal standard for accommodation of asylum seekers. However, as a general rule it can comprise anything from a single rooms up to rooms for eight persons. Families are given a room of their own. The centres have kitchens and cooking facilities, and there are separate toilets and baths for women and men. It may be noted that it is planned to establish more coherent guidelines for accommodation standards.

The persons interviewed in Finland generally assess the standard of the reception centres in Finland as being rather similar to the standard in other Nordic countries, and that it is quite good compared to countries elsewhere in Europe.

An on-site visit was carried out to the Helsinki Accommodation Centre (capacity 280 + 120 located in private apartments in the city). The staff considers the Centre representative of the general standard in Finland, although they underline that some facilities here are not as good as at other locations due to limited physical space. Thus, there are only limited facilities specifically designed for women or children. It should be mentioned, however, that there is a small playground next to the centre, and that various activities are organised especially for families.

Meanwhile, due to the proximity to the city, the Centre is close to ethnic groups whom asylum seekers may belong to, and the available health care facilities are of a high standard.

The tour of the centre showed that the rooms were basic, but adequate and clean. In accordance with the general situation described above, there were central cooking facilities (several on each floor), and separate toilets and baths for women and men. In addition, the Centre had two classrooms for various educational activities (see section on education below).

Asylum seekers are free to travel around the country, but they generally cannot decide which accommodation centre they will stay in. However, considerations of proximity to relatives can play a role in determining which accommodation centre an asylum seeker is assigned to.

4.7. Means of Subsistence

4.7.1. Rules and Practices of Means of Subsistence

All asylum seekers in Finland are entitled to a temporary accommodation and living allowance. These rights have not changed over time. The purpose is to ensure that the asylum seekers are able to keep their independence to a reasonable extent.⁵

The living allowance is the same as that offered to other persons living in Finland on the basis of the Act on living allowances. However, due to the free accommodation and other facilities at the accommodation centres, the living allowance is reduced by 15% for adults and 20% for children. Asylum seekers must pay for food, clothes and personal expenses out of the living allowance. Asylum seekers do not qualify for other benefits such as child benefit.

Adult asylum seekers must actively participate in work at the accommodation centre (maintenance, gardening, teaching, other duties) and in educational activities.

4.7.2. Reasons / Principles Behind the System and Recent / Future Changes

The basic principle behind the Finnish system is to support the asylum seekers' participation in various integrating activities while preventing displacement during the accommodation and asylum process. Thus, the system has both a social and a legal aspect.

⁵ This also follows from Finland's new Constitution, as mentioned above

4.7.3. Provision of Subsistence

The table below illustrates the level of subsistence offered to asylum seekers in Finland.

Table 4.6: Means of subsistence (asylum seekers in federal care)⁶

	Cash / month	Kind
Unaccompanied children	-	
Families	FIM 1496 / EUR 251 per adult	
Single adults	FIM 1760 / EUR 296	
Single adults with children	1 st child: Extra FIM 1160 / EUR 195 2 nd child: Extra FIM 1077 / EUR 181 Every next child: Extra FIM 994 / EUR 167	

It should be emphasised that if an asylum seeker refuses to participate in work or studies without good reason his or her living allowance can be cut by 20 percent. This sanction can be appealed to the administrative court.

4.8. Access to Education

4.8.1. Rules and Administrative Practices Regarding Access to Education

All asylum seekers in Finland between 7 and 15 years of age must attend school (this is also the compulsory school age for Finnish citizens).

Children of asylum seekers start their school in so-called preliminary classes with other immigrants. The duration of these classes, which are organised by local municipalities, is approximately 6 months.

Adult asylum seekers are provided 2-6 hours of Finnish studies in the reception centres. Adult asylum seekers are not entitled to education that is financed through tuition fees. However, if someone manages to find a place of education on his/her own in some educational institute, they are free to study there. But such a person is not entitled to any financial support from society or the reception centre; only the basic living allowance is granted.

According to the available information, these rules regarding education for asylum seekers have not been changed at any point.

⁶ Source: Ministry of Labour

The table below summarises the rules:

Table 4.7: Access to education for asylum seekers⁷

	Children	Adults
Mother tongue tuition	Usually – but varies depending on school ⁸	Varies
Language tuition	Yes – 6-month reception programme	Yes
Access to primary school	Yes	No
Access to secondary school	Yes	No
Access to vocational training	Not generally	Not generally
Access to further education	Not generally	Not generally

There are currently no plans to change the access of asylum seekers to education.

4.9. Access to the Labour Market

4.9.1. Rules and Practices Regarding Access to the Labour Market

Unpaid work

As a general rule, asylum seekers are encouraged to take unpaid work and to participate in various training activities at the accommodation centres. The purpose is to emphasise that the asylum seekers are autonomous individuals and in charge of their own lives. The philosophy is that this will help improve the asylum seekers' self-confidence and mental well-being.⁹

An asylum seeker who has resided in the country for three months and whose application for asylum is still being processed may work without a work permit according to the decision of the Ministry in question (section 25 of the Act).

An asylum seeker is always registered in the register of an accommodation centre. The register contains data on the time the asylum seeker has resided in the country. If necessary the centre will give a certificate to the asylum seeker certifying that his/her application for asylum has been in progress for at least for three months.

⁷ Source: Ministry of Labour

⁸ Opportunities for mother tongue tuition for asylum seekers' children depend on the language and on the number of children in the group

⁹ The main problem in this respect, as indicated in the interviews, is that the asylum process in Finland is very long – usually several years. This can make it difficult to maintain a high level of motivation among the asylum seekers, in spite of the activities offered.

Asylum seekers can carry out maintenance and other duties and participate in work activities organised by the centre without work permits. As mentioned above, asylum seekers' allowances are cut by 20% in the event that they choose not to participate in these activities.

Paid work outside the accommodation centre

If an asylum seeker wants to work outside the accommodation centre, permission from the employment office is required. The employment office may then apply labour policy criteria and assess such things as the availability of domestic labour and the comparable foreign labour in the country.

An employer who wants to employ an asylum seeker must apply in writing for the permission of the employment office located in the same region as the workplace. The application must include a job description and information on the terms of employment and remuneration. The employment office will check that the terms of employment and the work conditions are generally acceptable and if necessary contact the labour protection authorities. The employment office will issue its decision to the employer and the reception centre and the local police authorities must be notified of the decision.

If an asylum seeker takes up paid work, he/she will not be entitled to social benefits.

There are no plans to change the access of asylum seekers to the labour market. However, there are plans to introduce diplomas which certify that an asylum seeker has carried out unpaid work at the accommodation centre. In addition, it is planned to give further training to accommodation centre staff in order to improve opportunities to asylum seekers.'

4.10. Access to Health Care

4.10.1. Description of the Rules and Practices Regarding Access to Health Care

The general rule is that asylum seekers are entitled to acute medication and treatment. Medication and treatment can be charged to the asylum seeker at a rate of up to 60 FIM (approx. 10 EUR) per month.

Chronic diseases, dental problems and heart conditions are attended to if deemed necessary.

The accommodation centres are responsible for both initial health screening and for providing essential health care. The health care is financed by the state.

The table below illustrates the services provided in Finland

Table 4.8: Access to health care¹⁰

	Children	Pregnant women	Adults	Victims of torture or rape
Health screening on arrival	Yes	Yes	Yes	Yes
Psychological assistance	If necessary	If necessary	If necessary	If necessary
Enrolment in health care programme	Yes (basic health care)	Yes (same health care as Finnish residents)	Yes (basic health care)	Yes (access to nurse at accommodation centre, local doctor, Crisis Centre)

4.11. Rules on Detention and Other Restrictions on Free Movement

4.11.1. Rules and Practices

In Finland, it is estimated that approximately 10% of all asylum seekers are placed in detention for a shorter or longer period¹¹.

Asylum seekers can be placed in detention when:

- the identity of an alien has yet to be established
- investigations are required into whether an alien should be allowed to enter Finland
- it has been decided that he/she will be refused entry or deported
- a decision on deportation is under consideration and reasonable cause exists with regard to an alien's personal and other circumstances for a belief that he will hide or commit criminal offences in Finland.

¹⁰ Source: Ministry of Labour

¹¹ Source: Refugee Advice Centre

The detention procedure is administered as follows:

A decision to place an alien in detention must be made by a senior officer of the local police, Central Criminal Police, Security Police or Mobile Police responsible for the matter. Whenever an alien is placed in detention, the policy is that his case is to be processed expeditiously. An alien who is placed in detention shall be taken to detention facilities specifically reserved for this purpose as soon as possible. Where applicable, the provisions on the treatment of prisoners shall be applied to aliens in detention. A police officer who has ordered that an alien be placed in detention must order his immediate release when there are no longer grounds for detention.

A police officer who has decided to place an alien in detention must without delay and, at the latest, on the day following the detention notify the lower court of the district where the detainee is held. Courts of law must deal with cases of detention without delay and no later than four days after the date on which the alien was taken into custody. Courts must proceed in the manner laid down in the provisions on demands for arrest. If there are no grounds for holding an alien in custody, a court of law must order his immediate release. If an alien held in detention has not been ordered to be released, the lower court for the district where the detainee is held must, on its own initiative, reconsider the matter no later than two weeks after the date on which the court ordered that the detainee should continue to be held in custody.

The maximum duration of detention is typically 3 months.¹²

4.12. Differences in Treatment According to the Stage of the Asylum Procedure and the Type of Status Sought

Generally there are no differences in the treatment of asylum seekers in Finland depending on the progress of the asylum application or the type of status sought.

¹² Source: Refugee Advice Centre

This can be summarised as follows:

Table 4.9: Differences in Treatment

Differences in treatment according to:			
	Stage of asylum procedure	Type of status sought	Vulnerable groups
Accommodation	None	None	Special accommodation is provided to unaccompanied minors and to some persons identified as having been subjected to torture or organized crime. Women are often accommodated in a special section of the centre, but this is not official policy.
Means of subsistence	None	None	None
Education	None	None	None
Labour market related activities	None	None	None
Health care	None	None	Special mental health care is provided for victims of torture and other organised violence, the mentally ill and for persons suffering from post-traumatic stress in acute cases. Minors and pregnant women are entitled to the same special health care programmes and medical attention as Finish citizens.

However, it can be mentioned, that during detention the accommodation is of lower quality than at the ordinary accommodation centres and that no subsistence allowance is provided.

4.13. Political Atmosphere Surrounding Refugees and Immigrants

This section is concerned with the general political atmosphere surrounding refugees and immigrants in Finland.

4.13.1. Major Historical Changes in the Political Atmosphere

The debate concerning asylum seekers is relatively new. The social rights of asylum seekers have not been much of an issue in Finland. Rather, there has traditionally been a debate regarding the financing of asylum seekers. It is widely recognised that the system is costly, and that unfounded asylum seekers represent a burden. The po-

litical debate thus focuses on how to ensure that “real” asylum seekers are given protection.

Several of the observers interviewed indicate that the debate on asylum in Finland has generally sharpened and become somewhat more negative over the past few years. This in particular follows an incident during the summer of 1999, where several hundred Slovakian Romas applied for asylum in Finland. This led to a focus on misuse of the asylum system, where the main theme in the public imagination was that of “welfare refugees”.

Meanwhile, there was a rather positive public view of asylum seekers in connection with the Kosovo crisis during the spring of 1999. It was widely felt that the Kosovars were genuinely in need of international protection.

One of the interview persons points out that although there is much information, for instance in the form of expert statements, the public is generally not very well informed on asylum matters.

There has not been much public attention paid to the international dimension of the asylum problem. Asylum issues are mainly viewed as a national problem (rights of Finnish nationals, illegal immigration, crime committed by asylum seekers, etc.). However, during the Tampere summit of the Finnish EU Presidency in 1999 there was a certain level of public awareness of the issue. In addition, the debate over the Schengen agreement has to some degree focused public attention on the international dimension.

4.13.2. Political Attention and Public Opinion Today

In a recent opinion poll, 45% of the Finnish population indicated that the issue of refugees and immigrants is among the most important problems in society.¹³

Finland’s leading daily newspaper has been rather cautious in its coverage, but seems to focus mainly on abuse of the asylum system.

The most recent amendment to the Asylum Act (10 July 2000), which can be viewed as a tightening of the asylum legislation, has generally been welcomed by the public.

¹³ Source: Political journalist (interview)

However, there was no significant public debate of the issue. Instead, there was a rather intense political debate. This debate focused on the balance between the efficiency and speed of the asylum system and concern for human rights.

4.13.3. Attitude Patterns and Political Groupings in the Debate

The government coalition consists of Social Democrats, Conservatives, the Green Party, the Left-coalition and the Swedish Liberal Party. The Centre Party is in opposition. There was generally consensus across the political spectrum with regard to the most recent changes to the Finnish asylum legislation. The only political groupings that have objected to the changes introduced on 10 July 2000 were the Swedish Liberal Party and the Green Party.

4.13.4. Attitude of the Country Concerning International Co-operation on Asylum Matters

The head of the Finnish Directorate of Immigration has set forward a number of proposals regarding international co-operation on asylum matters, both in the Finnish media and in the interview connected with this study. While his suggestions are not necessarily the official standpoint of the Finnish Government, they nonetheless represent a catalogue of analyses and proposals which are highly relevant in the present context. His main points and suggestions will therefore be presented below.

According to the head of the Directorate of Immigration, there are currently a number of problems in the asylum and immigration field in the European Union. Firstly, in a number of EU countries, asylum seekers turn into illegal immigrants when their applications are turned down. This leads to increased social pressure not only in the countries where they enter the EU, but potentially also in other Member States. Secondly, the Dublin Convention is currently not working effectively, and the EURODAC fingerprint register is not yet up and running. Therefore even the accelerated asylum procedures tend to take a disproportionately long time, because a rapid identification and transfer of applicants does not take place.

Meanwhile, according to the head of the Directorate of Immigration, it may be expected that the pressure on European borders will increase. Coupled with the expected demographic shock due to the ageing of the European population and the need for increased immigration, there is a clear need for common EU policies and in-

struments in order to handle the inflow of asylum seekers and illegal immigrants into the EU.

The EU must take a coherent, uniform approach to issues such as:

- Procedures concerning asylum
- Other aspects related to the asylum process
- Immigration

The head of the Directorate of Immigration proposes that a starting point for such an approach should include the establishment of a uniform register of asylum seekers, a 1st pillar legislative instrument, and a permanent advisory body in the field of immigration and asylum affairs at EU level. Such a body should replace the current Council working groups. The objective would be to ensure a uniform asylum procedure in all EU Member States, including all types of asylum statuses.

In the longer run, he proposes that two EU bodies should be established:

- A European Asylum Office
- A European Immigration Office

The Asylum Office should base its practices on the Dublin Convention and should in practice process all asylum applications. The Immigration Office should establish immigration quotas in order to meet the expected need for foreign workers.

Further, the head of the Directorate of Immigration proposes that EU Member States could combine their embassies to a larger extent, in particular in the developing countries, since the asylum and immigration issues they deal with today are typically the same. Combined embassies could serve all Member States and constitute part of a common “refugee border for Europe”.

Finally, with regard to the allocation of asylum seekers to individual Member States, it is suggested that the European Refugee Fund is used actively to ensure economic burden sharing.

In line with the arguments above, it can be mentioned that another observer states that since the Finnish standard of accommodation and subsistence is generally above the EU average, there is no concern in Finland about minimum standards across the EU. According to this observer, there could, however, be a Finnish concern with a

wide introduction of the principle of non-state agent persecution, which at the moment is not applied by Finland.

4.13.5. Other Kinds of International Co-operation

Finland is involved in international cooperation in the following bodies:

- UNHCR
- The Council of Europe
- NSHF (Nordic Co-operation)
- Other forms of Nordic co-operation (the Nordic Aliens Committee)
- IGC

4.14. Other Information

There is currently no additional information of relevance to this country profile.

