



**European Migration Network**



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EMN Study

THE ORGANISATION OF ASYLUM AND MIGRATION POLICIES IN FINLAND 2008

The National Contact Point for the European Migration Network, Helsinki 2008.



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## Executive Summary

This report is a general overview of the organisation structures of asylum and migration policies in Finland, and concerns only the policies for third-country nationals.

The migration and asylum issues are generally under the governance of the Ministry of the Interior, but also almost all the other policy areas are somehow linked to the migration and asylum policies. The policies of the Ministry for Foreign Affairs, the Ministry of Employment and the Economy, the Ministry of Education, the Ministry of Justice and the Ministry for Social Affairs and Health include areas of the migration and asylum policy of Finland.

The Finnish Migration and Asylum organisation is a one phased system. Section 2 introduces the general actors and the structure of the political asylum and migration system, as well as the legal system in the area of migration. Details of institutional context and other stakeholders, such as international and non-governmental organisations, are also covered in this section. The main authority in the field of enforcement is the Finnish Immigration Service which has most of the competence in the migration and asylum issues. The Police and the Border Guard also hold competence in the entry, residence permit and return process. The Ministry for Foreign Affairs manages the visa policy and the Finnish missions abroad under its governance grant visas abroad. The administrative courts and the Supreme Administrative Court are the appeal entities in the migration and asylum system. There are also other institutions and entities listed in this report that provide the rights of foreigners in Finland.

Section 3 provides a historical overview of the evolution of Finnish asylum and migration systems from the 1980's until today. The legislation and organisation of asylum and migration have developed fragmentally during the 1980's and 1990's, but after the law reforms in 2004 and 2008 the legislation and organisation have been going towards a more unified and effective system.

The aim of Section 4 is to provide a description of how the migration and asylum system is organised. Details of the organisation concerning entry procedures, admission conditions, legal residence and return in connection with asylum and migration are given. A description of the conditions of third-country nationals', asylum-seekers' and immigrants', access to the labour market is also given. The Finnish Immigration Service is the main actor on these fields, but also



the Police, Border Guard and the employment offices and the Employment and Economic Development Centre have tasks on these areas.

Chapter 4.2 describes the links between the various different policy areas and migration and asylum organisation.

Section 5 gives an analysis of the asylum and migration system's development at its present state. The planned future changes and improvements are also described. At the current moment, the Finnish migration and asylum organisation is under a reform which has started in the beginning of 2008, when the whole governance of the migration and asylum policy was situated under the Ministry of the Interior.

## 1. Introduction: Purpose and Methodology Followed

This report aims to give an overview of the organisational structures within the fields of asylum and migration in Finland. It gives an overall view of the current political, legislative and institutional framework, and also provides detailed descriptions on how the system is constructed and developed. One objective of this report is to provide current, exact and intelligible information to professionals and also to non-experts. Note that this study concerns only the policies for third-country nationals, not EU nationals undertaking mobility within the EU, and it is constructed and divided according to the specifications given by the EMN.

The aim of this report is primarily to provide information to the EMN NCPs and the Commission, as well as to the policy-makers and authorities at national and European levels. The report is, nevertheless, written with the intention that the information included here could also be disseminated to a wider public. It can be useful to many national entities, such as national NGOs, and also to private citizens, for example to applicants who want to get an overall view of the organisation or find out how the internal competences are divided in the migration and asylum organisation. This report is one of the few studies made detailing the entire structure of the Finnish migration and asylum organisation. It gathers information from many official sources into a one presentation, and thus complements the information concerning the material procedures that is already provided by various sources.

This report has been prepared by the Finnish Immigration Service and its European Migration Network National Contact Point for Finland. The research was started by searching official material on the subject made by the Finnish Immigration Service and the Ministry of the Interior. The general information was found in the net-pages of the Finnish Immigration Service, the Ministry of the Interior and the Ministry for Foreign Affairs. These sources provided substantial amount of official information and material concerning the general procedures and views on migration and asylum system. Some already existing publications and statistics on this field are provided in the intranet and official net-pages of Finnish Migration Service.

Central sources of information were also the Finnish legislation on foreigners and the government bills.

Some interviews were conducted inside the Finnish Immigration Service personnel and the Police to gather information.

One problematical and challenging task in the study was to gather information about the changes in the organisational structure that occurred as a result of EU legislation. Through the EU cooperation the awareness of the differences between EU Member States regarding the organisation of migration and asylum policies has increased.

All the aspects of the specifications are taken into consideration. However, all the answers do not fit directly with the phrasing of questions given in the specifications, and possibly some aspects of the report could not be addressed in accordance with the specification. For example, if the specification requested to describe a certain feature which does not exist in Finland, the answer was left quite short. Also, not all the statistics that were requested in the specifications were available. Some extra information is given of the current organisation reform and the changes that will occur in the future, for example of the reform of the governance of reception centres. It is also good to take into consideration that this report is the first one of its kind.

One reservation is good to have in mind when reading this report. The Finnish migration and asylum organisation is currently going through a phase of change and rearrangement to a more effective and competent system. With the law reform of 2008 some of the structures of the migration and asylum organisation were reorganised and competences changed. This is presented in Sections 3 and 5.

## **2. Overview of Organisation of Political, Legislative and Institutional Framework in Finland**

The Government directs immigration policy and its administration following the targets set in the Government Programme and approved Government Resolutions. The Ministry of the Interior is in charge of the migration issues and under it the Migration Department. Its tasks are preparing policy and legislation, supervising the activities of the Finnish Immigration Service and taking part in international, EU and national co-operation in the field of migration and asylum. The Department consists of four units: Management Support, Migration, International Protection and Integration Unit. The Office of the Council of State is in charge of the co-ordination of EU issues in general.

The Minister of Migration and European Affairs affirms the main focuses, lines of operation and result targets of operations as elements in the overall operational and financial plan for the administration of internal affairs. Appropriations for the immigration administration are included in the Ministry of the Interior's budget proposal. The Ministry of the Interior directs the Finnish Immigration Service and the Employment and Economic Development Centres, which carry regional responsibility for immigration and integration matters. Until now the reception centres are under the direction of Employment and Economic Development Centres, but are being transferred under the governance of the Finnish Immigration Service.

The Finnish Immigration Service is divided into Asylum, Immigration and Nationality Units, and also to Administration, Communications, Customer Service, e-Services and Legal Service and Country Information Units. It deals with and resolves matters related to the entry of individual foreigners into Finland, residence, deportation, refugee status and citizenship. One of the duties of the Finnish Immigration Service is the maintenance of the Register of Aliens. In practice, the Finnish Immigration Service grants residence permits to foreigners who come to Finland, including students, employed persons, self-employed persons, returnees, and family members of foreigners living in Finland and processes applications for asylum from investigation to decision-making. It grants aliens' passports and travel documents for refugees and decides on refusals of entry and deportation. It is also in charge of naturalisation applications, declarations concerning Finnish citizenship, and definition of citizenship status as well as the maintenance of the register of aliens. It produces information services for international needs and domestic decision-makers and authorities and participates in international co-operation in its field of operation

The Register of Aliens is a register of persons which is maintained and used for the processing, decision-making and control of matters relating to the entry into and departure from Finland and residence and work in the country and for ensuring the security of the state and for carrying out a basic security investigation and an extensive security investigation. It is also used for the processing and decision-making of matters related to the acquisition, retention and loss of Finnish citizenship and the definition of the citizenship status. The data in the Register of Aliens may also be used for the compilation of statistics. The register contains six sub-registers the main controllers of which are the Finnish Immigration Service and the Ministry for Foreign Affairs. The register is also maintained and used by the police, The Border Guard, the Customs, the Employment and Economic Development Centres, the Employment Offices, the Prison Administration Authority and the Ombudsman for Minorities.<sup>1</sup>

A foreigner must register himself or herself to the population register after been issued the residence permit in order to gain the rights of a Finnish resident. Local register offices are local state administrative authorities. They are responsible for maintaining the nationwide Population Register. After a refugee or other person in need of international protection has been granted a first residence permit, they will be assigned a municipality placement within the quota based on an agreement between a local Employment and Economic Centre and a municipality. It is voluntary for a municipality to agree on receiving refugees. When registered in the population register a refugee (or a similar person) will be registered in his home municipality. The basic services are bound to the membership of a municipality, Refugees can later on move to another municipality if they wish. Other legally residing foreigners can from the very beginning choose their home municipality and register there. In the same manner the basic services for them are bound to the indicated membership of a municipality. The individual municipalities bear general and coordinative responsibility for the development, planning and monitoring of immigrant integration, though the Finnish municipalities' municipal autonomy guaranteed in the Constitution gives the municipalities the freedom to organise the migration tasks as they will. They arrange for measures to promote and support integration and for immigrant services. The municipalities also bear the responsibility of providing social services to all its residents. The Social Insurance Institution of Finland provides basic security for all persons resident in Finland, covering the different stages of their lives. Besides citizens of Finland, they serve foreign nationals who have gained at least one year residence permit and are covered by the Finnish social security legislation.<sup>2</sup>

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<sup>1</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2470>

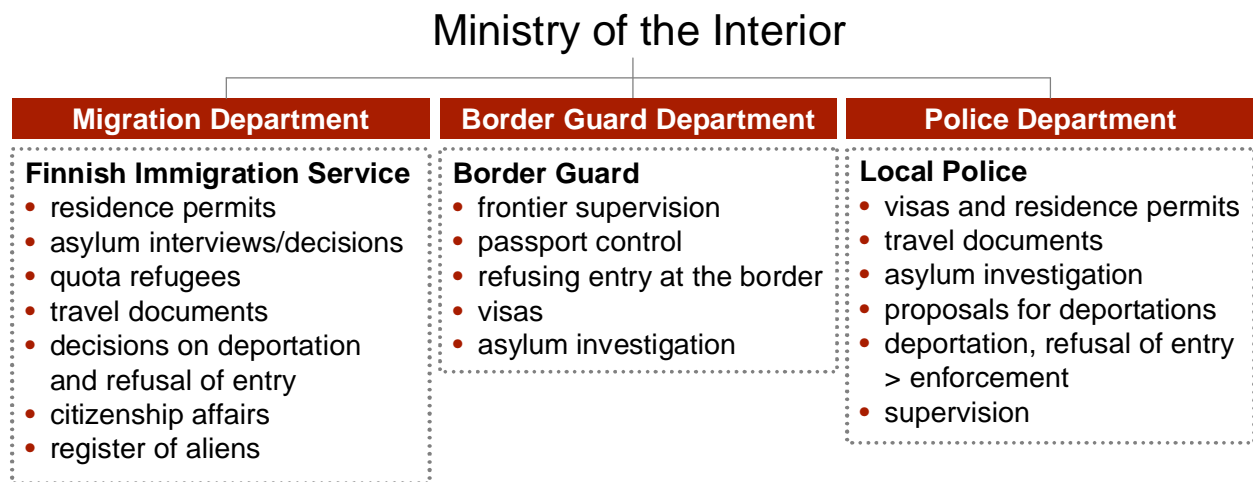
<sup>2</sup> <http://www.kela.fi/in/internet/english.nsf/NET/210102150531RH?OpenDocument>



The employment offices work with the Employment and Economic Development Centres to arrange the necessary labour market policy measures and employment services for immigrants. The Employment and Economic Development Centres and employment offices belong generally under the governance of the Ministry of Employment and the Economy, but in the migration issues they are directed by the Ministry of the Interior.

Within the administrative branch of the Ministry of the Interior, immigration matters are also handled by the Border Guard and the Police. In certain special cases, a border surveillance officer may decide whether to grant a visa at the border or to deny entry to Finland. Border surveillance officers and the police also establish an asylum seeker's identity and route to Finland. The local police accept permit applications in immigration matters, and citizenship applications and declarations; in certain cases they grant resident permits and returnee visas, extend visas and take decisions on denial of entry. The National Bureau of Investigation has two special units which are involved in the verification of foreign documents and combating the illegal immigration. The Security Police makes security clearances of foreigners.

## Migration Affairs in the Ministry of the Interior



The Ministry for Foreign Affairs is responsible for visa policy. Finnish missions abroad grant visas and accept citizenship declarations and residence permit applications. The Ministry of Employment and the Economy and the Ministry of the Interior are jointly responsible for monitoring the volume and structure of work-related immigration and for developing monitoring methods.<sup>3</sup>

<sup>3</sup> <http://www.intermin.fi/intermin/home.nsf/pages/A5906F534D7BF793C22573B500300FF4?opendocument>.

The rule of law is taken care of so that nearly all decisions of the Finnish Immigration Service, the police, a border control authority, an employment office or a Finnish mission referred to in Aliens Act may be appealed to an administrative court as provided in the Administrative Judicial Procedure Act. Decisions concerning international protection can be appealed only to the Helsinki Administrative Court. The Administrative Court can either reject the appeal or annul the decision made by the Finnish Immigration Service. If it annuls the decision, it will send the matter back to the Finnish Immigration Service for reprocessing. If the Administrative Court rejects the appeal, the appeal process can be continued by appealing to the Supreme Administrative Court, if the Supreme Administrative Court grants right to appeal.

The most relevant laws in the area of the organisation of authorities in migration and asylum issues are the Finnish Constitution, Aliens Act (301/2004), Nationality Act (359/2003), Act on the Integration of Immigrants and Reception of Asylum Seekers (493/1999), Non-Discrimination Act (21/2004), Administrative Procedure Act (434/2003) and Administrative Judicial Procedure Act (586/1996).

The Ombudsman for Minorities is an independent authority which supervises compliance with the prohibition of ethnic discrimination under the Non-Discrimination Act. The Ombudsman aims to prevent ethnic discrimination and promote equality in a number of different ways. She also intervenes in discrimination by issuing statements and opinions and deals with issues concerning the traffic on human beings. The tasks of the Ombudsman for Minorities include promoting good ethnic relations, monitoring and improving the status and rights of ethnic minorities, reporting, taking initiatives and informing. In addition, the Ombudsman for Minorities will, together with other officials, supervise that everyone is treated equally regardless of their ethnic background. The Office of the Ombudsman for Minorities is located administratively within the Ministry of the Interior.<sup>4</sup> The National Discrimination Tribunal attached to the Ministry of Interior is also an independent body which examines cases of discrimination based on ethnicity.<sup>5</sup> There is also the Advisory Board for Ethnic Relations (ETNO) which is a broad-based expert body set up by the Finnish Government. Its purpose is to promote interaction between Finland's ethnic minorities and the authorities, NGOs and the political parties in Parliament, equally at the national, regional and local level, and provide the ministries with immigration policy expertise in the interests of furthering an ethnically equal and diversified society.<sup>6</sup>

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<sup>4</sup> <http://www.intermin.fi/intermin/vvt/home.nsf/pages/0BF7E222C171B015C22573A200316908?opendocument>.

<sup>5</sup> <http://www.intermin.fi/intermin/home.nsf/pages/E98CE1A73AB4EAF0C22573B50034D2BB?opendocument>

<sup>6</sup> <http://www.intermin.fi/intermin/home.nsf/pages/A6DAD54E3A9379A2C22573B50030FDAA?opendocument>

In addition, the Advisory Board for the Finnish Immigration Service was established at the beginning of 2008 to assist the Ombudsman. The Board consists of invited members and includes immigrants' representatives along with relevant authorities and other partners. The Finnish Immigration Service established its Advisory Board specifically for the purpose of promoting and developing cooperation with its own interest groups and with other collaborative groups. The task of the Advisory Board is to review the courses of development and policies of Finnish Immigration Service operations, put forward relevant initiatives, and to enable the Service to exploit the expertise of Advisory Board members in the organisation and development of service provision.<sup>7</sup>

There are also other stakeholders involved in asylum and migration procedures. UNHCR - United Nations High Commissioner for Refugees - is an international organisation. In line with Article 35 of the Geneva Convention, the UNHCR is allowed to have access to asylum-seekers, to have information on the individual applications (based on the consent of an asylum-seeker) and to present its views on individual applications. IOM - International Organization for Migration - is another international inter-governmental organisation in this field. There is a Regional UNHCR Office in Stockholm and a Regional IOM Office in Helsinki. The Finnish immigration authorities have various kind of cooperation with those organisations (training, projects, etc.).

The main non-governmental organisation providing legal aid and advice to asylum seekers in Finland is the Finnish Refugee Advice Centre. Lawyers of the Refugee Advice Centre give legal aid to asylum seekers in different stages during the asylum procedure. They give information to asylum seekers on the asylum procedure and the rights of asylum-seekers in Finland. They often assist the asylum-seekers at asylum interviews and represent the applicants at the appeal stage. As an official partner of UNHCR, they are allowed to have access to asylum-seekers, to have information on the individual applications (based on the consent of an asylum-seeker) and to present their views on individual applications.

The Finnish Refugee Council is a politically and religiously independent non-governmental organisation. Its main tasks include information and education, fund-raising as well as work with refugees in Finland and abroad. It is also an official partner of UNHCR.

The refugee activities of the Finnish Red Cross focus on supporting the integration of immigrants and promoting tolerance. The FRC maintains three reception centres and is also prepared to organise the emergency reception of large groups of unexpectedly arriving asylum

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<sup>7</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2470,2704&language=EN>

seekers. FRC's responsibilities also include practical arrangements for family reunification, receiving quota refugees at the airport and tracing work.<sup>8</sup>

### 3. Development of Asylum and Migration Systems

Major legislative and organisational reforms over the period of 1980's to 2008 include the new Aliens Act in 1991, the establishment of the Directorate of Immigration in 1995, the transfer of appeal system from the Asylum Appeals Board to the Administrative Courts in 1998, the transfer of asylum interviews from the police to the Directorate of Immigration gradually between 2001 and 2004, and the total reform of the Aliens Act in 2004 and the partial organisational reform in 2008.

#### Legislation

The Finnish legislation on foreigners has evolved over several years through various partial and total reforms. The first Aliens Act came into force the 1st of March in 1984. Until then during the whole time of independence (since 1917), the entry and residence of foreigners in the country had been enacted on through governmental statutes. Already the Aliens Statute of 1938 included the same measures of policing foreigners in many respects, as well as the methods of migration prohibition and removing aliens from the country which were in use until the beginning of the 1990's. The Aliens Act of 1984 had only been in force for a short time, when it already was considered to be outdated. Changes in the international operational environment brought about the fact that the operative legislation on foreigners at the time did not conform to the requirements concerning the alien's legal protection, for example. A new Aliens Act came into force the first of March in 1991. To summarise the development of the Finnish legislation on foreigners until the year 2004, it can be stated that the regulations developed through single statute reforms and later through various partial law-reforms. The frequent and detailed reformation of legislation and the partial reforms led to the fact that the legislation on foreigners was fragmented.<sup>9</sup>

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<sup>8</sup> <http://www.migri.fi/netcomm/content.asp?article=2080&language=EN>

<sup>9</sup> <http://www.migri.fi/download.asp?id=UVI+raportti;615;{31CDCF10-F876-4AC4-A661-DEB832DC4FC3}ss>

Finland's joining the EU, the constitutional civil rights reform in 1995, as well as the adaptation of the new Finnish Constitution in 2000, have also demanded reformation of legislation. The current Aliens Act came into force the 1st of May in 2004. The aim of the new Act was to carry out, and improve, good administration and legal protection in foreigners' issues. Accordingly, the aim was to improve controlled migration and the granting of international protection with the respect of human and civil rights. The rights and duties of foreigners were enacted in the Act more precisely than before. The general regulations of the Act were clarified and the content of the prerequisites of migration were kept mainly unchanged. The central regulations of Schengen institution dealing with visa policy were stated in the Act. The new Act was meant to answer the needs for change consequent on the regulation of European Union, as well as those of certain international conventions. All the directives of EU Council related to migration are implemented or included in the Finnish legislation.

In the year 2008, a partial legislative and organisational reform fundamentally changed the structures of the Finnish migration organisation.

Government proposals aimed at transposing the Qualification Directive (2004/83/EC) and the Asylum Procedures Directive (2005/85/EC) are currently before Parliament.

## **Organisation**

Similarly to the legislation on foreigners, the administration of migration affairs has reached its current structure through many partial reforms. Units have been moved from one ministry to another without any well-defined vision of the whole organisation. The migration affairs were dealt under the Ministry of Labour until 1981, when a conclusion of two-pillared form of the immigration administration was made. The migration and security policing were remained under the Ministry of the Interior and the enhancement of the integration and reception of immigrants was entrusted to the Ministry of Labour. Also, the Ministry for Foreign Affairs had an important role in the administration. In all, the migration and asylum affairs were decentralised within the policies of six ministries. The Ministry of Education took care of the education and cultural services of migrants; the organising of social welfare and health-care, as well as industrial safety belonged to the Ministry of Social Affairs and Health; the appellate entities of migration affairs worked under the Ministry of Justice.<sup>10</sup>

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<sup>10</sup> <http://www.migri.fi/download.asp?id=UVI+raportti;615;{31CDCF10-F876-4AC4-A661-DEB832DC4FC3}ss>



The history of the Finnish Immigration Service is the following. Early on the administration of migration issues was situated as a single unit in the Police Department's Aliens' Office within the Ministry of the Interior. In 1989 the administration of migrations issues was transferred to the Aliens' Centre of the Ministry of the Interior. After that, in 1995, the foreigners' and migration issues were divided between the Immigration Department, which remained as a part of the Ministry, and the Directorate of Immigration under the Ministry. The Directorate of Immigration, afterwards from 1 January 2008 renamed the Finnish Immigration Service, has been in function as an independent government agency under the Ministry of the Interior since the 1<sup>st</sup> of March in 1995.

The new Aliens Act enacted in 2004 changed the competence between the different authorities. Firstly, the issuing of the first residence permits to all applicants residing abroad was moved from the missions abroad to the Directorate of Immigration. The Finnish missions abroad were to issue only visas in the future. Secondly, the issuing of residence permit to a Finnish national's family member was moved to the local police, and the applicant could come to Finland to apply for the permit. The concept of residence permit for employed person was also added to the new Act. The employment office would first assess the prerequisites related to labour, and then the Directorate of Immigration would issue the permit. Working could be possible with certain limitations also with other residence permits and in some cases without any permit. Alien's legal protection was improved by extending the possibility of appeal to all kinds of residence permit decisions. An employer could make an appeal in a case concerning his employee's residence permit and the Directorate of Immigration had the right to appeal the verdict of an administration court. The asylum interviews were transferred from the police to the Directorate of Immigration gradually during the time period from 2001 to 2004, while the establishing of the applicant's identity, travel route, and means of entering the country were left to the Police and Border Guard.

With a partial reform that came into force the 1st of January in 2008, an entity responsible for all migration, asylum and integration issues was formed under the subordination of the Ministry of the Interior. The Migration Policy Team of the Policy Department and the Migration and Working Permit Team of the Execution Department of the Ministry of Labour, the Advisory Board of Ethnic Relations, the reception centres, the Office of the Ombudsman for Minorities and the National Discrimination Tribunal were moved from the Ministry of Labour under the governance of the Ministry of the Interior. At the same time the name of the Directorate of Immigration was changed to Finnish Immigration Service and the Ministry of the Interior's Immigration Department changed to Migration Department. The new names were to reflect better the actual and

future content of the task description of these authorities, and to correspond more the concepts used in the EU.

One of the consequences of the reform was that in the Migration Department of the Ministry of the Interior a new unit was established for the integration of foreigners, which works in close co-operation with the Ministry of Education, Ministry of Social Affairs and Health, Ministry of Employment and the Economy and Ministry of Environment. The unit promotes a co-ordinated approach and shared responsibility in integration issues. Prior to the earlier transfer of the reception process of asylum seekers and the integration issues to the Ministry of Labour on the 1<sup>st</sup> of March in 1997, all the asylum issues belonged to the Ministry of Social Affairs and Health. In the Ministry of Labour the migration issues were dealt in the Migration Department which was in 2001 divided into two: the Policy Department and Implementation Department, while in the regional administration migration issues were centralized to the Employment and Economic Development Centres. On the local level they were placed with the employment offices. Responsibility for the reception centres was transferred according to the Government Programme under the Ministry of the Interior on January 1, 2008. To implement the reform, co-operation between different ministries was emphasised, for example to promote labour based immigration.<sup>11</sup> Currently the Ministry of Interior leads the Employment and Economic Development Centres according to the Act on the Integration of Immigrants and Reception of Asylum Seekers. The competence of the Employment and Economic Development Centres covers the reception of refugees, asylum-seekers and those persons who have been granted temporary protection. They are also responsible for the local direction, planning, supervising and reconciliation of the enforcement of the assistance mechanism for the victims of human trafficking. At present, there is a plan under consideration for the reception centres to be transferred under the supervision of the Finnish Immigration Service.

Earlier on the first appellate authority was the Aliens Board which worked under the Ministry of Interior. Later on the appeal process was moved to the County Administrative Courts. In 1991 the Asylum Board was founded. It worked as an appellate instance in the asylum cases. It was abrogated the 1st of January in 1998, when the asylum appeals were moved to the County Administrative Court of Uusimaa (a southern administrative district in Finland) which is currently the Helsinki Administrative Court. By the reform of administration, courts and the Administrative Judicial Procedure Act in November 1999, the appeal on asylum and migration decisions was moved to the administrative courts.

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<sup>11</sup> Government Bill 90/2007

The assignment of Counsellor for Foreigners was enacted first in 1983 in connection with the enacting of Aliens Act. Originally it was established into the Ministry of Social Affairs and Health from where it was moved to the Ministry of Labour in 1993. In 1991 the Counsellor for Foreigners became the Ombudsman for Foreigners who advised foreigners, made motions to ensure the status of foreigners in the society and aimed to improve the cooperation between the foreigners, authorities and various organisations. The Ombudsman for Foreigners became the Ombudsman for Minorities the 13 of July in 2001, which was to reflect more the current duties of the Ombudsman. With the reform of the year 2008 the office of the Ombudsman for Minorities was moved under the administration of the Ministry of the Interior, but still the Ombudsman for Minorities is an independent authority.

## **4. Organisation of Policy**

Here are the basic facts and statistics of the organisation and structures of asylum and migration policy in Finland. In the next chapters the different functions and competences of the authorities and actors on the fields of entry, admission, legal residence, labour market and return are described. Here also some basic and relevant legislation involved in these fields will be introduced. The relations and links with other policy areas and authorities are listed in the last chapter.

### **4.1 Asylum and Migration**

When a foreigner wants to enter and reside in Finland, he or she may have to deal with several different authorities. Many other authorities in addition to the Finnish Immigration Service handle issues connected to immigration.

The most central authorities in migration issues are

- Ministry of the Interior and the subordinates: the Finnish Immigration Service, Police, Border Guard, the reception centres of asylum seekers and the Ombudsman for Minorities
- Ministry of Foreign Affairs and the subordinates: Finnish missions abroad



- Ministry of Employment and the Economy and the subordinates: Employment offices and Employment and Economic Development Centres
- Ministry of Education and the subordinates: National Board of Education and Centre for International Mobility CIMO
- Ministry of Justice and the subordinates: Regional Administrative courts ( 9) and the Supreme Administrative Court as the appellate authorities

The table on the next page provides a general view of the most central matters concerning immigration and the authorities that manage and make decisions on these matters. <sup>12</sup>

Immigration Issues in Finland	
Issues	Authorities in charge
Visa	Diplomatic missions
Residence permit for a Finnish citizen's family member already in Finland	Police
Residence permit for a Finnish citizen's family member applied abroad and for a family member of a foreigner living in Finland	Finnish Immigration Service
Residence permit for EU/EEA citizen	Police
Residence permit for an employed person	Consideration of workforce needs: Local employment offices (partial decision)  Other conditions: Finnish Immigration Service (final decision)
Residence permit for a self-employed person	Prerequisites for self-employment: Employment and Economic Development Centre (partial decision)  Other prerequisites: Finnish Immigration Service (final decision)
Asylum Residence permit for those in need of international protection	Asylum interview and decision: Finnish Immigration Service Reception of asylum seekers: Ministry of Interior and reception centres
Extension of residence permit	Police, in special cases Finnish Immigration Service

<sup>12</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2470,2481&language=EN>

Refusal of entry	Border Guard, Police, Finnish Immigration Service
Deportation	Recommendation: Police, Frontier Guard Decision: Finnish Immigration Service Implementation: Police, Frontier Guard
Finnish citizenship upon application or by declaration	Finnish Immigration Service
Appeals	Administrative courts (asylum matters: Helsinki Administrative Court) Supreme Administrative Court
Integration into society	Ministry of Interior, municipalities
Educational and cultural services	Ministry of Education and National Board of Education
Population registry	Population Register Centre, Register Offices
Social security	The Social Insurance Institution of Finland, municipalities

#### 4.1.1 Entry Procedures

The first authorities met on the border of Finland are the Border Guard or the Police which assess all the travel documents and receive the asylum-seekers. The later assessment of legal residence belongs generally to the Finnish Migration Service and the Police. In the case of illegally-resident persons the Finnish Immigration Service assesses their right to stay, and the Police enforce its decisions.

The Border Guard is responsible for border checks on persons at border crossing points. Border checks are performed with the aim of maintaining border security. They are checks on persons - including their means of transport and the objects in their possession - and interviews of persons, carried out on those crossing or intending to cross the border. Border checks are performed at border crossing points or, in order to ensure the smooth flow of traffic or for other justifiable reasons, in a public transport vehicle or other location.<sup>13</sup>

<sup>13</sup> <http://www.raja.fi/rvl/home.nsf/pages/2DBF96A113C7ABD5C225735B00462D89?opendocument>

According to the Aliens Act (section 11) aliens may enter Finland if they hold a required valid travel document and they hold a required valid visa or a residence permit unless otherwise provided by European Community law or any agreement binding on Finland. They must also, if necessary, produce documents which indicate the purpose of their intended stay and prove that the requirements for entry are met, and they can prove that they have the secure means of support or that they can legally acquire such funds. One requirement is also that they have not been prohibited from entering the country; and they are not considered a danger to public order, security or health or Finland's international relations.<sup>14</sup>

#### **4.1.1.1 Asylum and Entry Procedures**

The admission of refugees is carried out 1) by granting residence permits to persons who have applied for international protection in Finland or 2) within annual refugee quota through the re-settlement. An application presented at the Finnish border or on Finnish territory on the basis of a need for international protection (asylum application) is processed in the asylum procedure. An alien referring to violations of his or her human rights as a ground of residence is considered to be applying for asylum, unless he or she explicitly states otherwise. An application for international protection is submitted to the police or to the Border Guard on arrival in Finland or shortly after that. An application may be filed later if:

- 1) the circumstances in the alien's home country or country of permanent residence have changed during his or her residence in Finland;
- 2) the alien has not been able to present a statement in support of his or her application until later; or
- 3) there are other reasonable grounds for it (Aliens Act, section 95).

An alien cannot apply for international protection at or through Finnish diplomatic missions abroad. Nor can an alien apply for asylum from abroad in writing or by e-mail.

After the application for international protection has been submitted, the asylum procedure continues with an asylum investigation. The Police or Border Guard establishes the applicant's identity, travel route, and means of entering the country. At this point, information about the applicant's family members and other close relatives is also gathered. The Finnish Immigration Service conducts the actual asylum interview. The Asylum Unit of the Finnish Immigration Service has three offices (Helsinki, Kuhmo and Lappeenranta) and if possible, the asylum interview

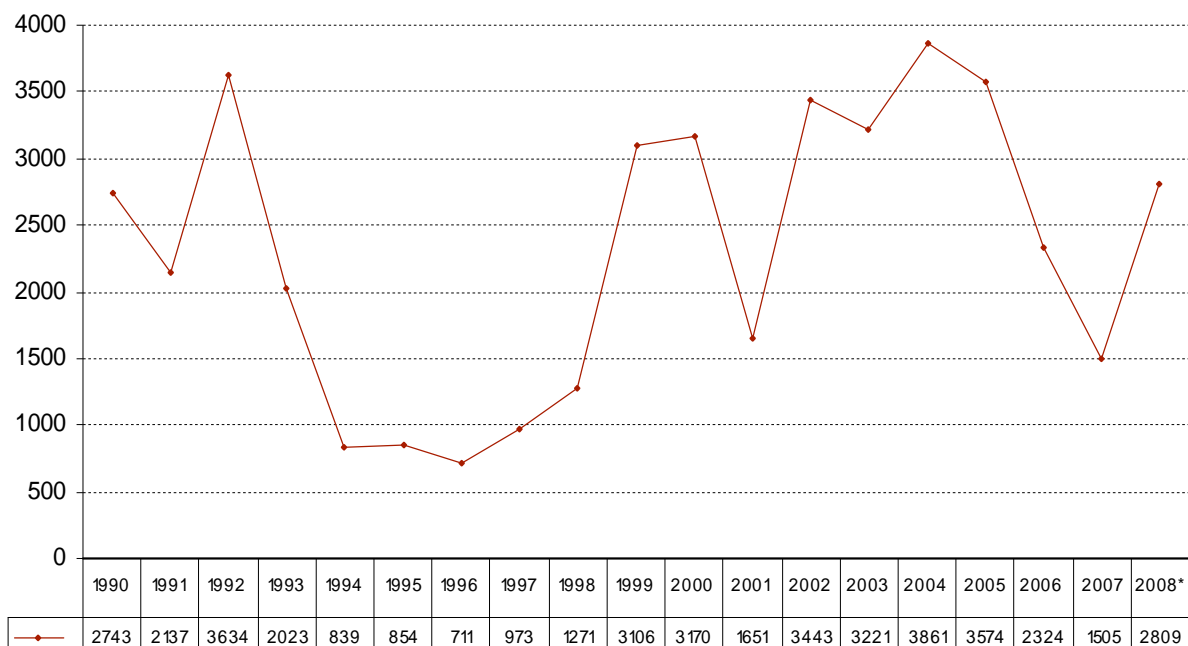
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<sup>14</sup> Aliens Act 30.4.2004/301, section 11

will be carried out in the unit nearest to the reception centre or private accommodation where the respective asylum seeker resides. At the interview, the persecution directed at the applicant in his or her home country, other violations of human rights and the threat of such violations, and the grounds for these concerns are orally investigated. The interviewers also establish if the applicant has other grounds for receiving a residence permit in Finland in addition to the need for international protection. Such grounds may include the applicant's family ties to Finland or issues related to the applicant's health. The applicant is entitled to the services of an interpreter during the interview, and he or she can use a legal assistant or contact the Ombudsman for Minorities.

During the asylum investigation, the applicant will reside at a reception centre, where temporary accommodation has been arranged for him or her. The applicant is entitled to stay at the reception centre until a decision has been issued. Accommodation at a reception centre is free of charge. Applicants who are below 18 years old and have arrived unaccompanied are placed at reception centres specifically designed for children. The District Court will assign them a representative, whose task is to supervise their interests during the asylum procedure. Children are interviewed at the reception centres where they live, with the representative present during the interview.

### Asylum seekers in Finland 1990-2008<sup>15</sup>



\*) 1.1.-31.10.2008

<sup>15</sup> Welcome to the Finnish Immigration Service – Finnish Immigration Service in a Nutshell.

## Refugee quota

Within its annual refugee quota, Finland accepts for resettlement persons defined as refugees by the UNHCR and other aliens who are in need of international protection. The refugee quota is verified in the State budget for each year. In the year 2008 it was 750. The grounds for granting a residence permit within the Finnish refugee quota are the following:

- The alien is in need of international protection in relation to his or her home country.
- The alien is in need of resettlement from his or her first country of asylum.
- The requirements for receiving and integrating into Finnish society have been assessed.
- There are no obstacles, such as public order or security or Finland's international relations, to granting a residence permit.

The selections of the refugees are usually based on interviews conducted in refugee camps, during which the grounds for granting a residence permit are examined. A representative of the Security Police also participates in the interviews. A tenth of the refugee quota is annually reserved for urgent cases and for people whom the UNHCR has assessed as being in urgent need of resettlement. These refugees are selected on the basis of UNHCR documents. The Finnish Immigration Service grants residence permits to refugees admitted to Finland within the refugee quota.<sup>16</sup>

## Refugees received by Finland 1998 – August 2007 by the country of origin

Country of origin	1998	1999	2000	2001	2002	2003	2004	2005	2006	Aug 07	Total
Somalia	256	83	123	250	263	169	157	340	176	250	2,067
Afghanistan	11	68	222	331	359	242	260	224	205	69	1,991
Iraq	323	288	227	188	245	85	199	45	44	81	1,725
Iran	142	241	130	218	220	221	180	139	143	60	1,694
Serbia	19	380	244	502	171	38	115	69	75	34	1,647
Sudan	3	3		113		137	298	240	14	2	810
Myanmar			94	7	2			74	212	348	737
Congo dem.rep.	30	7	6	9	18	27	38	27	84	57	303
Turkey	14	8	8	55	55	36	37	28	34	6	281
Russia	6	1		9	10	70	38	72	25	34	265
Bosnia-Herzegovina +former Yug.	36	36	8	18	28	11	39	7	4	8	195
Croatia	7	18	100	51	3						179
Angola	17	8		3	10	15	57	8	15	10	143
Others	94	48	50	103	174	151	244	228	111	159	1,362
<b>Total</b>	<b>958</b>	<b>1,189</b>	<b>1,212</b>	<b>1,857</b>	<b>1,558</b>	<b>1,202</b>	<b>1,662</b>	<b>1,501</b>	<b>1,142</b>	<b>1,118</b>	<b>13,399</b>

<sup>16</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2476,2538&language=EN>

The statistics include persons within range of the reception of refugees:

- quota refugees (resettlement program)
- asylum seekers who have received a positive decision
- persons received through the family reunification programme (when a sponsor has been given a RP on the basis of international protection)

Source: Ministry of Labour <sup>17</sup>

#### **4.1.1.2 Migration and Entry Procedures**

##### **Short visits**

Aliens who wish to travel to Finland for a short period of time as tourists, in order to visit relatives and friends or to participate in a business or travel to a conference, need a Schengen visa unless they are allowed to travel without a visa according to the Schengen Acquis.

The Schengen Acquis is a part of the EU Community Law. A Schengen visa is an entry permit to the Schengen Area (the Schengen States) for a short-term and temporary residence that lasts for a maximum of three months. The Finnish national legislation also contains supplementary provisions on granting Schengen visas. Finland uses only the Schengen visa and no national visa types are therefore available. Other Finnish permits for stays are usually called residence permits.

Together with other countries that have signed the Schengen Convention, Finland has decided which countries' citizens can enter the Schengen Area without a visa and which countries' citizens need a Schengen visa or other kind of permit for their stay. Those who do not need a visa when coming to Finland include citizens of EU Member States, citizens of the Nordic countries and also citizens of countries on the Schengen list of visa-free states, providing they possess valid travel documents such as passports. A Schengen visa does not in most cases authorize working in Finland.

Depending on the purpose of use, a Schengen visa can be either a single-entry, multiple-entry, re-entry, transit or airport transit visa. The main travel destination determines where to apply for

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<sup>17</sup> Finland – OECD SOPEMI International Migration Outlook 2007, Ministry of Labour, November 2007.

a visa. If the main travel destination in the Schengen area is Finland, the visa is applied for at a Finnish diplomatic mission abroad.<sup>18</sup>

A reform of the Schengen Acquis as regards the visas is ongoing. This also includes the creation of the common Visa Information System (the VIS) which is due to be fully functional in the diplomatic missions of the all Schengen States worldwide in next two years.

### **Employed and self-employed persons**

An alien who comes to Finland to work must usually apply for a residence permit for an employed person in his or her country of residence (home country or country that has granted the person in question a residence permit) prior to arriving in Finland. In exceptional cases, the employee can apply for a residence permit when already in Finland, for example if the contract of employment has already been signed and relates to a field of business or assignment in which the recruitment involves an evaluation of aptitude or other dealings that can best be conducted in Finland. If submitted abroad, the permit application is to be delivered to a Finnish diplomatic mission; if submitted in Finland, it should be delivered to either the local employment office or the local police.<sup>19</sup>

An alien who comes to Finland as a self-employed person must usually apply for a residence permit for a self-employed person in his or her country of residence (home country or country that has granted the person in question a residence permit) prior to arriving in Finland. In exceptional cases, the permit can be applied for in Finland. If submitted abroad, the permit application is to be delivered to a Finnish diplomatic mission; if submitted in Finland, it is delivered to the local police.<sup>20</sup>

### **Students**

A foreign student must acquire a residence permit if his or her studies in Finland last for more than three months. If the studies last for less than three months, no residence permit is needed. The student can then conduct his or her studies within the period of validity of his or her visa or while an agreement on the abolition of visas is valid.

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<sup>18</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2471>

<sup>19</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2473,2500,2507>

<sup>20</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2473,2502,2510>

A visa is needed if the student has to participate in an entrance exam in Finland prior to being accepted at the educational institution and if he or she is a citizen of a country that has not signed an agreement on the abolition of visa with the Schengen States. Since the visa allows for only a short stay, the student must usually return to his or her home country after the entrance examination in order to apply for the actual residence permit. Subject to certain conditions the first residence permit may be granted also in Finland.

A student who has been accepted to study at a Finnish educational institution must apply for a residence permit in advance through a Finnish diplomatic mission. The permit is to be applied for in the country in which the student resides legally. In practice this means the home country of the applicant, or the country which has granted him or her a residence permit. The applicant must remain abroad while waiting for the decision on the permit application. The first residence permit is issued by the Finnish Immigration Service, which receives the application from the Finnish diplomatic mission.

In exceptional cases, a residence permit for studies can be granted in Finland. This can be done if the student has initially come to Finland with a visa in order to attend an entrance exam, and the studies begin so soon after the entrance exam that the student would not have time to go back and apply for and receive the residence permit in his or her home country. In Finland, the residence permit application is submitted to the police. The applicant can reside in Finland and begin his or her studies even if the decision on the permit has not been issued at the time when the studies begin. If the application is denied, the applicant is usually forced to discontinue his or her studies and leave the country.<sup>21</sup>

## **Family**

A person who wishes to come to Finland and live in the same household with a family member residing here must have a residence permit. The permit can be granted on the basis of family ties. The circle of family members is defined in the law and may not correspond to those whom people generally think of as family members. The Finnish idea of family is more restricted than in many other countries.

The notion of family member is also different when it comes to a family member of an EU citizen or an equivalent person, or a family member of a non-EU citizen. As for the definition of a family member, the family members of a Finnish citizen have the same status as family members of a

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<sup>21</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2474,2515,2521>



non-EU citizen. In other words, the wider definition of a family member of an EU citizen does not apply to them. In the application procedure, a family member living in Finland and with whom the applicant is planning to continue family life is called a sponsor.<sup>22</sup> Family members of Finnish citizens and non-EU citizens and equivalent persons include the following:

- spouse
- registered partner
- cohabitant
- unmarried child under the age of 18, whose guardian is the person living in Finland
- guardian, if the person living in Finland is a child under 18 years of age

Relatives other than family members of 1) a Finnish citizen living in Finland or 2) a person who has been granted a residence permit on the basis of international protection may obtain a residence permit if its refusal would be unreasonable because the persons concerned intend to resume their close family life in Finland or because the relative is fully dependent on the sponsor in Finland.

Family members and minor, unmarried children of a Finnish citizen may come to Finland without having acquired a residence permit in advance and apply for the permit in Finland. They may stay in Finland while waiting for the decision on the permit application. If they need a visa in order to be able to travel to Finland they must file an application for a visa with a Finnish mission. The mission then decides whether the conditions for issuing a visa are fulfilled. People other than family members must stay abroad during the processing of the permit application. In Finland, a permit application is submitted to the police. If abroad, the application is submitted to a Finnish diplomatic mission.

Family members of an alien living in Finland must apply for a residence permit while abroad, prior to coming to Finland. The permit application should be submitted to the Finnish diplomatic mission of the country of residence. Alternatively, the sponsor living in Finland can submit the application to the police in Finland. The applicant must remain abroad while waiting for the decision on the permit application.

However, a family member may come to Finland without having acquired a residence permit in advance and apply for the permit when in Finland if the family members intend to continue their family life previously begun abroad. The permit is granted in Finland if

- the applicant could also have received the permit if applying for it abroad, and

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<sup>22</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2472>

- prior to arriving in Finland, has lived abroad for at least two years with the spouse or co-habitant now residing in Finland, or
- rejecting the application is clearly unreasonable.

The applicant can reside in Finland during the entire application processing period even if his or her visa expires during this period.<sup>23</sup>

## Returnees

Certain aliens, who have Finnish ancestry or otherwise a close connection with Finland, may be granted a residence permit on this basis. No other reason, such as work or study, is required in order to receive the permit. Receiving a residence permit depends on the directness and closeness of Finnish ancestry. If the ancestry dates back several generations, a residence permit cannot be granted on this basis. People who may be granted a residence permit based on Finnish ancestry or close connections with Finland can be divided into the following two groups:

- Ingrian Finns – persons from areas of the former Soviet Union,
- other Finnish origin – former Finnish citizens and persons who are descendants of native Finnish citizens.

A person who has previously been a Finnish citizen but is not so any longer can be granted a residence permit. Native Finnish nationality is not required. Finnish citizenship may have been granted at one time, for example on application.

People who have never themselves been Finnish citizens but whose parent or grandparent is or has been a native Finnish citizen, can be granted a residence permit in Finland on this basis. A permit can be granted to a person if at least one of the parents or grandparents is or has been a Finnish citizen. The requirement is that the parent or grandparent is a native Finnish citizen. If he or she has later lost Finnish citizenship, for example when applying for the citizenship of another country, this does not constitute an obstacle.

An application for a residence permit can be submitted either when abroad, prior to arriving in Finland, or after having arrived in Finland. If the application is submitted in Finland, the applicant must meet the general requirements for immigration. If submitted abroad the residence permit application is to be delivered to a Finnish diplomatic mission, and if submitted in Finland, to the police of the applicant's municipality of residence. The Finnish Immigration Service, which re-

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<sup>23</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2472,2491,2496>

ceives the application documents from the diplomatic mission or the police, decides on the issuing of a residence permit.<sup>24</sup>

#### **4.1.2 Admission Conditions**

The main authorities in assessing all the applications of third country nationals are the Finnish Migration Service and its Asylum and Migration Units, local police and the Ministry of Foreign Affairs. There are no special integration measures as prerequisites for admission in this phase of procedure.

General requirements for issuing residence permits include that a residence permit may be refused if the alien is considered a danger to public order, security or health or to Finland's international relations. Endangering public health does not, however, prevent the issuing of an extended permit, if the requirements for issuing a permit are otherwise met. Endangering international relations does not, however, prevent the issuing of a residence permit on the basis of family ties or issuing a residence permit to an alien who has been issued with a long-term resident's EC residence permit by a Member State of the European Union. A residence permit may be refused if there are reasonable grounds to suspect that the alien intends to evade the provisions on entry into or residence in the country. (Aliens Act, Section 36)

##### **4.1.2.1 Asylum Admission Conditions**

###### *Competence of the Finnish Immigration Service with regard to international protection*

(1) The Finnish Immigration Service:

- 1) grants asylum and issues a first residence permit on the basis of a need for protection under the asylum procedure;
- 2) issues a first residence permit when exception clauses are applied;
- 3) issues a first residence permit on the basis of refugee status or a need for protection to an alien admitted to Finland under the refugee quota;
- 4) issues a first residence permit on the basis of other humanitarian immigration;
- 5) issues a first residence permit on the basis of temporary protection;
- 6) decides on withdrawing and cancelling refugee status;

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<sup>24</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2475>

- 7) at the request of another Contracting State, decides on taking charge of or taking back an asylum seeker in accordance with the Council Regulation on determining the State responsible for examining an asylum application, and requests a similar decision on taking charge of or taking back an asylum seeker from another Contracting State; and
- 8) issues an alien who is returned to a safe country of asylum with a document stating that his or her application was not examined in substance in Finland.

(2) The Finnish Immigration Service decides on a matter referred to in subsection 1(3) after receiving the opinion of the Security Police. (Aliens Act, Section 116)

An application for international protection is processed either via a normal or accelerated procedure in the Asylum Unit of the Finnish Immigration Service. All asylum applications are assessed in the Asylum Unit.

The requirements for granting a residence permit are always evaluated on a case-by-case basis in the Finnish Immigration Service. The report presented by the applicant and that obtained by the Finnish Immigration Service regarding the circumstances the applicant faces in his or her home country or country of permanent residence, as well as information about the circumstances in the State in question, are taken into consideration in the evaluation. The Country Information Unit of the Finnish Immigration Service provides support for the asylum decision making. The report of the applicant and the possible additional clarifications as well as any available clarifications acquired by the authorities regarding the matter, form the basis for the decision. The application must be accepted if the applicant has contributed to resolving the issue and if the authorities are convinced of the credibility of the grounds presented.

The Ombudsman for Minorities has the right to be heard on individual issues regarding the asylum seeker. Usually the Ombudsman announces when he or she wants to be heard in a case concerning some special group of immigrants.

After considering the merits of the claim, the Finnish Immigration Service case-worker submits a proposal for a decision to his or her supervisor (the Head of Section), who will make the final decision. This decision, made in writing, is sent to the police in the asylum-seeker's place of residence. The police districts are responsible for providing the decision to the applicant. The applicant is entitled to receive the decision concerning his or her application in his or her native language or in a language that the applicant can be presumed to understand. The notification of a decision in Finnish or Swedish will be made through interpretation or translation.

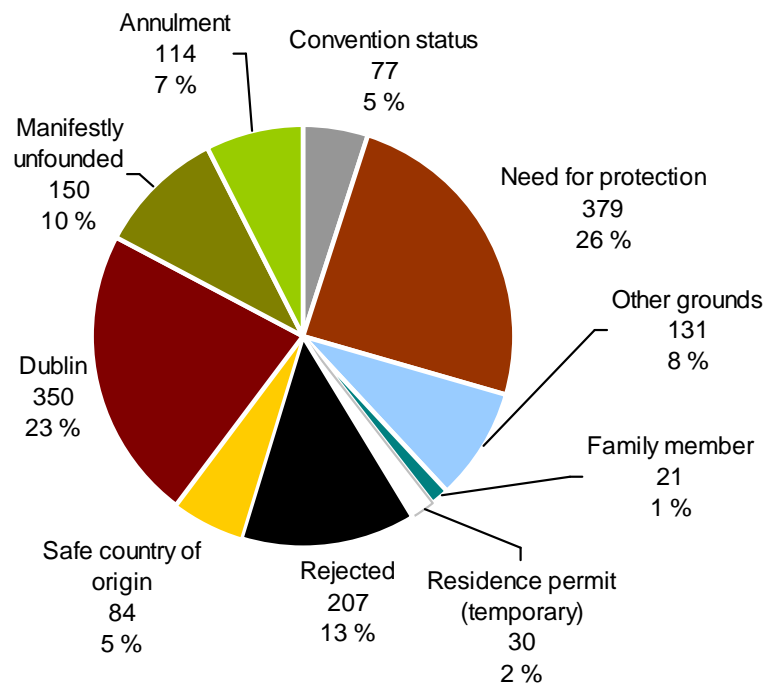
Granting the right of residence is also investigated and decided on other emerging grounds in conjunction with the asylum procedure (Alien Act, section 94).

## ASYLUM SEEKERS Top 10 nationalities

2006	2007	1.1.-31.10.2008
2324 applicants, 75 different nationalities.	1505 applicants, 72 different nationalities.	2809 applicants, 73 different nationalities.
<ul style="list-style-type: none"> <li>• Bulgaria 463</li> <li>• Serbia* 286</li> <li>• Iraq 225</li> <li>• Russia 176</li> <li>• Afghanistan 97</li> <li>• Belarus 97</li> <li>• Somalia 92</li> <li>• Iran 91</li> <li>• Nigeria 64</li> <li>• Turkey 41</li> </ul>	<ul style="list-style-type: none"> <li>• Iraq 327</li> <li>• Russia 172</li> <li>• Serbia* 151</li> <li>• Afghanistan 96</li> <li>• Somalia 82</li> <li>• Iran 79</li> <li>• Turkey 73</li> <li>• Belarus 48</li> <li>• Nigeria 41</li> <li>• Congo Rep. 36</li> </ul>	<ul style="list-style-type: none"> <li>• Iraq 783</li> <li>• Somalia 779</li> <li>• Russia 165</li> <li>• Afghanistan 163</li> <li>• Serbia* 133</li> <li>• Iran 112</li> <li>• Bulgaria 79</li> <li>• Nigeria 57</li> <li>• Belarus 56</li> <li>• Turkey 53</li> </ul>

\*) Incl. asylum seekers from Serbia, former Yugoslavia, Serbia Montenegro and Kosovo

### DECISIONS ON ASYLUM 1.1.-31.10.2008



Decisions for altogether 1543 people

#### 4.1.2.2 Migration Admission Conditions

The Migration Unit of the Finnish Immigration Service issues all the resident permits of immigrants, except in some cases (listed below) the resident permit is issued by the Police.

##### **Employed**

The accepting of the worker's residence permit is a two-phased process. The employment office is in charge of deliberations concerning employment and means of support. It makes a preliminary decision, either accepting or rejecting the application, which it forwards to the Migration Unit of the Finnish Immigration Service.

The Migrations Unit of the Finnish Immigration Service then checks on whether the other requirements for residence in Finland are met. If the employment office indicates that the requirements for granting a residence permit for an employed person are not met, the Finnish Immigration Service will reject the application. If the employment office's opinion is favourable and there are no general obstacles<sup>25</sup> to the applicant's entry to and residence in Finland, the Finnish Immigration Service will grant the applicant a residence permit.<sup>26</sup>

The 10 biggest nationalities applying for the residence permit of an employee have been this year:

- 1) Russian Federation (1 512)
- 2) Ukraine (438)
- 3) China (382)
- 4) Croatia (244)
- 5) Bosnia and Herzegovina (220)
- 6) Yugoslavia (195)
- 7) Thailand (192)
- 8) Turkey (180)
- 9) Serbia (177)
- 10) Philippines (148)<sup>27</sup>

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<sup>25</sup> See Aliens Act, section 36.

<sup>26</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2473,2500,2507&language=EN>

<sup>27</sup> <http://www.migri.fi/download.asp?id=mamu+tilastonalyyysi+2008;1371;{A745DE88-6CA3-4CB7-8BFD-60BB0609EA5D}>

## Self-employed

The Employment and Economic Development Centre is in charge of the deliberations regarding the requirements for business activities and means of support. It makes a preliminary decision, either accepting or rejecting the application, which it forwards to the Migration Unit of the Finnish Immigration Service.

The Migration Unit of the Finnish Immigration Service checks to see whether the other requirements for residence in Finland are met. If the Employment and Economic Development Centre indicates that the requirements for business activities are not met, the Finnish Immigration Service will reject the application for a residence permit for a self-employed person. If the Employment and Economic Development Centre's opinion is favourable and there are no general obstacles to the applicant's entry to and residence in Finland, the Finnish Immigration Service will grant the applicant a residence permit for a self-employed person.

## Students

The first residence permit is issued by the Finnish Immigration Service, which receives the application from the Finnish diplomatic mission or from the police. Starting from September 2007 citizens of third countries arriving in Finland for the purpose of study or student exchange are required to have health insurance, if the study or student exchange lasts for more than three months. Health insurance is a requirement for obtaining a residence permit for studies. Foreign students must have a health insurance policy that covers the costs of medical care. If the duration of the studies is at least two years, it is sufficient that the insurance policy covers pharmaceutical costs. The health insurance must be in force upon entry into Finland.<sup>28</sup>

The 10 biggest nationalities applying for a student residence permit have been this year:

- 1) Russian Federation (636)
- 2) China (527)
- 3) Nigeria (301)
- 4) Nepal (207)
- 5) Ethiopia (203)
- 6) United States (160)
- 7) Turkey (142)
- 8) Ghana (136)
- 9) Vietnam (117)
- 10) Cameroon (116)<sup>29</sup>

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<sup>28</sup> Finland – OECD SOPEMI International Migration Outlook 2007, Ministry of Labour, November 2007

<sup>29</sup> <http://www.migri.fi/download.asp?id=mamu+tilastonyysi+2008;1371;{A745DE88-6CA3-4CB7-8BFD-60BB0609EA5D}>

## Family

The police make the decision concerning the residence permit application of family members and minor, unmarried children of a Finnish citizen, if the applicant is in Finland. If the residence permit application is submitted to a Finnish diplomatic mission abroad, the Finnish Immigration Service issues the decision on applications concerning a family member of a Finnish citizen and of an alien living in Finland.

The 10 biggest nationalities applying for a residence permit on the grounds of family reasons have been this year:

- 1) Russian Federation (1 039)
- 2) Somalia (810)
- 3) India (313)
- 4) Turkey (250)
- 5) Iraq (231)
- 6) Afghanistan (224)
- 7) China (194)
- 8) Vietnam (141)
- 9) Serbia (99)
- 10) Yugoslavia (86)

The numbers of these decisions have increased 15 % from the last year.<sup>30</sup>

## Returnees

The Finnish Immigration Service, which receives the application documents from the diplomatic mission or the police, decides on the issuing of a residence permit of former Finnish citizens and descendants of native Finnish citizens. The applications from the latter category come mainly from Ingrians (ethnic Finns) residing in Russia.

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<sup>30</sup> <http://www.migri.fi/download.asp?id=mamu+tilastonalysi+2008;1371;{A745DE88-6CA3-4CB7-8BFD-60BB0609EA5D}>



**Top 10 Nationalities – Decisions on Residence Permits 2008 (1-7/08)**<sup>31</sup>

Nationality	Positive	Negative	Total
Russian Federation	2868	253	3121
India	946	24	970
China	826	55	881
Ukraine	595	86	681
Somalia	387	110	497
Turkey	338	108	446
United State	374	7	381
Thailand	331	34	365
Serbia	288	50	338
Iraq	148	41	189
<b>Top 10 nationalities total</b>	<b>7101</b>	<b>768</b>	<b>7869</b>
All total	<b>11073</b>	<b>1307</b>	12380

**Applications for a residence permit - Decisions in 2008 (1-7/08)**

Certain groups according to the grounds of application	Positive	Negative	Total
Employed persons	3752	463	<b>4215</b>
Self-employed persons	29	6	<b>35</b>
Persons of Finnish origin	203	76	<b>279</b>
Students	2002	89	<b>2091</b>
Other grounds	1757	78	<b>1835</b>
Family tie, marriage etc.	1132	170	<b>1302</b>
Family tie, children	1560	122	<b>1682</b>
Family tie, others	223	239	<b>462</b>
Family members for Finnish citizens	415	64	<b>479</b>
<b>Total</b>	<b>11073</b>	<b>1307</b>	<b>12380</b>

32

<sup>31</sup><http://www.migri.fi/download.asp?id=Oleskelulupap%C3%A4%C3%A4t%C3%B6kset%5F%5FTop+10+2008;1369;{51D9E0E8-BE52-44D6-B5AA-E857CA6EBB1}>

<sup>32</sup><http://www.migri.fi/download.asp?id=Ratkaistut+oleskelulupahakemukset+perusteittain%2D08;1399;{00EC2F76-5B09-4C58-862E-2CC90CB37DFE}>

### 4.1.3 Legal Residence

Under the Aliens Act, legal residence is defined as follows:

- 1) residence under a residence permit issued by Finnish authorities;
- 2) residence without a residence permit for a maximum of three months if the alien comes from a State whose citizens do not need a residence permit;
- 3) residence without a visa for a maximum of three months within a period of six months following entry into the Schengen area if the alien comes from a State whose citizens do not need visas;
- 4) residence under a Schengen visa for a maximum of three months within a period of six months following entry into the country;
- 5) residence under a national visa of a Schengen State for a maximum of three months from the first day of the validity of the visa; and
- 6) residence under a residence permit for a maximum of three months issued by a Schengen State; (619/2006)
- 7) residence of a victim of trafficking in human beings during the reflection period referred to in this Act. (619/2006)

...

An alien may reside legally in the country while his or her application is being processed until there is a final decision on the matter or an enforceable decision on his or her removal from the country.<sup>33</sup>

#### Residence Permit

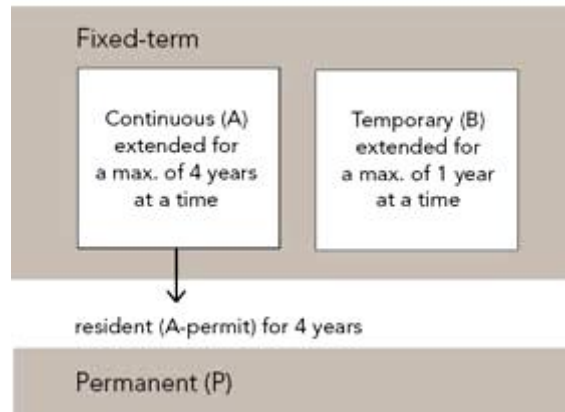
For over three months stay in Finland a foreigner needs a residence permit, which is issued by the Finnish Immigration Service or the local police (applications made in Finland by a Finnish citizen's family members).

A residence permit may either be for a fixed term or be permanent. A fixed-term residence permit is granted according to the nature of residence either as a temporary or a continuous residence permit. The first residence permit is always issued for a fixed term.<sup>34</sup>

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<sup>33</sup> Aliens Act 30.4.2004/301, section 40

<sup>34</sup> See Aliens Act, section 49



The first permit is usually granted for a year, unless the residence permit is specifically applied for a shorter period. If the reason for the stay in Finland is a temporary work placement or studies, which will be completed within a certain period of time known in advance, the permit can be granted, on discretion, for a shorter or longer period than one year; however, not for more than two years.

A person who has a continuous residence permit may be granted an extension of no more than four years at a time. A person who has a temporary residence permit can be granted an extension of no more than one year at a time.

A person who has been granted a temporary residence permit can apply for a continuous residence permit if the grounds for residency have changed during the stay in the country, for example because of marriage.<sup>35</sup>

A permanent residence permit is valid for the time being. The period of validity of a permanent residence permit is considered equal to the validity of a long-term EC residence permit of a third country national. A permanent residence permit is issued to an applicant who has resided in Finland for a continuous period of four years under a continuous fixed-term residence permit (status A). An application for a permanent residence permit is filed with the local police. Foreigners who have been issued with a residence permit with status A and who have entered Finland by 30 April 2004 may be issued with a permanent residence permit after a continuous residence of two years instead of four years.

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<sup>35</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2473,2500,2583&language=EN>

A permanent residence permit may never be issued as a first residence permit because a first residence permit is always issued for a fixed term. A permanent residence permit may be issued unless the applicant:

- is found guilty or is suspected of an offence punishable by imprisonment;
- is found guilty of two or more offences; or
- is suspected of two or more offences.<sup>36</sup>

The extension for the fixed-term permits and permanent residence permit can be applied for from the local District Police, which is the entity that also grants the extension for the permit. The extension will be granted if the grounds for granting the first permit are still valid. The processes of applying the extension of residence permit or permanent residence permit are the same for all applicants and they are applied for from the local police.<sup>37</sup> There are no special integration measures as prerequisites for a residence permit.

### Foreign third country nationals living permanently in Finland, 31 Dec. 2007 – Top 10

Nationality	
Russia	26211
Somalia	4852
China	3978
Thailand	3470
Turkey	3182
Iraq	3036
Iran	2611
United States	2296
India	2333
Afghanistan	2197
<b>All third country nationals living in Finland</b>	<b>85 524</b>

Source: Statistics Finland

<sup>36</sup> <http://www.poliisi.fi/poliisi/home.nsf/pages/B63A2851F718FAFBC2256EF40033A865?opendocument>

<sup>37</sup> See Aliens Act, section 210.

## Citizenship

A requirement for the acquisition of Finnish citizenship is that the person's identity has been reliably established. A person's identity can be established by means of documents or by providing other information which is considered reliable on the person's name, date of birth, family relations and other personal data necessary to decide the matter. When establishing a person's identity, any information provided earlier by the person on his or her own and his or her child's identity may be taken into account (Nationality Act, Section 6).

According to the Nationality Act an alien is granted Finnish citizenship on application if, when the decision is made on the application:

- 1) he or she has reached the age of 18 years or has married before that;
- 2) he or she is and has been permanently resident and domiciled in Finland (*period of residence*);
  - a) for the last six years without interruption (continuous period of residence); or
  - b) for eight years after reaching the age of 15 years, with the last two years without interruption (accumulated period of residence);
- 3) he or she has not committed any punishable act nor has a restraining order been issued against him or her (*integrity requirement*);
- 4) he or she has not materially failed to provide maintenance or to meet his or her pecuniary obligations under public law;
- 5) he or she can provide a reliable account of his or her livelihood; and
- 6) he or she has satisfactory oral and written skills in the Finnish or Swedish language, or instead of oral skills similar skills in the Finnish sign language (*language skills requirement*).

(2) Exceptions to the general requirements for naturalisation may be made only as laid down in this act.

(3) No one may be naturalised, even if he or she would meet the requirements for naturalisation, if there are well-founded reasons for suspecting that the naturalisation will jeopardise the security of the State or public order, or if the main purpose of acquiring citizenship is to take advantage of the benefit related to Finnish citizenship without aiming to settle in Finland, or if naturalisation conflicts with the best interests of the State for some other reason on the basis of an overall consideration of the applicant's situation.<sup>38</sup>

In addition to the requirement of reliably established identity, age, period of residence, integrity, an account of livelihood and language skills, there are no integration measures as prerequisites for gaining citizenship. The requirements are the same for all applicants.

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<sup>38</sup> Nationality Act 359/2003, section 13.

#### 4.1.3.1 Asylum and Legal Residence

An application for asylum always includes an application for a residence permit. The Finnish Immigration service grants a continuous residence permit to an alien who has been granted international protection i.e. asylum or a residence permit on the basis of the refugee quota or need for protection. If the requirements for granting asylum are not met, an applicant for international protection can be issued a residence permit on the basis of need for protection. During the asylum interview, other possible grounds for granting a residence permit are also examined. A residence permit may for example be granted on compassionate grounds or on the basis of family ties or employment.

A temporary residence permit will be granted if the applicant cannot be returned to his or her home country or country of permanent residence for health reasons or if his or her deportation is not possible in practice. A foreigner who has been granted a temporary residence permit will be granted a continuous residence permit after staying three years continuously in the country, if the grounds for granting the permit are still met.<sup>39</sup>

A continuous residence permit (which is more common than the temporary residence permit) will be granted if rejecting the application is clearly unreasonable considering the applicant's health, ties established to Finland, or some other individual, humane reasons. In this case, the circumstances under which the applicant would find him or herself in the home country or his or her vulnerable position are taken into special consideration.<sup>40</sup>

##### *Competence of the local police with regard to international protection*

- (1) The District Police issue a new fixed-term residence permit or a permanent residence permit to an alien on the basis of a need for international protection.
- (2) The District Police issue a new fixed-term residence permit to an alien on the basis of temporary protection for no longer than the date on which the duration of temporary protection set by the Government ends.
- (3) If the police consider that they cannot issue a residence permit under subsection 1 or 2, they shall refer the matter to the Finnish Immigration Service for decision. (973/2007)
- (4) The District Police issue an alien who is returned to a State applying the Council Regulation on determining the State responsible for examining an asylum application with a laissez-passer in accordance with the Regulation. (Aliens Act Section 117)

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<sup>39</sup> See Aliens Act, section 51

<sup>40</sup> See Aliens Act, section 52

In some cases the Finnish Immigration Service has the right to decide on matters falling under the jurisdiction of the District Police. According to the Aliens Act the Finnish Immigration Service may take up a matter which, under this Act, is to be decided by the District Police. The District Police may refer a matter falling under its jurisdiction to the Finnish Immigration Service for decision if the investigation of the matter and any decisions on the matter require the expertise of the Finnish Immigration Service because of the nature of the matter, or if the matter is important for the application of the Act to other similar cases.<sup>41</sup>

#### **4.1.3.2 Migration and Legal Residence**

Applications for extensions of residence permits are submitted to the local police, who then take a decision on the permit application in the case of student, employees, self-employed persons, returnees and migrants who came to the country for the family reasons.

The employee, or the employer on behalf of the employee, can apply for an extension of the permit. A self-employed person can apply for extension after a favourable decision by the Employment and Economic Development Centre.

According to the Aliens Act section 210, the Finnish Immigrant Service can also issue the decision as mentioned above.

#### **4.1.4 Access to the Labour Market**

Besides the residence permit of an employed person, also all other residence permits give the right to work in Finland, either limited or unlimited. In some cases temporary work in Finland can be allowed without any residence permit. Asylum seekers have also the right to work after three months have passed since submitting an application for international protection.

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<sup>41</sup> Aliens Act, Section 210 (973/2007)

#### 4.1.4.1 Asylum and the Right to Work

An asylum seeker may start work in Finland without a residence permit three months after submitting an asylum application. This right to work is granted to asylum seekers by law, and it is not subject to separate application. If they wish, asylum seekers may request the Finnish Immigration Service, by means of a free-form letter (including his or her client number), for a certificate of their right to work. The Finnish Immigration Service can issue the certificate only when the applicant has resided in Finland for three months after submitting the application.

The employer has a legal obligation to make sure that a foreigner, who is or will be employed, has a residence permit for an employed person or that he or she does not need a residence permit. The employer can e.g. ask his or her employee for a letter of attorney, which the employer may use to check the employee's right to work from the Finnish Immigration Service.

An asylum seeker's right to work continues until his or her application has been finally decided upon. This means until the Administrative Court of Helsinki or the Supreme Administrative Court has made its decision in the case or, until the Supreme Administrative Court refuses leave to appeal. The process can last from six months up to two years. If the appeal is rejected by the Supreme Administrative Court, the applicant's right to work will cease simultaneously.

If an asylum seeker finds work after receiving a final negative decision on the asylum application, he or she has the right to apply for a residence permit for an employed person. After the application has been examined the applicant will receive a decision on the application, which will include the right to appeal. A decision of removal from Finland can be enforced regardless of appeal unless the Administrative court otherwise orders.

If an asylum seeker is granted a temporary residence permit on the basis of Section 51 of the Aliens Act (when a foreigner cannot de facto be returned to his country), the right to work is restricted. The asylum seeker is not allowed to work at all during the first twelve months. If the asylum seeker is then granted an extended residence permit, he or she may start work.<sup>42</sup>

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<sup>42</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2476,2683>.



#### 4.1.4.2 Migration and the Right to Work

Foreign employees who are non-EU citizens and equivalent persons need a residence permit for an employed person if they intend to work in Finland. An alien who has entered the country either with a visa or visa-free is not allowed to engage in remunerated employment in Finland but, rather, has to apply for a residence permit. A residence permit can be granted on the basis of either temporary work or work of a continuous nature.

In granting the permit, the needs of the labour market are taken into consideration. The aim of the current residence permit system is to support the possibility of those who are already on the employment market to gain employment and to guarantee the availability of work force. Granting a residence permit for an employed person requires that the foreigner's means of support be guaranteed. The employment office will estimate both the labour political requirements and the sufficiency of the means of support, through a salary.

An alien who comes to Finland to work must usually apply for a residence permit for an employed person in his or her country of residence (home country or country that has granted the person in question a residence permit) prior to arriving in Finland. In exceptional cases, the employee can apply for a residence permit when already in Finland, for example if the contract of employment has already been signed and relates to a field of business or assignment in which the recruitment involves an evaluation of aptitude or other dealings that can best be conducted in Finland.<sup>43</sup> If submitted abroad, the permit application is to be delivered to a Finnish diplomatic mission; if submitted in Finland, it should be delivered to either the local employment office or the local police.

The employment office is in charge of deliberations concerning employment and means of support. It makes a preliminary decision, either accepting or rejecting the application, which it forwards to the Finnish Immigration Service. The Finnish Immigration Service then checks on whether the other requirements for residence in Finland are met. If the Employment Office indicates that the requirements for granting a residence permit for an employed person are not met, the Finnish Immigration Service will reject the application. If the employment office's opinion is favourable and there are no general obstacles to the applicant's entry to and residence in Finland, the Finnish Immigration Service will grant the applicant a residence permit.<sup>44</sup>

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<sup>43</sup> See Aliens Act, section 49.

<sup>44</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2473,2500,2507>

An alien can have the right to employment on a basis other than a residence permit for an employed person in some cases. An alien has an unlimited right to work in Finland if he or she has been granted

- a permanent or continuous residence permit based on grounds other than employment;
- a temporary residence permit based on the need for temporary protection or other humanitarian grounds for immigration; or
- a fixed-term Finnish residence permit on grounds that he or she serves as a professional athlete or trainer; works for a religious or non-profit association, or professionally in the field of science, culture, or the arts; works for a company executive or mid-management or holds an expert position that requires special skills; or is engaged professionally in the field of mass communication.

An alien has a limited right to work in Finland if he or she

- has been granted a residence permit for study purposes;
- has been granted a residence permit for various teaching, lecturing and research assignments (allowing work within certain limits for a maximum of one year);
- has arrived in Finland in connection with work related to, for example, a contract of delivery of a machine, e.g. the installation of the machine or training in the use of the machine, and the work lasts for a maximum of six months; or
- participates in a programme subject to an inter-state agreement (for example, Working holiday intended for citizens of Australia and New Zealand), programmes of educational institutions and students' associations supported by the EU, international work camp operations or other equivalent work, or practical training that lasts for a maximum of one year.
- is an au pair

In certain cases, an alien can engage in remunerated employment in Finland without a residence permit. However, he or she must have a valid visa if he or she is required to have a visa. Persons who do not need a residence permit for an employed person include

- interpreters, teachers, experts or referees who, upon invitation or under contract, work for no more than three months in Finland;
- professional artists or athletes or assistants to them who, upon invitation or under contract, work for no more than three months in Finland;
- sailors who work on a vessel that is entered in the list of merchant vessels as a vessel operating in international transport or sailing mainly between foreign ports;
- pickers of berries or fruits who work for a maximum of three months in Finland; and

- permanent employees of a company operating in another EU/EEA country who perform temporary acquisition or subcontract work in Finland, as long as the alien has valid and appropriate residence and work permits in the other country.<sup>45</sup>

### **Self-employed persons**

Non-EU citizens need a residence permit for a self-employed person in order to engage in business activities in Finland. In order to be granted a permit, the applicant's business activity must be profitable. The profitability of the business activity is estimated on the basis of various reports that are obtained in advance, such as the business plan or binding preliminary contracts and funding agreements. The deliberation is conducted by the Employment and Economic Development Centre. Granting a residence permit for a self-employed person requires that the individual's means of support be guaranteed. He or she must gain a regular income from the profits of the operations, salary received, personal funding withdrawals, or such items as sales profits, in an amount above the threshold for basic income support throughout the residence permit's period of validity. The sufficiency of the income is determined by the Employment and Economic Development Centre.<sup>46</sup>

An alien who comes to Finland as a self-employed person must usually apply for a residence permit for a self-employed person in his or her country of residence (home country or country that has granted the person in question a residence permit) prior to arriving in Finland. In exceptional cases, the permit can be applied for in Finland. If submitted abroad, the permit application is to be delivered to a Finnish diplomatic mission; if submitted in Finland, it is delivered to the local police. The application for an extension of a residence permit is also submitted to the police.

The Employment and Economic Development Centre is in charge of the deliberations regarding the requirements for business activities and means of support. It makes a preliminary decision, either accepting or rejecting the application, which it forwards to the Finnish Immigration Service.

The Finnish Immigration Service checks to see whether the other requirements for residence in Finland are met. If the Employment and Economic Development Centre indicates that the requirements for business activities are not met, the Finnish Immigration Service will reject the

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<sup>45</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2473,2500>

<sup>46</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2473,2502>

application for a residence permit for a self-employed person. If the Employment and Economic Development Centre's opinion is favourable and there are no general obstacles to the applicant's entry to and residence in Finland, the Finnish Immigration Service will grant the applicant a residence permit for a self-employed person. After a favourable decision by the Employment and Economic Development Centre, an extension of the permit is granted by the police.<sup>47</sup>

## Students

Students are permitted to do a limited amount of paid work under a residence permit issued for studies if the work in question is practical training included in the studies or final project work. Part-time employment is also possible, if the working time comes to an average of 25 hours per week at most. There are no limitations on working hours in full-time employment during holidays, specifically the summer and Christmas holidays. Earnings from part-time work during term-time may be included in the amount of disposable funds required for a residence permit at the discretion of the authorities. This is not, however, possible in the case of a first residence permit.<sup>48</sup>

## 4.1.5 Return

The aim of the enforcement of removing aliens is to remove illegally residing aliens from the country.

According to the Aliens Act (section 142) refusal of entry means:

- 1) preventing an alien from entering the country at the border when he or she holds:
  - a. a visa;
  - b. no visa;
  - c. no residence permit; or
  - d. a residence permit issued abroad and he or she is about to enter the country for the first time during the validity of the residence permit; or
- 2) removing from the country an alien who did not hold a residence permit upon entry into the country if he or she has not been issued with a residence permit or residence card after his or her entry into the country or if his or her right of residence has not been registered after his or her entry into the country as provided in this Act.

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<sup>47</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2473,2502,2510>

<sup>48</sup> <http://www.migri.fi/netcomm/content.asp?path=8,2474,2515>

According to this Act (section 143) deportation means removing from the country an alien who:

- 1) resides in the country under a fixed term or permanent residence permit issued by Finnish authorities;
- 2) resides in the country and whose residence has been registered as provided in this Act; or
- 3) continues to reside in the country after his or her residence permit, registered residence or residence card has expired.

For the purposes of Aliens Act, prohibition of entry means prohibiting entry into one or more Schengen States for a fixed term or until further notice. (Section 144)

The competent authorities in removing aliens from the country are police, border check authorities and the Finnish Immigration Service. According to the section 151 of the Aliens Act

- 1) Police or border check authorities shall take action to refuse an alien entry or deport an alien who does not meet the requirements for entry into or residence in the country. Police or border check authorities may decide on refusal of entry within three months of the alien's entry into the country. After that period, police or border check authorities shall submit a proposal to the Finnish Immigration Service to the effect that the alien be refused entry or deported, unless the Finnish Immigration Service has already taken action to remove the alien from the country.
- 2) Police or border check authorities may order a maximum of two years' prohibition of entry for an alien if he or she is refused entry on grounds laid down in Aliens Act.
- 3) Police or border check authorities shall submit a proposal to the Finnish Immigration Service to the effect that the alien be refused entry if they are not competent to refuse entry or if they consider that the alien should be prohibited from entering the country for more than two years. Police or border check authorities may also submit a proposal to the Finnish Immigration Service to the effect that the alien be refused entry if it is important for the application of Aliens Act in other similar cases.

The competence of Finnish Immigration Service is described in the section 152.

- 1) The Finnish Immigration Service decides on refusal of entry upon proposal by the District Police or border check authorities or on its own initiative.
- 2) The Finnish Immigration Service always decides on refusal of entry if more than three months have passed since the alien's entry into the country, or if the alien has applied for a residence permit on the basis of international or temporary protection.
- 3) The Finnish Immigration Service decides on deportation upon proposal by the District Police or border check authorities or on its own initiative.
- 4) The Finnish Immigration Service may prohibit entry of aliens for a fixed term or until further notice. The Finnish Immigration Service decides on abolishing a prohibition of entry.

Police removes a foreigner from the country as soon as possible after the decision on refusal of entry or of deportation has become enforceable. If the enforcement has faced some special impediments, it will be executed immediately after the impediments have ended. As regards to the removal the authorities must respect the rights of the person, set in the Finnish Constitution, the Aliens Act and in the guidelines of the Ministry of Interior. For example, an alien shall be heard before removing from the country and the removing authority shall make an overall consideration before the decision (Aliens Act, Sections 145 and 146). The authorities shall provide interpretation or translation in a matter that pertains to refusal of entry or deportation.<sup>49</sup>

The Provincial Police Commands supervise the removals so that they will be executed properly.

The District Police of Helsinki is in charge of the nationwide coordination of the removal decisions. The main tasks of the District Police of Helsinki in this field are:

- to follow and unify the enforcement of removing aliens from Finland
- to collaborate, if necessary, with other District Polices in the measures of enforcement in practice
- to follow and compile statistics on the costs of removing aliens from the country
- to supervise and maintain the contents and quality of the reports of the escort trips
- to report immediately to the Supreme Police Command if there has happened something unusual during the escort trip

The District Police of the alien's residence place is in charge of the enforcement of aliens removing from the country. Central tasks are among others:

- planning and organizing of the enforcement of removing from the country
- assessment of the need for escort and organizing of the escorts
- report to the Border Guard of the place where an alien will be removed
- cooperation in practice with IOM (International Organization for Migration) in cases when an alien is willing to leave the country voluntarily

The local police of the alien's place of stay are in charge of the transport and the costs related to the enforcement of removing decision in Finland. The police in question organizes, if needed, escorts for the return journey. The District Police of Helsinki is in charge of the costs of travelling to abroad, if the alien does not have funds for the return.

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<sup>49</sup> Aliens Act, Section 203.

According to Aliens Act section 176, if an alien who has been refused entry does not have funds for his or her return journey, the carrier is obliged to arrange his or her transport at its own cost. If immediate transport is not feasible, the carrier also bears any costs that arise from the alien's stay. If an alien has stayed in the country after disembarking from a vehicle without the required travel document, visa, residence permit or funds sufficient for his or her residence in the country, the carrier is obliged to reimburse any costs incurred by the State as a result of the alien's residence and refusal of entry. If the alien has stayed in the country after disembarking from a vessel, the master of the vessel, the ship owner and the shipping agent used by the ship owner are jointly and severally liable for the compensation.

When cooperating with IOM the costs are determined by the principles agreed by the Ministry of Interior, Ministry of Labour and IOM.

The District Police of Helsinki supervises the enforcement of the removing decisions in the basis of the announcements and reports and reports quarterly the Ministry of the Interior's Department of Police about the central issues in coordinating the removals.<sup>50</sup>

#### **4.1.5.1 Asylum and Return**

The Finnish Immigration Service always decides ex officio on refusal of entry if the third country national has applied for a residence permit on the basis of international or temporary protection and his application is rejected. Asylum seekers who receive a negative decision on their asylum application are requested to leave the country voluntarily or they are expelled. The asylum seeker has 8 days, after the rejection of his or her application and the decision on refusal of entry to Finland, to leave the country voluntarily. There is a possibility of appeal at this stage. A decision on the refusal of entry or on deportation is made concerning the applicant, unless there are special grounds for not making such a decision. In conjunction with the refusal of entry or deportation, the applicant may be prohibited from entering Finland again. The entry prohibition may be valid for a fixed term<sup>51</sup> or until further notice, and it may apply to one or several Schengen States. The decision on the asylum application is issued by the Finnish Immigration Service and forwarded to the local police, who will notify the applicant of the decision and, if necessary

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<sup>50</sup> The Ministry of Interior: SM:n määräys SM-2004-02031/Tu-41.

<sup>51</sup> In prevailing practise, 3 or 5 years.

carry out the expulsion.<sup>52</sup> The police in charge of the enforcement or the border check authority assesses the means of removal.

The central competent authority in the return affairs of asylum seekers is the Immigration Police of Helsinki, which is in charge of the coordination of removals. The Ministry of Interior is the competent authority for the negotiation and implementation of readmission agreements.

#### 4.1.5.2 Migration and Return

Police or border check authorities shall take action to refuse the entry or deport a third country national who does not meet the requirements for entry into or residence in the country. Police or border check authorities may decide on refusal of entry within three months of the foreigner's entry into the country. After that period, police or border check authorities shall submit a proposal to the Finnish Immigration Service to the effect that the foreigner be refused entry or deported, unless the Finnish Immigration Service has already taken action to remove the alien from the country. The Finnish Immigration Service decides on refusal of entry upon proposal by the District Police or border check authorities or on its own initiative.

If an application for a residence permit is left unprocessed as groundless or if the permit has not been admitted by the Finnish Immigration Service or the Police, the foreigner shall leave the country voluntarily at his own expense. Illegally-residing alien is removed from the country by the Police.

#### Decision and enforcement of refusal of entry\*\*

Year	Decisions		Enforcement
	No refusal of entry	Refusal of entry	
2005	266	4513	2050
2006	155	3533	1667
2007	62	3295	3461
2008*	54	3186	1830
*1.1.- 19.12.2008			

<sup>52</sup> Finland – OECD SOPEMI International Migration Outlook 2007, Ministry of Labour, November 2007



### Decision and enforcement of deportation

Year	Decisions		Enforcement
	No deportation	Deportation	
2005	54	72	29
2006	40	61	33
2007	67	59	59
2008*	77	80	16
*1.1.- 19.12.2008			

\*\*Disclaimer: the figures above are only indicative. The total amount of forced return includes various types of forced return, e.g. returns implemented on the basis of the Dublin Regulation and deportations of criminal offenders.

#### 4.2 Links with other Policy Areas

The asylum and migration policies are linked to various policy areas in the various stages of migration process. Migration policy has an effect in the society on various areas of life. Tasks related to migration are as diverse on the national as on the local level, and there are a lot of actors from the Ministries to the local administration and districts. Preparation of migration policy requires broad cooperation between different actors. Migration policy can be observed in the society from many different kinds of viewpoints, for example, from the point of view of migration of labour, international protection and illegal migration, or, on one hand, from the viewpoint of state's inner security or, on the other, from the standpoint of one single alien's rights. These different viewpoints appear continuously in the organisation in practice as much on the political level as between the authorities and, furthermore, in the cooperation between authorities and districts, labour market organisations and civic organisations.<sup>53</sup>

The Ministry for Foreign Affairs deals with asylum and migration systems when it comes to issues abroad. The Ministry of Foreign Affairs administrates the area of international conventions and is in charge of the coordination of international cooperation, e.g. with UNHCR, IOM and ILO. The Finnish Missions accounts for the entry into Finland and the visa policy.

The Ministry of Justice takes care of the rule of law in the administration of migration in Finland. Its Administrative courts and Supreme Administrative Court are the instances of appeal in mi-

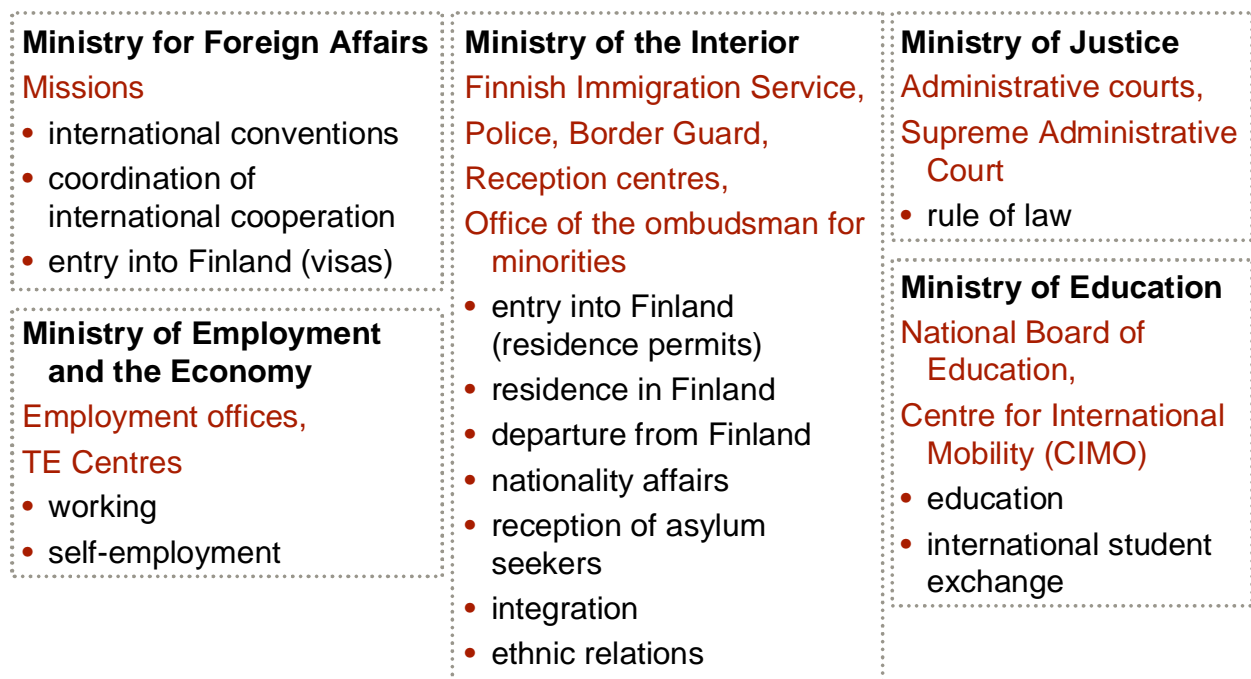
<sup>53</sup> Government Bill 90/2007.

gration and asylum issues. All appeals in asylum cases are decided by the Administrative Court of Helsinki.

The Ministry of Employment and the Economy is involved in migration and asylum issues in many ways. Especially the policy of labour-based migration has become more and more actual in Finland. The employment offices and the Employment and Economic Development Centres under the governance of the Ministry evaluate the current situation on the labour market along the guidelines set in the Government Programme.

The Ministry of Education is in charge of the policy of education including the education of immigrants and refugees living in Finland.

## Migration Administration in Finland



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The Ministry for Foreign Affairs is linked to the migration policy in the stage of entry. It is in charge of the visa policy and international relations. The Finnish Missions abroad grant visas, accept declarations of citizenship and receive applications for residence permit in applicants' home countries and then forward the applications to the Finnish Immigration Service. Finland's

<sup>54</sup> Welcome to the Finnish Immigration Service – Finnish Immigration Service in a Nutshell.

foreign and security policy is essentially based on the conduct of a consistent foreign policy, ensuring the functioning society and promotion of citizens' security and wellbeing as well as a credible national defence, active role as a Member State of the European Union (EU), and participation in international decision-making and in the work of the United Nations (UN) and other global and regional organisations. The general goal is to strengthen Finland's security and international influence and to promote the interests of the country, considering the requirements of increasing international cooperation. It has found important to pay attention to the development, human rights and globalisation policies and their effects on the national and international security.<sup>55</sup> Migration and asylum are linked to these fields of policies. It may also be mentioned that for example the National Research Institute of Legal Policy does research on aliens' integration and crimes committed by foreign people, for example.

The policy of the Ministry of Employment and the Economy is strongly linked to the migration policy of employed and self-employed in the stage of issuing the permit and assessing the right of an alien to access the labour market. The total need for work-force and the situation on the labour market define the directions of the labour policy. Local employment offices have the competence to consider the need for work-force and assess the situation on the employment field. The employment office will estimate both the labour political requirements and the sufficiency of the means of support of the applicant. They also consider the success of the applicant on the labour market. Employment and Economic Development Centres evaluates the prerequisites for self-employment in Finland. They assess the situation on the self-employment field considering different areas of enterprise. The calculation of the need for foreign work-force and foreign self-employers is a part of labour policy and has a direct effect on the migration policy.

Education is an important part of the integration of migrants into Finland. The migration policy of Finland is taken into account when creating the education policy. The Ministry of Education deals with migration issues in the education policy programs. It is considered how aliens integrate to the Finnish society, how foreign students integrate into the Finnish school system and what kinds of integration measures are needed, and how to take into account the cultural differences and religion in the education field. The Ministry of Education is also in charge of the development of multiculturalism, and integration of aliens and good ethnic relations are central issues in education policy.

Basic social and health services are provided to all people residing in Finland. The civil rights listed in the Constitution of Finland include social and health care, which is provided for every-

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<sup>55</sup> <http://www.formin.fi/public/default.aspx?nodeid=32280&contentlan=2&culture=en-US>

body. Within the planning of the state's social and health care policies, the needs of immigrants and asylum-seekers are taken into account to provide special integration measures. Thus social and health care policies are closely linked with the migration and asylum policy, especially in relation to the integration of immigrants. In the Government Migration Policy Programme the Ministry for Social Affairs and Health has tasks within the area of reception and integration. The different needs of various kinds of immigrants and asylum-seekers, for example the most vulnerable immigrants and children, in the integration phase are taken into account. The Ministry for Social Affairs and Health has the responsibility for the social security of immigrants and for improving of the working conditions of foreigners. In the area of health care, special information, e.g. leaflets in various languages, is provided to immigrants and asylum-seekers.<sup>56</sup>

Legal policy is linked to the migration policy in every phase of the migration process. All actions of migration and administrative authorities must be carried out in accordance with law. The administrative courts and the Supreme Administrative Court are the appellate entities during the whole process of migration. The Ministry of Justice accounts for quality control of the legislation changes, and they are also involved in the enhancement of migration legislation when updated constantly by the Ministry of the Interior, according to the migration policy and the EU Acquis. One aspect of migration policy is to strengthen the fundamental rights and human rights of migrants and asylum-seekers, which also links the legal policy with migration policy. The provision of legal aid for migrants and asylum-seekers is another example of the involvement of the Ministry of Justice. The Ministry of Justice is also the central authority designated in many international conventions and, as such, responsible for providing legal aid to authorities in other countries both in civil and in criminal matters. Some judges also participate in the cooperation network between judicial authorities in different countries (e.g. EURASIL).<sup>57</sup>

There is the Ministerial Working Group on Migration Policy where ministers (currently Minister of Migration and European Affairs, Minister of the Interior, Minister of Education, Minister of Health and Social Affairs, Minister of Labour, Minister of Economic Affairs, Minister of Public Administration and Local Government and Minister of Foreign Trade and Development) discuss and decide on important migration policy issues (e.g. allocation of the annual refugee quota).

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<sup>56</sup> [http://www.intermin.fi/intermin/images.nsf/files/620a7bb47a3b1008c22573b60050a16c/\\$file/thj371\\_mamupol\\_ohjelma.pdf](http://www.intermin.fi/intermin/images.nsf/files/620a7bb47a3b1008c22573b60050a16c/$file/thj371_mamupol_ohjelma.pdf).

<sup>57</sup> <http://www.om.fi/en/Etusivu/Ministerio/Tehtavat>

## 5. Analysis of Asylum and Migration Systems

The current organisation of asylum and migration affairs in Finland is more centralized than it used to be. The Finnish immigration policy and its administration are directed by the Government. The targets are set in the Government Programme. The Ministry of Interior is the central ministry in charge of the migration issues. For the first time in history in the present government there is a Minister for Immigration Affairs in Finland. Earlier migration issues belonged to the Minister of the Interior, together with the Police and the Border Guard. The present division of labour between two ministers, however, has created new challenges for the coordination of the activities of the Finnish Immigration Service on one hand and the police on the other, as these authorities cooperate very closely in migration and asylum procedures.

The individual municipalities have also their responsibilities in integration issues. The Ministry for Foreign Affairs is responsible for visa policy, and the missions abroad grant visas and receive applications for residence permits. The Ministry of Employment and the Economy together with the Ministry of the Interior evaluate the conditions of work-related immigration.

The status of the legal protection of foreigners has improved and the right to appeal has been extended. The appeal courts in migration and asylum issues are the Administrative Courts and the Supreme Administrative Court. All asylum appeals in the second instance are decided by the Administrative Court of Helsinki which has enabled them to develop special expertise in this field.

Migration and asylum issues are being increasingly highlighted today in various contexts in the Finnish society as well as in the media. There are many stakeholders involved in the area of migration and asylum, which advise and give information both to immigrants and various institutions, such as governmental and non-governmental organisations and associations. Some of the international organisations and national non-governmental organisations are described in Section 2.

There are several different actors at different stages of migration and asylum process, as described in Section 4. The main authorities on the entry level are the Border Guard and the Police. Also the Ministry for Foreign Affairs and Finnish missions abroad play an important role in this respect as the visa granting authority. The Finnish Immigration Service has the most important role in assessing the residence permit applications of immigrants and asylum-seekers, and

in issuing permits, as also in providing various kinds of information in the field of migration. The employment offices and the Employment and Economic Development Centres make the preliminary decision in accepting or rejecting the application of a foreign worker or self-employed person by assessing the employment situation on the labour market. In the return phase, the District Police and the Border Guard are the main actors, having the competence to remove an alien from the country. The Finnish Immigration Service decides on refusal of entry and deportation *ex officio* on its own initiative or upon proposal by the District Police or the Border Guard.

The Finnish legislation on foreigners has evolved since the beginning of the 20th century, and has reached its current state through several total and partial reforms. The most essential improvements were done during the 1990's and during the present Millennium, as described in the Section 3. The Aliens Act of 2004 and its reform in 2008 have directed the migration and asylum organisation towards a more unified, effective and fair system.

The fact remains that the Asylum and Migration systems in Finland have developed over the years in a fragmented manner, earlier often without any deeper analysis. Since 1981, the responsibility of migration policy was divided between the Ministry of Interior and the Ministry of Labour. Neither of these held the total responsibility for migration policy, which created uncertainty and incoherence. Migration policy and administration were the responsibility of the Ministry of Interior, while Ministry of Labour was in charge of the reception of asylum seekers, integration and voluntary return of refugees. In 2008 all the governance concerning migration and asylum affairs were moved under the Ministry of the Interior.

The restructuring of migration policy and operations in 2008 has been a challenging task taking into account the former division into two ministries in charge, without any of them holding overall responsibility of migration policy. The increasing challenges faced with increasing migration and EU developments, necessitate that the total responsibility is addressed to one single ministry. The reform in 2008 made a step towards a unified migration and asylum organisation.

The Ministry of the Interior set up a development project for the time period of 1.11.2007 – 30.4.2008 to develop the administration of migration and the Finnish Immigration Service. The appointed Special Rapporteur, Ambassadeur Ole Norrback, handed in his report concerning the improvement of the actions of migration administration and the Finnish Immigration Service to the Minister of Migration and European Affairs on the 6<sup>th</sup> of May in 2008.

The basic policy definitions given in the report of the Special Rapporteur that concern the reformation of organisation structures are the following:

- The administration of migration should be improved and structural changes should be made to strengthen the migration of labour and to reform the working methods of the Finnish Immigration Service. The central issue in the structural development of the administration of migration is to strengthen the position of the Ministry of Interior as the Ministry of Migration and Integration.
- The Finnish Immigration Service would become the central agency which would administrate all the central fields of migration. Besides its current permit issues, it would gain the responsibility of the functional integration of immigrants, the co-ordination of the reception of asylum-seekers and refugees, the execution of visa issues and the task of promoting ethnic equality. The report of the Special Rapporteur includes propositions of moving tasks to the subordination of the Ministry of the Interior from the other ministries, as well as developing the functions of the Finnish Immigration Service. The report emphasizes the importance of integration measures for all migrants and proposes unifying the responsibility of the conduct of integration.<sup>58</sup> One proposition of Norrback was to transfer the enforcement tasks of visa issues under the governance of the Finnish Immigration Service, but the Ministry for Foreign Affairs left a cogent dissenting opinion concerning it.

The Ministry of Interior has also set up a project on the 6<sup>th</sup> of March 2008, which aims at structural development of the administrative branch of the Ministry of Interior. A working group was set up within this project to plan the re-organisation of the migration administration. The aim is that the structure of the migration administration promotes the realisation of active, comprehensive and consistent migration policy. One of the tasks of this working group is to go through the report of Special Rapporteur, and to plan the implementation of the proposals it makes. Particular attention is paid on the changes which occurred, and will occur, within the organisational structures. The working group will continue as a support group for the re-organisation of migration administration until the end of the year 2009.

It was deemed reasonable to centralize all the different areas of migration policy on the state administration level and on the implementation level agencies under the governance of one single ministry, as the practices within the various entities were already very similar. One major change in the reorganisation of migration policy under a one single ministry was the transfer of the reception centres from the Ministry of Labour under the Ministry of the Interior. Currently

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<sup>58</sup> <http://www.intermin.fi/intermin/home.nsf/pages/6A194B9455831A01C22573BE002DE9D1>, "Maahanmuuttohallinnon ja Maahanmuuttoviraston toiminnan kehittäminen – Selvitysmies Ole Norrback", Sisäministeriön julkaisuja 15/2008

there are 11 reception centres: two of them are managed by the State, six by the local municipalities and three by the Finnish Red Cross. They work under the Ministry of the Interior, but on the local level the Employment and Economic Development Centres manage and supervise the functions of reception centres. Within the Ministry of Interior's development project on developing migration administration and the function of the Finnish Immigration Service, a government proposal is currently being prepared that aims at transferring the reception centres under the supervision of the Finnish Immigration Service. At the same time the planning of practical arrangements is under preparation to give the Finnish Immigration Service the competence in, and responsibility for the practical steering of reception centres, and for the placement of asylum-seekers in reception centres or private accommodation. The transfer of those functions is expected to take place in autumn 2009.

Several authorities within many different branches of policies are responsible for promoting migration and integration. A positive, welcoming attitude in society helps minorities to settle into local life, interact with the majority population, and integrate into the Finnish society in general. The role of the Advisory Board for Ethnic Relations is to promote good ethnic relations and ethnic equality.<sup>59</sup> In accordance with the Government Programme, the Ministry of the Interior pursues an active, comprehensive and consistent immigration policy that takes full account of labour needs, immigrants' many different reasons for seeking entry, and Finland's international responsibilities. In order to carry out the Government Programme, the Ministry has launched the above mentioned extensive development project covering all the activities of the immigration administration and the Finnish Immigration Service. In the Government's Migration Policy Programme, one of the future policies is promoting work-related immigration. The immigration of persons coming to Finland for jobs should be increased in order to replace the aging population leaving the labour market. In their joint opinion, Finnish labour market organisations also endorse increasing work-related immigration.<sup>60</sup> Over the next few years, the main measures will be to chart all the measures covered by the immigration policy programme and to draw up an action plan for work-related immigration. Immigrants and their families moving to Finland for work purposes will be provided with the help they need using a guidance system as referred to in the Government Programme.

The authorities participating in the migration processes are about to renew the methods and data processing system related to migration and nationality issues. The current Register of Aliens and other measures related to different data bases regarding foreigners will be replaced

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<sup>59</sup> Government Bill 90/2007.

<sup>60</sup> [http://www.intermin.fi/intermin/images.nsf/files/4fa9c2d5f18675d9c22573cc0040597b/\\$file/finland2007.pdf](http://www.intermin.fi/intermin/images.nsf/files/4fa9c2d5f18675d9c22573cc0040597b/$file/finland2007.pdf)



with a new electronic data management and processing system called UMA. All the processes related to the foreigners' entry to the country, residence, asylum, removal from Finland as well as to the obtaining the Finnish citizenship are cross-administrative. The aim of the Finnish Immigration Service's new project is to digitalize all the processes dealing with foreign population: all the information will be digitalized when it is created, and the information will be saved only once. All the exchange of information between the authorities will be digital and all the information will be managed and filed in an electronic form. This is to make the system more effective and transparent to all the actors. The new data processing system will be introduced in the spring of 2009.<sup>61</sup>

A Reform Project for State Regional Administration was set up the 29<sup>th</sup> of June in 2007 according to the Government Programme of 2007. The purpose of the Reform Project for State Regional Administration is to augment the powers of the regional councils as coordinators of regional development activities. The tasks of the regional administrative authorities will be divided among two new organs established under the Ministry of Finance, bringing together in a new format the existing six organisations (State Provincial Offices, Employment and Economic Development Centres, Regional Environment Centres, Environmental Permit Authorities, Occupational Safety and Health Inspectorates and Road Regions). The reform has, when coming into force, significant effects on the tasks and organisation of the regional administration authorities of the administration of internal affairs. The new authorities will be the Centre for Economy and Industry, Transport and the Environment and the Regional Administration Agency. The Regional Administration Agencies would have five remits: basic services, legal protection and warrants, police (including the migration issues), rescue services and provision, environmental permissions and industrial safety. Migration would be a part of the remit of industry, labour, know-how and culture. The Ministry of the Interior has left a dissenting opinion concerning migration. The stand of the Ministry of the Interior is that migration and ethnical relations should be its own remit, because the challenges of migration are great in the near future. The aim of this reform is to create a system of regional state administration which builds on citizens' and customers' needs, and works in an effective and productive way. In accordance with the Government Programme, the reform will be implemented at the beginning of 2010.<sup>62</sup> The implementing law reforms of this project will be drafted in 2009.

The administration structure of the Police is under a reform as set in the Government Programme. The local administration of the Police is being developed so that the current number of

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<sup>61</sup> <https://manu.migri.fi/public/default.aspx?contentid=1715&nodeid=7944>

<sup>62</sup> <https://manu.migri.fi/public/default.aspx?contentid=2484&nodeid=7175>  
<http://www.vn.fi/ajankohtaista/tiedotteet/tiedote/fi.jsp?oid=244917>

90 district police departments will be decreased into 24. The reform of the administration structure will be continued in the future. With this project resources will be transferred from the administration level to the service level. One aim of this project is to find out if the Ministry's direction and policing tasks will be separated from the operative conduction of the Police. These possible changes may have an effect on the migration and asylum organisation in the competence area of the Police. The structure reforms of the first phase of this reformation project will come into operation on the 1<sup>st</sup> of January 2009.<sup>63</sup>

In conclusion, the Finnish Migration and Asylum Policy Organisation is currently undergoing a phase of changes and competence transfers. The law reform in 2008 centralized the migration and asylum system and was a step towards a more centralized and effective migration and asylum system. The future will show how the competences between different authorities will be further enhanced. As there are several actors at national, regional and local level in the field of migration and asylum, the need for cooperation and coordination of policy and operations cannot be stressed too much. Migration issues have changed from a marginal question to a more general and complex one in the Finnish society where the population is aging more rapidly than in most other EU Member States and where immigration as a phenomenon is still relatively new. Organisational questions will have to be regularly revisited in an objective and analytical manner.

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<sup>63</sup> <http://www.intermin.fi/intermin/home.nsf/pages/91DCDF8F58463E34C225746500403C56?opendocument>  
[http://www.intermin.fi/intermin/images.nsf/files/26d882f1ad7e1d4dc22574630029a4f1/\\$file/poliisin\\_hallitorakenteen\\_k ehittamishanke.pdf](http://www.intermin.fi/intermin/images.nsf/files/26d882f1ad7e1d4dc22574630029a4f1/$file/poliisin_hallitorakenteen_k ehittamishanke.pdf)

## ANNEXES

### Publications:

Ministry of Labour: Saarto, Arja; Finland – OECD SOPEMI International Migration Outlook 2007; Ministry of Labour; November 2007; Finland.

([http://www.intermin.fi/intermin/images.nsf/files/4fa9c2d5f18675d9c22573cc0040597b/\\$file/finland2007.pdf](http://www.intermin.fi/intermin/images.nsf/files/4fa9c2d5f18675d9c22573cc0040597b/$file/finland2007.pdf), 26.11.2008)

Ministry of the Interior: Norrback, Ole; Maahanmuuttopolitiikan ja Maahanmuuttoviraston toiminnan kehittäminen – Selvitysmies Ole Norrback; Sisäministeriön julkaisuja 15/2008; Ministry of the Interior; Finland.

(<http://www.intermin.fi/intermin/home.nsf/pages/6A194B9455831A01C22573BE002DE9D1>, 26.11.2008)

### Legislation:

Government Bill 90/2007 (<http://www.finlex.fi/fi/esitykset/he/2007/20070090>, 26.11.2008)

Aliens Act 30.4.2004/301 (<http://www.finlex.fi/en/laki/kaannokset/2004/en20040301.pdf>, 26.11.2008)

Nationality Act 359/2003 (<http://www.finlex.fi/en/laki/kaannokset/2003/en20030359.pdf>, 26.11.2008)

The Ministry of the Interior: SM:n määräys SM-2004-02031/Tu-41; Ulkomaalaisen henkilöllisyyden, matkareitin ja maahtulon selvittämistä, ulkomaalaislain nojalla tehtävää säilöönottoa ja maastapoistamispäätösten täytäntöönpanoa koskeva määräys; 21.6.2004.

SM:n ohje SM\_2003-124/Ka-23; Turvapaikkaohje; 17.1.2003.

SM:n määräys SM-2004-03240/Tu-41; Voimankäyttö maasta poistamispäätöksen täytäntöönpanossa; 18.11.2004.

The Government Migration Policy Programme, Government Resolution 19.10.2006

([http://www.intermin.fi/intermin/images.nsf/files/620a7bb47a3b1008c22573b60050a16c/\\$file/thj371\\_mamupol\\_ohjelma.pdf](http://www.intermin.fi/intermin/images.nsf/files/620a7bb47a3b1008c22573b60050a16c/$file/thj371_mamupol_ohjelma.pdf), 26.11.2008)

## The Government Programme 2007 of Migration and Integration

(<http://www.valtioneuvosto.fi/hallitus/hallitusohjelma/pdf/hallitusohjelma-painoversio-040507.pdf>,  
26.11.2008)

### Internet pages:

#### **The Ministry of the Interior: [www.intermin.fi](http://www.intermin.fi) (referred 21.11.2008)**

<http://www.intermin.fi/intermin/home.nsf/pages/A5906F534D7BF793C22573B500300FF4?opendocument>

<http://www.intermin.fi/intermin/vvt/home.nsf/pages/0BF7E222C171B015C22573A200316908?opendocument>

<http://www.intermin.fi/intermin/home.nsf/pages/E98CE1A73AB4EAF0C22573B50034D2BB?opendocument>

<http://www.intermin.fi/intermin/home.nsf/pages/A6DAD54E3A9379A2C22573B50030FDAA?opendocument>

<http://www.intermin.fi/intermin/home.nsf/pages/91DCDF8F58463E34C225746500403C56?opendocument>

[http://www.intermin.fi/intermin/images.nsf/files/26d882f1ad7e1d4dc22574630029a4f1/\\$file/poliisin\\_hallitorakenteen\\_kehittamishanke.pdf](http://www.intermin.fi/intermin/images.nsf/files/26d882f1ad7e1d4dc22574630029a4f1/$file/poliisin_hallitorakenteen_kehittamishanke.pdf)

#### **The Finnish Immigration Service: [www.migri.fi](http://www.migri.fi) (referred 21.11.2008)**

<http://www.migri.fi/netcomm/content.asp?path=8,2470,2704&language=EN>

<http://www.migri.fi/netcomm/content.asp?article=2080&language=EN>

<http://www.migri.fi/download.asp?id=UVI+raportti;615;{31CDCF10-F876-4AC4-A661-DEB832DC4FC3}ss>

<http://www.migri.fi/download.asp?id=UVI+raportti;615;{31CDCF10-F876-4AC4-A661-DEB832DC4FC3}ss>

<http://www.migri.fi/netcomm/content.asp?path=8,2470,2481&language=EN>

<http://www.migri.fi/netcomm/content.asp?path=8,2471>

<http://www.migri.fi/netcomm/content.asp?path=8,2473,2500,2507>

<http://www.migri.fi/netcomm/content.asp?path=8,2473,2502,2510>

<http://www.migri.fi/netcomm/content.asp?path=8,2474,2515,2521>

<http://www.migri.fi/netcomm/content.asp?path=8,2472>

<http://www.migri.fi/netcomm/content.asp?path=8,2472,2491,2496>

<http://www.migri.fi/netcomm/content.asp?path=8,2475>

<http://www.migri.fi/netcomm/content.asp?path=8,2473,2500,2507&language=EN>

<http://www.migri.fi/netcomm/content.asp?path=8,2473,2500,2583&language=EN>

<http://www.migri.fi/netcomm/content.asp?path=8,2476,2683>

<http://www.migri.fi/netcomm/content.asp?path=8,2473,2500,2507>

<http://www.migri.fi/netcomm/content.asp?path=8,2473,2500>

<http://www.migri.fi/netcomm/content.asp?path=8,2473,2502>

<http://www.migri.fi/netcomm/content.asp?path=8,2473,2502,2510>

<http://www.migri.fi/netcomm/content.asp?path=8,2474,2515>

<http://www.migri.fi/download.asp?id=Ratkaistut+oleskelulupahakemukset+perusteittain%2D08;1399;{00EC2F76-5B09-4C58-862E-2CC90CB37DFE}>

<http://www.migri.fi/netcomm/content.asp?article=2966&language=EN>

<https://manu.migri.fi/public/default.aspx?contentid=1715&nodeid=7944>

<http://www.migri.fi/netcomm/content.asp?path=8,2470>

<http://www.migri.fi/download.asp?id=Oleskelulupap%C3%A4%C3%A4t%C3%B6kset%5F%5FTop+10+2008;1369;{51D9E0E8-BE52-44D6-B5AA-E857CA6EBB1}>

<http://www.migri.fi/netcomm/content.asp?path=8,2476,2538&language=EN>

<https://manu.migri.fi/public/default.aspx?contentid=2484&nodeid=7175>

**The Police: [www.poliisi.fi](http://www.poliisi.fi) (referred 21.11.2008)**

<http://www.poliisi.fi/poliisi/home.nsf/pages/B63A2851F718FAFBC2256EF40033A865?opendocument>

**The Ministry for Foreign Affairs: [www.formin.fi](http://www.formin.fi) (referred 21.11.2008)**

<http://www.formin.fi/public/default.aspx?nodeid=32280&contentlan=2&culture=en-US>

**The Ministry of Justice: [www.om.fi](http://www.om.fi) (referred 21.11.2008)**

<http://www.om.fi/en/Etusivu/Ministerio/Tehtavat>

**KELA (3.12.2008):**

<http://www.kela.fi/in/internet/english.nsf/NET/210102150531RH?OpenDocument>

**The Border Guard (referred 4.12.2008):**

<http://www.raja.fi/rvl/home.nsf/pages/2DBF96A113C7ABD5C225735B00462D89?opendocument>

**The Ministry of Finance (referred 5.12.2008):**

<http://www.vn.fi/ajankohtaista/tiedotteet/tiedote/fi.jsp?oid=244917>