



**Maahanmuuttovirasto
Migrationsverket
Finnish Immigration Service**



**ASYLUM, MIGRATION
AND INTEGRATION FUND**

Supported by the European Union

Information about the asylum process

Children without a guardian



Instructions for user

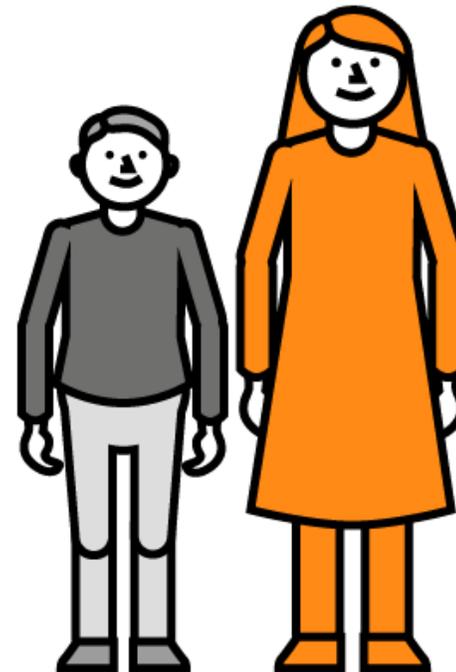
- This material is a tool for the employees of the reception centre who give information about the asylum process to the child.
- Also the representative of the child may use the material when discussing the asylum process with the child.
- You should always adapt the material for every individual child. For example the parts about Dublin process or age assessment do not concern all children.
- You should go through this material in two parts: the first part before the asylum interview and the second part after it.
- In each session you should also have enough time to answer the questions that the child may have.
- This material consists of basic information. For more detailed knowledge on different topics, visit the Finnish Immigration Service website migri.fi.

PART 1

**Who is a representative?
How is my application processed?
What is the interview?**

Representative

- In Finland children (persons below the age of 18) can not handle official matters with authorities on their own.
- That is why a District Court will assign you a representative.
- You will meet your representative at the reception centre. Your opinion will be taken into account when a representative is being chosen for you.
- The representative will take care of official matters that would usually be taken care of by your guardian.
- The duty of the representative is to make sure that your best interest is taken into account in different situations.
- The representative is not allowed to talk to outsiders about your case without your permission.
- Your representative may represent also other children.



What does a representative do?

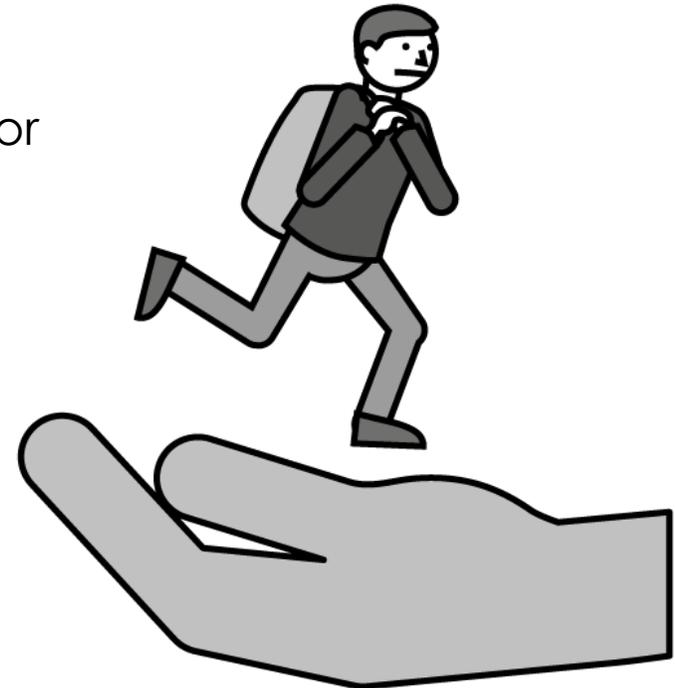
- Your representative asks your opinion on different matters and makes sure that the authorities take it into account.
- The representative will express his or her view on what is in your best interest in different situations.
- The representative informs you of your rights and obligations during the asylum process.
- The representative is present when you meet authorities, for example at the Finnish Immigration Service or at the police.
- If needed, the representative will get you a legal counsel.
- If you are under 15 years old, the representative will sign on your behalf all the contracts, applications or protocols concerning you.

What the representative does not do?

- Your representative does not take care of your everyday care and upbringing. For example the representative does not walk you to school, take you to the doctor or to hobbies. The reception centre is responsible for these.
- Your representative does not intervene in the rules and practices of the reception centre.
- Your representative will not lend you money or buy you things.
- Your representative will not organise you hobbies or other free time activities.
- You can not live together with your representative.
- Your representative will not make the decision on your application for asylum. The decision is made by the Finnish Immigration Service.

What it means to apply for asylum?

- Applying for asylum means that you are asking Finland to grant you a residence permit because you are not safe in your home country. A residence permit means that you have a permit to live in that country.
- You have submitted your application to the police or the Finnish Border Guard.
- After this your application has been referred to the Finnish Immigration Service for processing. It makes the decisions on residence permits in Finland.
- The Finnish Immigration Service will prioritize processing of applications made by unaccompanied minors.



Who does what in the asylum process?

- The Finnish Immigration Service examines your application and makes the decision on it.
- The police registers your application. They may also serve you with the decision.
- The representative assists you to co-operate with authorities. Your representative is present when you meet authorities. You can always ask your representative for advice.
- If needed, your representative can get you a legal counsel.
- **The reception centre employees can not give you detailed advise in your own asylum case.** If you have questions about your case, ask them from your representative.



How are you expected to act with authorities?

- Attend any appointments you are invited to.
- Help clarify things related to your asylum application. Speak the truth and answer the questions presented to you.
- Tell your true personal details that is your name, date and place of birth, nationality and the information on your family members.
- If you have an identity document, show it to the authorities.
- If you have documents that support your asylum claim, give them to your representative. He or she will submit them to the Finnish Immigration Service.
- Make sure that the reception centre and your representative have your phone number and let them know if your number changes. Answer the phone if someone calls you.



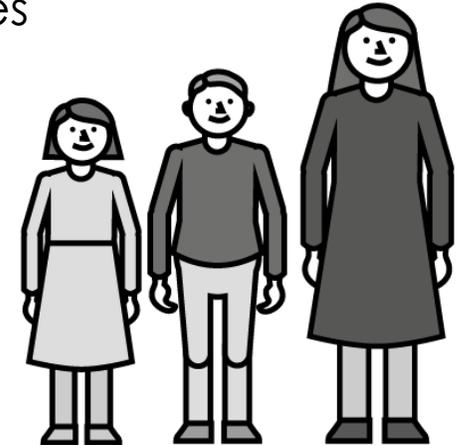
Important to know

- All adults who process your matter are bound by **the obligation of secrecy**. This means that they are not allowed to talk to outsiders about anything they hear in their work. Employees at reception centres, your representative, your legal counsel, interpreters and authorities are obliged to maintain secrecy.
- You have **the right to use an interpreter** at appointments. The interpreter will speak Finnish and a language that you understand. The interpreter may sometimes work through telephone or video connection. The interpreter may not comment on the matters interpreted. He or she will only translate what is said from one language to another.
- If you are over twelve years old, the authorities are obliged to **find out your opinion** on matters related to you.
- If you do not know **where your parents or guardians are**, the Finnish Immigration Service may try to find out where they are. It is not always possible to find them. Tell your representative if you, for some reason, do not want your parents or guardians to be contacted.



Your application may be examined in another country

- Even though you have sought asylum in Finland, your application can in some cases be processed in another country.
- Your asylum application can only be examined in one of the countries following the Dublin Regulation.
- Tell the authorities if:
 - if you have family members or relatives in another Dublin country
 - you have previously resided in another Dublin country
 - your fingerprints have been taken in another Dublin country
 - you have already sought asylum in another Dublin country.
- You may be transferred to another Dublin country on these grounds. Your asylum application is then examined in that country.
- You can not be transferred to another country if it is not in your best interest.



Countries following the Dublin Regulation are:

Austria, Belgium, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxemburg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Czech Republic, and United Kingdom.



What is the asylum interview?

- The asylum interview is the most important event in terms of your application.
- In the interview you can explain why you have sought asylum in Finland and why you can not return to your home country.
- It is important that you prepare yourself for the interview. Your representative will help you get ready for it.
- The Finnish Immigration Service will send you an invitation to the interview. Read it and the enclosed documents carefully together with your representative.



Who is present at the interview?

- Your representative will be present at the interview.
- Your legal counsel may also be present if necessary.
- Your representative or your legal counsel may not answer questions on your behalf. They may however advise you during the interview.
- You will be interviewed by a Finnish Immigration Service employee, called the interviewer (puhuttelija).
- An interpreter is present. He or she will speak a language that you understand. The interpreter may also work through telephone or video connection. Speak out at once if you do not understand the interpreter.
- If needed, a support person may join your interview. He or she can not participate in the discussions.
- **Everyone present at the interview are bound by the obligation of secrecy.** This means that they may not disclose anything they hear to outsiders.

What happens in the interview?

- You will meet your representative at the office of the Finnish Immigration Service. The interviewer will collect you and your representative from the waiting area.
- You will walk together into the interview room. There is a security camera in the room but it does not record conversations.
- First, the interviewer will tell you what happens during the interview. You are free to ask if you have any questions.
- The interviewer will ask you questions. You are also encouraged to explain your experiences freely. Tell the interviewer if you are afraid of something or someone has harmed you or treated you badly.
- The interview will be recorded. In addition the interviewer will write on a computer what is said during the interview. These notes are called the protocol. At the end of the interview it is ensured that the interviewer has written everything down correctly. The protocol is printed and signed and a copy of it will be given to your representative.

What is asked in the interview?

- Your personal details: name, date of birth, place of birth, nationality, information on your family members
 - What was your life like in your home country?
 - How have you come to Finland, what was your travel route?
 - Why have you left your home country?
 - Why you can not return to your home county?
- In addition all asylum seekers will be asked how they would feel about being removed from the country or being prohibited to enter, if they will receive a negative decision.
This does not mean that your decision will be negative. The law requires that this question will be asked from all applicants.

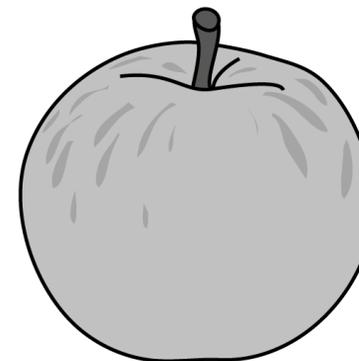


What is expected from you?

- Speak the truth.
- Explain things in as much detail as you can.
- If you do not know or can not remember something, tell that you can not remember or know. Do not invent answers.
- It may be hard for you to discuss some things but it is very important that you tell them. They may be very important for the decision.
- Answer the questions presented to you.
- You are always free to ask if you do not understand something, what is asked or expected from you.

Practical guidance for the interview

- The reception centre will make sure that you have a packed lunch or money for lunch with you.
- Bring any medication you need during the day with you.
- Try to rest well before the interview and eat breakfast in the morning.
- The reception centre will make sure that you get to your interview. When you enter the premises you may have to go through a security inspection.
- There will be breaks during the interview. You may ask for a break any time you wish.



PART 2

**Waiting for the decision
What type of decision can I get?**

What happens after the interview?

- You may read through your protocol together with your representative.
- if you forgot to mention something important during the interview, your representative may submit additional information to the Finnish Immigration Service.
- In the interview you will be given an estimated date when you will receive your decision. Wait patiently.
- It will take six months at the most to process your application. If it can not be decided within six months, the Finnish Immigration Service will notify your representative and give him or her an estimate of when the decision will be made.



Age examination

- If you do not have a passport or some other official identity document that proves your age, it is often necessary to determine your age more precisely for example with the help of age examination.
- Age examination is carried out only if the Finnish Immigration Service considers it to be necessary.
- You and your representative will be asked for your consent to the examination. If you refuse the examination without an acceptable reason, you will be treated as an adult.
- The examination is carried out at a doctor's office. Your representative may be present.
- During the examination, a doctor will interview you and take an X-ray of your teeth and wrist. The examination does not last long and it does not hurt.
- Specialists will then give an assessment of your age.
- If you are assessed to be a minor, nothing changes.
- If you are assessed to be an adult, you will be treated as an adult asylum seeker and you will move to a reception centre intended for adults. Also the assignment of your representative will end.

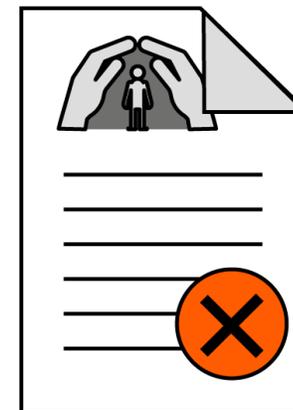
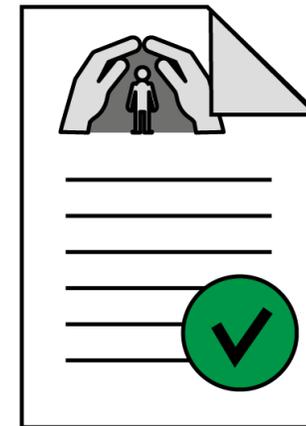
Language test

- The purpose of the language analysis is to verify that you come from the region you say you come from.
- In the test your speech is recorded for fifteen minutes.
- After this an expert will listen and analyse your speech and make an estimate on where you come from.
- The language test may be arranged together with your asylum interview or as a separate appointment.



What type of decision can I get?

- You can get a positive or a negative decision on your asylum application.
- Positive decision means that you are granted a residence permit and you can stay in Finland.
- Negative decision means that you are not granted a residence permit and that you must return to your home country.
- You have the right to appeal against the decision to an Administrative Court. The court will investigate how the Finnish Immigration Service has examined your case and if there is need for reprocessing.

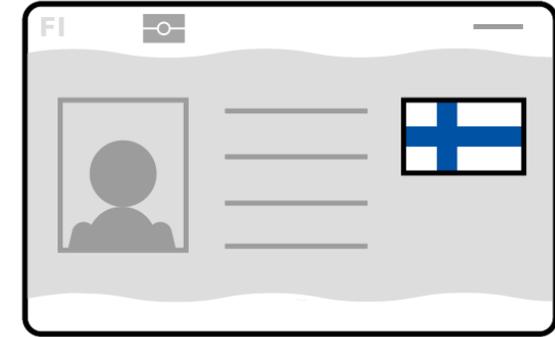


Positive decision



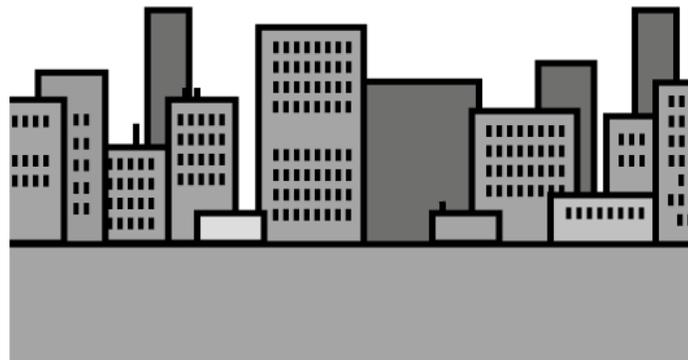
Important to know

- You will receive **a residence permit card** together with the decision. Do not lose the card. The card is proof of your right to reside in Finland.
- You will continue with the same representative, if it is possible. **The representative** will assist you until you turn 18 years. Your representative will help you with official matters.
- You will automatically get a **personal identity code**. It is a series of numbers consisting of your date of birth and some other numbers. You will need your personal identity code often, for example when dealing with different authorities.
- By law you need to have a valid **travel document**. You can apply for it from the Finnish Immigration Service. The representative will help you with the application.
- You have **the right to appeal** against the decision of the Finnish Immigration Service to an Administrative Court. Ask for more information from your representative .



Moving to a municipality

- When you get a positive decision, you will move to a municipality.
- You, your representative and an employee of your reception centre will together discuss, what would be the most suitable place for you to live after moving out from the reception centre. Your wishes are taken into account in the decision making.
- In the municipality you will meet new authorities. Your representative will be present in meetings with authorities and he or she will help you take care of your own matters.



Family reunification

- After you have received a residence permit, your family member may apply for a residence permit in Finland based on family ties.
- Your representative will advise you on family reunification.
- By law you must be able to provide for your family. This condition does not apply to you if you have been granted asylum and the application is submitted within three months of you receiving the decision.
- Your guardians are your family members.
- In some cases also other family members may apply for a residence permit. Other family members are for example your minor siblings.
- You can not submit the application on behalf of your family members. They are required to personally submit the application to a Finnish embassy.
- There is a fee for the application.

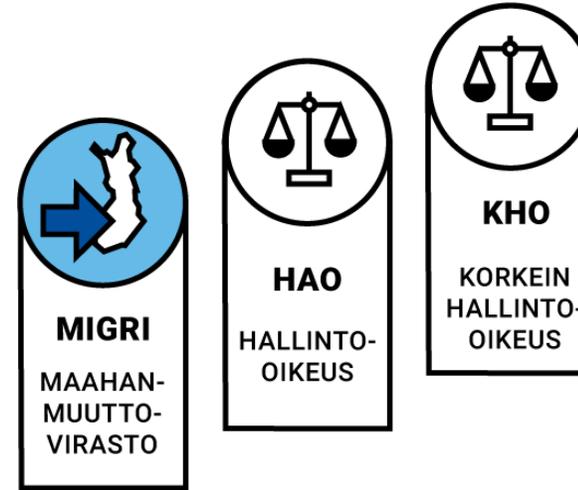


Negative decision



Appeal

- You have the right to appeal against the decision of the Finnish Immigration Service.
- Your legal counsel will draw up the appeal together with you and your representative.
- An appeal against the decision is always made to the Administrative Court first. If it rejects your appeal you may apply to the Supreme Administrative Court for leave to appeal. The Court will not accept all appeals for hearing.
- The Administrative Court and the Supreme Administrative Court may
 - overturn the decision
 - return the case to the Finnish Immigration Service for reprocessing
 - order the Finnish Immigration Service to issue a residence permit
 - reject the appeal.
- If the Supreme Administrative Court rejects your appeal the decision issued by the Administrative Court remains final.
- **You have the right to stay in Finland while your appeal is pending.**



Leaving the country

- If the final decision is negative, you must return to your home country.
- You may be returned only if it is certain that you will be safe and there will be someone to take care of you in your home country.
- This means that your guardian or another family member will receive you.
- You may also return voluntarily. Your representative must agree on your return.
- The return trip is organised for you and you will travel with an escort.





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ONE Project Jan / 2020

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