

# United Nations High Commissioner for Refugees

## FINLAND

We would like to bring your attention to the following excerpts, taken directly from Treaty Body Concluding Observations and Special Procedure reports, relating to issues of interest and concern to UNHCR with regards to Finland.

### **Treaty Body Concluding Observations and Recommendations**

#### **CCPR/CO/82/FIN, 82<sup>nd</sup> Session 2 December 2004**

*3. The Committee notes with satisfaction the adoption of a new law against discrimination which entered into force in February 2004, banning all direct or indirect discrimination based on age, ethnic or national origin, nationality, language, religion, beliefs, opinions, health, disability and sexual orientation and placing the burden of proof before the courts on the defendant.*

*12. The Committee notes the lack of clarity as to the implications and consequences of the amendment to the Aliens Act of July 2000 providing for accelerated procedures in the case of asylum-seekers with manifestly ill-founded claims and applications by aliens from a "safe" country, as regards both the suspensive effect of an appeal and the legal protection available to asylum-seekers. The State party should ensure that legislation and practice in this area are compatible with articles 2, 6, 7 and 13 of the Covenant and, in particular, that appeals have a suspensive effect.*

#### **CESCR E/C.12/CO/FIN/5, 38<sup>th</sup> Session**

#### **18 May 2007**

*17. The Committee regrets the absence of disaggregated statistical data on the extent of poverty in the State party's report, particularly among refugees and the immigrant population, and notes that the State party has yet to adopt an official poverty line, which would enable the State party to define the incidence and depth of poverty and to monitor and evaluate progress in alleviating poverty.*

*22. The Committee urges the State party to continue strengthening its legal and institutional mechanisms aimed at combating discrimination, and requests the State party to include in its next periodic report detailed information on the outcomes of the initiatives undertaken to fight racism and xenophobia and to enhance tolerance and respect for foreigners and members of national, racial and ethnic minorities. The Committee also requests the State party to provide updated data in its next periodic report on the number of prosecutions and convictions for crimes motivated by ethnicity.*

#### **CAT/C/CR/34/FIN, 34<sup>th</sup> Session 21 June 2005**

3. Amongst the many positive developments, the Committee notes in particular:

d) *The Act on the Integration of Immigrants and Reception of Asylum-Seekers 2001, which seeks to enhance the integration, equality and freedom of choice of immigrants, and the amendment of the Act in 2002 to accommodate the needs of vulnerable people, including minors and victims of torture, rape, or other physical or sexual violence;*

h) *The creation of a new Office of Minority Ombudsman in 2001 to replace the Ombudsman for Aliens, with wider powers under the Minority Ombudsman Act and Aliens Act, including the ability to act for asylum-seekers and deportees.*

4. *The Committee expresses concern that:*

b) *The "accelerated procedure" under the Aliens Act allows an extremely limited time for applicants for asylum to have their cases considered thoroughly and to exhaust all lines of appeal if their application is rejected*

c) *Despite the safeguards in place, the Parliamentary Ombudsman reported on one recent case of an asylum-seeker whose application had been rejected and who was subsequently allegedly subjected to torture in his country of origin.*

5. *The Committee recommends that the State party:*

b) *Review the application of the "accelerated procedure" for consideration of asylum requests to ensure that applicants have sufficient time to use all available appeal procedures before irreversible action is taken by the authorities;*

c) *Strengthen the legal safeguards for asylum-seekers to ensure that all asylum procedures conform to article 3 of the Convention and other international obligations in this field.*

**CERD/C/63/CO/5, 63<sup>rd</sup> Session  
10 December 2003**

15. *Concern is expressed about the "accelerated procedure" provided for in the revised Aliens Act. Under the new provisions, the "accelerated procedure" applies to certain categories of asylum application and, if the application is rejected and entry is refused, could lead to the immediate expulsion of the asylum-seeker. Although such a negative decision can be appealed, it may be enforced within eight days irrespective of an appeal, which would thus have no suspensive effect. In the Committee's opinion, such narrow time limits may not allow for the proper utilization of the appeal procedure available and may result in an irreversible situation even if the decision of the administrative authorities were overturned on appeal. **The Committee urges the State party to guarantee respect for the legal safeguards for asylum-seekers and to ensure that all its asylum procedures conform to its international obligations in this field.***

**CRC/C/15/Add.272, 40<sup>th</sup> Session**  
**20 October 2005**

*13. The Committee notes with concern that the compilation of statistics on children lacks coordination and regularity, in particular with regard to the most vulnerable groups of children such as disabled children, asylum-seeking children, children in conflict with the law and children belonging to minority groups, among others.*

*14. The Committee recommends that the State party continue its efforts to develop a system for the comprehensive collection of data on children, in particular children belonging to the most vulnerable groups, in order to allow detailed analysis of their living conditions and the implementation of their rights.*

*48. The Committee notes that an amendment to the Act on the Integration of Immigrants and Reception of Asylum-Seekers incorporating Council Directive 2003/9/EC was adopted in June 2005 to improve the legal status of asylum-seeking children and to ensure that more attention is paid to their needs. However, the Committee is concerned that the so-called “accelerated procedure”, which applies to certain categories of asylum applications under the existing Aliens Act may have a negative impact on children.*

*49. While the Committee welcomes the considerable reduction in the time required for processing the applications of unaccompanied children, it is still concerned that the time needed for family reunification remains too long.*

*50. The Committee recommends that the State party ensure that the so-called “accelerated procedure” respects the due process and legal safeguards for asylum-seekers.*

**CRC/C/OPAC/FIN/CO/1, 40<sup>th</sup> Session**  
**21 October 2005**

*4. The Committee notes that the State party is a country of destination of asylum-seeking and migrant children coming from war-torn countries who may have been victims of traumatic experiences.*

*5. The Committee invites the State party to provide information in its next periodic report on refugee and migrant children within its jurisdiction who may have been involved in hostilities in their country of origin and on the assistance provided, if any, for their physical and psychological recovery and social reintegration. Furthermore, the State party is also invited to provide additional information on technical cooperation and financial assistance projects aimed at preventing the involvement of children in armed conflicts as well as assisting the recovery of child victims of armed conflict.*

**- End of excerpts -**

**Protection Operation and Legal Advice Section**

**Division of International Protection Services**  
**UNHCR**  
**21 November 2007**