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Government action plan on asylum policy

Finland's short-term objective is to stop the uncontrolled flow of asylum seekers into our country, to bring asylum costs under control and to integrate effectively those who have been granted asylum. Other objectives include enhancing the security situation and carrying capacity of countries of origin, improving the effectiveness of the EU's external border management, controlling asylum seeker flows in the EU, establishing consistent asylum practices for EU Member States and efficient asylum and return processes for Finland, building cost-effective and flexible reception capacity for an increased number of asylum seekers, and ensuring an effective integration system and placement in municipalities.

This action plan outlines the Government's updated asylum policy measures, which aim, by reforming Finland's national operating models, to ensure management of the number of asylum seekers in this demanding situation. The measures call for international cooperation, establishing consistent practices together with other EU and Nordic countries, cross-administrative national action, and scaling supervision and service structures to permanently changed situation.

In Europe, the number of illegal border crossings outside border-crossing points has grown this year to over 1.2 million. In Finland, the number of asylum seekers has exceeded 30,000, an unprecedented level. The number of people seeking protection from Finland is a challenge to Finland's asylum system and to integration.

The large-scale entry into a country is related primarily to the conditions prevailing in countries or areas of origin: conflicts and crises, human rights violations and violence, as well as unemployment and generally lack of opportunities to earn a living. It is important that Finland, the EU and the international community influence these conditions, so that people can live in the way they wish in their home countries. At the same time, it is important that Finland helps those in need, such as people fleeing from war. A clear asylum system identifies those who are in real need of protection.

Unfounded asylum seekers whose application for asylum has been rejected must be returned efficiently. With respect to those who have been granted a residence permit, the emphasis will be on effective measures to promote integration and employment, which will facilitate their diverse participation in the various sectors of society. An atmosphere of security and inclusion will commit migrants to Finnish society and proactively prevent feelings of social exclusion as well as violent radicalisation among young people. The fact that a significant proportion of asylum seekers are fleeing the activities of extremist organisations must be taken into account, however.

Furthermore, when measures are planned, longer-term projections as well as the immediate situation should be taken into consideration. Migration to Europe will increase in the coming decades significantly from present levels if no successful response is found to challenges arising from rapid population growth, needs related to earning a living and stability, and the problems posed by climate change.

In collaboration with EU and Nordic countries, Finland will prepare in a sustainable way for the new asylum seeker situation. A proactive and managed response to the situation will be ensured. The long-term perspective requires that well-managed migration is a factor that promotes growth, innovation, new jobs and economic stability.

International human rights obligations bind Finland under international law and as a part of Finnish legislation. International obligations are in accord with the fundamental rights provisions of the Constitution of Finland.

Using various indicators, the ministerial working group on migration will monitor this action plan as well as the implementation of the migration policy measures approved by the Government on 11 September 2015. As asylum costs increase, the necessary resourcing decisions will be made in the General Government Fiscal Plan or Budget process.

1. We will participate by setting example and in cooperation with EU Member States in implementing jointly agreed decisions in third countries and to manage large-scale migration in the EU area

- ❖ *We will influence via development cooperation, the Action Plan of the Valletta Summit on Migration and EU funds the good governance particularly of African and Middle Eastern countries of origin and transit, the strengthening of democratic conditions and the rule of law, the prevention of conflicts, peacebuilding, educational opportunities and health conditions, while facilitating a situation in which people would not need to move away from the areas in which they live*
- ❖ *Finland will strongly demand from EU Member States proper external border management as well as each country's responsibility to register asylum seekers. Unregistered movement within the Schengen area should be brought to an end. In the EU, Finland will promote an asylum policy to achieve the above in collaboration with other destination countries*
- ❖ *We will participate in Frontex-coordinated border control operations, Commission-coordinated civil protection operations and EASO activities by sending experts and, if necessary, with equipment, and also in military and civilian crisis management operations with respect to migration in key countries of origin and transit*
- *We will participate in supporting Greece and Italy to bring the Hotspot registration centres into effective use (identification and registration of individuals)*
- *We will alleviate humanitarian need and improve the resource capacity of countries of origin and transit with Finland's own and the EU's input, particularly in the neighbouring areas of Syria and in Turkey*
- *We will promote economic development and job creation also through trade policy means, commercial activity, investment, innovations and technological development.*
- *We will participate in the EU's Regional Development and Protection Programmes (RDPP) for North Africa and the Horn of Africa*
- *We will press for a Council decision on a common list of safe countries of origin; in which Turkey must also be included*
- *We will support the intensifying of cooperation between the EU and Turkey through, for example, an action plan between different actors to manage migration*
- *We will maintain the good and stable situation on the border between Finland and Russia as well as an action plan to prepare for an increase in the number of asylum seekers coming from Russia*
- *We will maintain preparedness for the temporary reintroduction of border controls at Schengen internal borders, if the security situation so requires or if EU countries' joint measures prove to be ineffective*
- *We will investigate the identities of all those who enter the country illegally, for example with the aid of national and international databases, and we will register them in the asylum seekers fingerprint database*

- *We will utilise effectively the cooperation of the police, customs and border guard authorities as well as the Finnish Immigration Service in order to enhance national monitoring of aliens*
- *We will create and maintain an international and cross-administrative awareness of the asylum situation*
- *We will explore the need for reforms relating to supporting authorities under the Border Guard Act and the Conscription Act*

2. We will harmonise asylum practices with EU and Nordic countries

- ❖ ***We will continually monitor other countries' asylum legislation and practices, we will analyse on that basis the need for national development measures, and we will react quickly to the possible need for changes***
- *We will propose a Nordic cooperation project in which Finland, Sweden, Norway and Denmark will establish a best practices and learnings forum, particularly to harmonise asylum seeker integration measures*
- *We will tighten family reunification criteria in full under the EU Family Reunification Directive, with at least the maintenance requirement and independence from social welfare benefits being conditions*
- *We will grant residence permits to those needing protection always for a fixed term, and before the granting of a permanent residence permit we will review the situation of the country of origin; when the security situation of the country improves, we will cancel the residence permit; reviews of the security situation twice a year will be the basis for the active re-examination of residence permits*
- *We will explore the possibility of introducing a special residence permit based on investments in order to increase the attractiveness of Finland*
- *We will take national security better into account as a basis for excluding and withdrawing international protection status and as a basis for cancelling a residence permit, and we will explore the possibility of imposing prohibition of entry on those living abroad*
- *We will review the requirements for residence permits granted on the basis of international protection (humanitarian protection)*
- *We will intensify the cancellation of permits in situations where protection requirements are no longer fulfilled, and we will pay more attention to the existence of a need for protection also when granting extended permits*
- *Providing a public authority with false information will directly affect the granting of asylum*
- *We will prescribe imprisonment as a sanction for violating a prohibition of entry*

3. We will enhance the asylum procedure to ensure fast decision-making and curb reception costs

- ❖ ***We will prepare on a priority basis national legislation projects relating to the asylum procedure, including legislative amendments required to accelerate court proceedings (reduction of bench compositions, shortening of appeal periods and revision of the Act on the Registration of Aliens in order to speed up exchange of information between the authorities and courts)***
- ❖ ***We will increase significantly the staff resources of immigration authorities as well as of the Helsinki Administrative Court and the Supreme Administrative Court in order to accelerate decisions in asylum cases and the handling of appeals as well as the implementation of decisions, and we will prepare as***

a structural reform project the decentralisation of asylum cases, which are currently centralised in the Helsinki Administrative Court, also to be handled in other regional administrative courts.

- *The Police, the Border Guard and the Finnish Immigration Service will enhance their activities in the registration and screening of applications as well as in arranging asylum interviews and in decision-making, in accordance with decisions already made and the related legislation project*
- *Russia belongs to the Council of Europe and is a party to the European Convention on Human Rights as well as the Geneva Refugee Convention and the Convention against Torture; we consider Russia, on the basis of its commitments, to be a safe country of asylum*
- *Manifestly unfounded applications that come from Russia and elsewhere will be processed in an accelerated procedure, and the removal of those whose application is refused will be enforced quickly*
- *Those appealing a negative asylum decision made by an administrative court will not stay in Finland while the appeal is being considered; they will be removed from the country in accordance with a decision of an administrative court, unless the Supreme Administrative Court decrees otherwise*
- *We will re-evaluate the security situation of Afghanistan, as has already been done with respect to Iraq and Somalia, and will review the possibility of internal flight*
- *We will require the restoration of the effectiveness of the Dublin system, so that each safe transit country registers its own asylum seekers. If the effectiveness of the Dublin system cannot be restored, the Government will prepare exceptional national measures to ensure an equivalent impact*
- *We will return so-called Dublin cases immediately*
- *We will prevent the abuse of the procedure for minor asylum seekers*
- *We will amend the fee criteria for legal aid provided to asylum seekers to be case-specific and we will outline more precisely the qualification requirements for a legal aid counsel and prepare a restriction of legal aid, taking asylum seekers' right to due process into account*
- *We will increase the staff resources of public legal aid in order to safeguard the availability of legal aid*

4. We will provide essential reception services only, while respecting asylum seekers' human dignity

- ❖ ***For those whose asylum application has been refused, we will establish special return centres with minimum services, and we will ensure the regionally sensible geographical placement of centres***
- ❖ ***For asylum seekers of working age, we will arrange working tasks in a reception centre or its locality, and we will increase Finnish language teaching***
- ❖ ***In December 2015 and January 2016 we will evaluate the various reception centre arrangements, including security, operational and financial arrangements, use of healthcare and social welfare services, possible reduction of the reception allowance, use of benefits in kind and/or a payment card instead of cash payments, and we will explore the introduction of a separate social security system***
- *We will comprehensively evaluate the effectiveness of the reception centre network and we will make any changes deemed necessary*
- *We will establish, if necessary, new registration centres and also house asylum seekers in tent and container accommodation*
- *No reception allowance or social benefits will be paid for the period spent in a registration centre*
- *We will take into account the special characteristics of municipalities, good governance and transparency in planning the geographical placement of reception centres and in establishing the centres*

- *When establishing reception centres, we will also take into account security factors and the resources of the authorities, so that security services are at an adequate level*
- *We will ensure that reception services meet the needs of asylum seeker families and children by, for example, allocating premises intended for them*

5. We will intensify returns and removals

- ❖ ***We will intensify the communication of asylum decisions as well as removals from the country and related cooperation between competent authorities, and we will prepare for a significant increase in the number of removals: the Police will draw up an action plan on returns and make preparations to rapidly increase returns***
- ❖ ***We will promote returns with Iraq, Afghanistan and Somalia, and we will actively develop operational cooperation with third countries***
- ❖ ***The objective is to complete negotiations with Iraq, Afghanistan and Somalia with respect to bilateral readmission agreements as quickly as possible; in addition, Finland calls for the Commission to take rapid action to conclude EU readmission agreements with Iraq and Somalia.***
- *We will increase cooperation with EU and Nordic countries for the return of those whose asylum application has been refused, and we will utilise in full the option of return flights arranged by Frontex*
- *We will actively offer the option of voluntary return and ensure funding for this*
- *We will link our aid measures directed at destination countries to negotiations on return arrangements (to conclude negotiations on readmission protocols)*
- *By means of a legislative project under way, we will intensify within the limits of international law the removal of those guilty of serious offences, recidivists and individuals dangerous to public order who come from outside the EU; the project will be completed by spring 2017*
- *We will criminalise participation in the activities of any organisation classified by the UN and the EU as a terrorist organisation as well as travelling abroad to commit a terrorist offence and the funding of such travel*
- *Furthermore, the possibility of annulling the Finnish nationality of individuals possessing dual nationality who participate in acts of terrorism will be provided by law*

6. We will ensure the maintenance of security and enhance communication

- ❖ ***We will maintain the monitoring and preventive activity practised by the Police and Border Guard, and we will ensure the provision of adequate resources for the Finnish Security Intelligence Service***
- ❖ ***We will improve the security of reception centres and their environment; rules and regulations will be prepared for reception centres, including a daily duty to report as a condition of the reception allowance, an “examination” on Finnish basic rules will be required from asylum seekers, and monitoring will be intensified by increasing the use of security companies and security stewards***
- ❖ ***We will prepare a report on the impact of the asylum seeker situation on internal security and costs***
- *We will avoid special treatment of population groups in order to prevent confrontational attitudes*
- *We will invest in exposing and investigating crimes relating to illegal migration by allocating official resources to measures*

- *We will communicate actively and on a case-by-case basis with asylum seekers' countries of origin about changes in Finland's asylum policy and about the actual current situation*
- *We will communicate openly and proactively on the challenges and possibilities, changes and long-term effects of seeking asylum*
- *We will compile and disseminate diverse information on refugee status, the asylum procedure, Finland and Finnish "ground rules" using informative material*

7. We will support in diverse ways settling in municipalities and the cost-effective integration of those who have been granted a residence permit

Successful integration of asylum seekers and their entry into the labour market will benefit Finland's economy. We will also prepare, through education and support, for the fact that some asylum seekers will need service paths of longer duration in order to integrate into society and find employment.

- ❖ ***We will implement integration measures in such a way that they boost employment and prevent social exclusion – in integration measures, we will require activity and conditionality, for example by participation in working tasks***
- ❖ ***Through various activities, we will enhance dialogue and interaction between different population groups in civil society, in order, for example, to combat racism, with young people being a particular target group***
- ❖ ***We will encourage the participation of civil society, including companies, support individuals, migrant organisations and religious bodies, in work that promotes integration***
- *We will evaluate on an accelerated timetable the need to change practices for placing refugees in municipalities, and based on this we will prepare a strategy and implementation programme by which those who have been granted a residence permit are transferred from the reception centres to municipalities*
- *In the municipalities, the reception of refugees and the establishment of reception centres will be on a voluntary basis*
- *We will require from migrants a clear commitment to the rules of Finnish society by providing orientation in the subject, and we will introduce a commitment agreement*
- *We will develop the assessment and enhancement of asylum seekers' skills, and we will reform the structures and content of integration training so that it is more oriented towards working life and capable of meeting higher demand*
- *We will promote immigrants' entrepreneurship and the diverse utilisation of their skills potential*
- *We will assess asylum seekers' right to work in order to accelerate the possibility of employment*
- *We will emphasise the practical study of Finnish or Swedish in connection with work and education*
- *We will ensure safe growth and education paths, particularly for unaccompanied minors*
- *We will develop information systems and effectiveness analysis for monitoring the employment and integration measures of those who have been granted a residence permit*
- *We will enhance the experimental culture, digital services, result-orientation and costing of integration*
- *We will target monitoring on sectors and workplaces that use a lot of foreign national labour*

8. We will ensure the provision of social security as well as healthcare and social welfare services while preventing misuse

- ❖ *We will explore possibilities to change migrants' social security system so that asylum seekers who have been granted a residence permit do not fall within the scope of residence-based social security, but have their own separate integration system*
- *The level of support for an asylum seeker will be lower than the level of labour market support and strongly conditional, requiring active participation in integration measures*
- *A requirement for receiving support will be the obligation to report to the employment authorities*
- *We will strive when possible to use food and clothing vouchers instead of the reception allowance*
- *We will specify acceptable cost levels for reception centres that differ in terms of their activities*
- *We will enhance the exchange of information between authorities*