

INFORMATION FOR ASYLUM SEEKERS

DEAR ASYLUM SEEKER

You have applied for international protection in Finland, which means asylum or residence permit on the basis of subsidiary protection. You may be granted international protection if you are in need of protection on the basis of serious human rights violations towards you in your home country or because you cannot return to your home country due to the prevailing security situation.

If you have other grounds for obtaining a residence permit, submit a separate residence permit application. Other possible grounds include, for example, family ties, work and studies. The Finnish Immigration Service decides your residence permit application together with your asylum application, unless this causes harmful delay.

This brochure provides general information on the processing of your application and on your rights and obligations.

GOOD TO KNOW

The authorities, interpreters and your counsel are bound by professional secrecy. For reasons of safety, the information concerning an individual's asylum matter is kept confidential. Therefore, the authorities will not, for example, contact the embassy or consulate of your country of residence in Finland or the authorities of your home country.

During the investigation, you are entitled to use an interpreter provided by the authorities. If you have a counsel, ask him or her to notify the Finnish Immigration Service as soon as possible that you are his or her client. If you wish for a counsel to be present at your asylum interview, you usually need to pay for this yourself. The presence of a counsel at the asylum interview is part of your legal aid only if you are a minor without a parent or guardian in Finland or if there are exceptionally weighty reasons for the counsel to be present. If you wish, you may contact the Non-Discrimination Ombudsman. Unaccompanied minor asylum seekers will be appointed a representative to watch over their interests. You and your counsel or representative have the right to access such documents that can influence or can have influenced the processing of your matter.

APPLYING FOR ASYLUM



1. You may seek asylum if you have a well-founded fear of being persecuted in your home country.



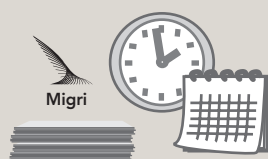
2. You must travel to Finland if you want to apply for asylum in Finland. You cannot seek asylum abroad.



3. When you arrive in Finland, tell the border control authorities or the police as soon as possible that you want to seek asylum.



4. The authority that receives your asylum application registers your basic details, takes your fingerprints and checks the necessary registers.



5. Your application is placed in a queue at the Finnish Immigration Service (Migri).



6. You are placed in a reception centre where you will live and wait for your asylum interview.



7. Your application will not be processed in Finland if you already have the right of residence in another safe country or if another country is responsible for examining your application under the EU Dublin Regulation.

We will contact you

The Finnish Immigration Service will invite you to clarify the grounds for your application without you having to contact the agency.

If you must contact us, please remember to mention your customer number.

Submit your travel documents, identity documents and all other supporting documents in your possession to the Finnish Immigration Service as soon as possible after you have submitted your application. If you have a doctor's certificate of health that you believe is relevant to the processing of your asylum matter, submit the certificate to the Finnish Immigration Service.

If you have been asked to provide further clarifications, submit the requested documents to the Finnish Immigration Service as soon as possible after you have received the request for supplementary information. Remember to submit the documents within the given time limit.

For security reasons, we cannot give any information concerning your application over the phone, because we cannot be sure about the caller's identity. We can only give general advice on asylum matters over the phone.

The Finnish Immigration Service cannot reply to inquiries about the processing stage of your matter if your matter is being processed elsewhere, for instance if you have appealed against the decision of the Finnish Immigration Service.

Make sure your contact details are up-to-date

During the processing of your application you may move freely in Finland. You must give your up-to-date contact information to the reception centre or the Finnish Immigration Service. You may be obliged to report to the authorities and to inform them of where you can be reached. If you do not report to the authorities or the reception centre, your application can be dismissed, because you are considered to have abandoned your application.

If you wish to withdraw your application, you need to notify the director (or deputy director) of your reception centre, the Finnish Immigration Service, the border control authority or the police in writing. After the withdrawal, the Finnish Immigration Service makes a decision on expiry for your application and you can then be refused entry to Finland.

You can apply for assisted voluntary return at your reception centre. If you want to return to a country other than your home country, you must present proof of your right of residence in that country.



8. The Finnish Immigration Service will let you know as soon as possible when your asylum interview will be held. You do not need to contact the authorities and ask when your asylum interview will be held.



8. At the asylum investigation, the Finnish Immigration Service first establishes your identity and travel route and decides whether your application can be processed in Finland.



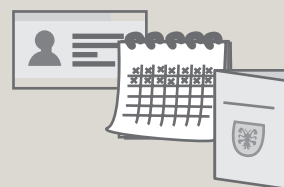
10. At the asylum interview you must tell about your reasons for seeking asylum in as much detail as possible. Bring all evidence with you that prove that you are telling the truth.



11. The Finnish Immigration Service examines whether you can be granted international protection or a residence permit on other grounds.



12. The Finnish Immigration Service or the police will let you know when a decision has been made.



13. If you are granted international protection, you will receive a residence permit card. After that, you can apply for a refugee travel document or an alien's passport.



14. If you receive a negative decision on your application, you can appeal against the decision to an administrative court.

Employment

As an asylum seeker, you are allowed to have gainful employment in Finland without a residence permit if you have stayed in the country for three months after submitting your asylum application and you have a valid travel document that entitles you to cross the border. If not, you are allowed to have gainful employment in Finland once you have stayed in the country for six months after submitting your asylum application.

ASYLUM INVESTIGATION

During the initial stage of the investigation, the authorities will establish your personal data and your travel route as well as the information needed to determine whether your application will be examined or not. You have an obligation to appear before the authorities at their request. If you fail to appear without giving a reason for this, you may receive a negative decision.

You have an obligation to contribute to the investigation of your matter. You must answer all questions and tell about the circumstances affecting the matter truthfully. Giving false information on your identity to the authorities is a punishable act.

You will have your photograph and fingerprints taken, and other personal descriptions that may assist identification will be recorded. In addition, each of your fingers will be fingerprinted and the prints will be recorded on the residence permit card you may receive later as proof of your right of residence in Finland.

To complete your asylum application, a photograph that meets the requirements for passport photos must be attached to your application. Take your photo with you to your asylum interview. If you do not provide your photograph, the processing of your application will be delayed.

You will also be requested to provide the personal details of your family members and other relatives. This information should also be accurate. The information will be of relevance later if you are granted permission to stay in Finland and you wish to bring your family here.

The reasons why you are applying for asylum are established at the actual asylum interview. You will be asked, for example, why you cannot return to your home country, what you fear will happen to you there and whether you have fallen victim to persecution, inhuman treatment or violation of rights, how this has manifested itself and whether you have any evidence. A transcript will be drawn up of the interview, a copy of which will be given to you.

During the asylum interview, you may ask to be registered in the Finnish Population Information System in order to receive a personal identity code at the same



15. If you are allowed to stay in Finland, you will be placed in a municipality. This means that you will have a place to live in a municipality as soon as a municipality can receive you.



migri.fi/return

16. If you are not allowed to stay in Finland, you can apply for assisted voluntary return. You may get assistance for returning home through the system of assisted voluntary return.

time as you are issued with a residence permit. If you are not granted a residence permit, your details will not be entered in the Population Information System and you will not be given a personal identity code. You can ask to be registered by filling in a request form that you can bring with you to the asylum interview. You can find the form on our website at www.migri.fi. Your reception centre can give you more information on how to request registration.

It is important that you state all the reasons why you are applying for international protection during your interview. Be prepared to tell about the reasons on your own initiative in case you are not asked about them. Listen carefully to the instructions given to you by the interviewer and do not hesitate to ask if there is something you do not understand. The asylum interview can take several hours. If necessary, the interview can continue another day.

DECISION-MAKING AT THE FINNISH IMMIGRATION SERVICE

After the asylum investigation, the Finnish Immigration Service will continue processing your application on the basis of written evidence. During the process, you may supplement your application with further information in writing until your application is decided.

You will be given an estimate of the expected processing time at the asylum interview. This is only an estimate, and the processing time for an individual asylum matter may be either longer or shorter depending on, for example, additional documents that are submitted. If there are reasons to expedite the processing of your matter, you should submit them to us in writing. Contacting us by phone does not speed up the processing of your application. More information

on expected processing times can be found on our website at www.migri.fi.

If a decision is not issued within six months after you have submitted your application, the Finnish Immigration Service will inform you of the delay. After that, you may send us a written inquiry about the reason for the delay and the current expected processing time.

The Finnish Immigration Service issues decisions on asylum applications in the order in which they arrive and as soon as they are ready to be decided. However, applications are processed more quickly in special cases, for example, those involving families with children and unaccompanied minors. You should not compare your processing time with the processing time for other applicants, because the processing time varies depending on the amount of investigation needed for the application.

The Finnish Immigration Service makes a decision on your application based on all the information received on your matter. The decision is based on information you have given and any further information that you have presented yourself or the authorities have obtained. If needed, you will be given the opportunity to express your opinion on the information obtained by the authorities. Information obtained about your country of residence and its human rights conditions have a significant effect on the decision.

During the processing of your asylum application, an investigation will also be carried out to decide whether you can be granted a residence permit on compassionate grounds or because you cannot be removed from the country or because you are a victim of human trafficking.

When a decision on your application has been made, the Finnish Immigration Service or the police will serve the decision on you, employing the services of an interpreter if necessary. The authorities will contact you regarding the service of the decision. You do not need to contact the authorities.

POSITIVE DECISION

You may stay in Finland if you are granted international protection or a residence permit on other grounds.

You are granted asylum if you have a well-founded fear of being persecuted in your home country for reasons of ethnic origin, religion, nationality, membership in a particular social group or political opinion. If you are granted asylum, you will have refugee status in Finland.

If asylum is not granted, you may still be granted a residence permit on the basis of subsidiary protection if:

- you are under the threat of the death penalty or execution in your home country

- you are under the threat of torture or other inhuman or degrading treatment or punishment
- you are unable to return safely to your country of residence due to an armed conflict.

In that case, you are granted subsidiary protection status in Finland.

If you are granted a residence permit in Finland, you will be issued with a residence permit card. The card is valid for as long as your residence permit is valid. Your facial photo, personal data, fingerprints and other data will be recorded on the card's chip. If you are granted asylum, you can apply for a refugee travel document. If you are issued with a residence permit on the basis of subsidiary protection, you can apply for an alien's passport.

NEGATIVE DECISION

Your application is rejected if you are not in need of international protection and you cannot be issued with a residence permit in Finland. At the same time, a decision on refusal of entry or deportation is usually made. Normally, you are given a time limit for voluntary return. You should leave Finland within the given time limit. If no time limit for voluntary return is given or you do not leave Finland within the given time limit, the authorities may order a prohibition of entry, which can be valid in all Schengen countries.

If your application is rejected, it can be considered manifestly unfounded if, for example, no serious violations of human rights have been presented as grounds for your application, you have abused the asylum procedure or you have arrived from a safe country of origin. In that case, you are not given a time limit for voluntary return, and a prohibition of entry can be ordered. If your application is considered manifestly unfounded, you can be refused entry into Finland and sent back after seven days from the service of the decision.

You can receive assistance for voluntary return from your reception centre.

YOUR APPLICATION IS NOT EXAMINED

Your application may not always be examined. In that case, no positive or negative decision will be made on your application.

You do not have the right to choose which country examines your application for asylum. The EU countries* and Iceland, Liechtenstein, Norway and Switzerland have an agreement on which country is responsible for examining asylum applications.

Your asylum application that you have submitted in Finland may be transferred to another country

for processing if another country is responsible for examining it. A certain country can be responsible for examining your application, if:

- you have family members in the country
- the country has issued you with a residence permit or a visa
- you have come to Finland via that country or
- you have already previously applied for asylum in that country.

In that case, the Finnish Immigration Service will not examine your application but will send you to the country responsible for examining your application.

Your application is dismissed also if:

- you have received international protection from another safe country
- you have arrived from another safe country where you could have received international protection.

If your application is not examined, you will not be invited to an asylum interview at the Finnish Immigration Service. You can tell the authorities about the reasons why you believe your application should be examined in Finland.

If your application is dismissed, no time limit will be given for voluntary return. Normally, a prohibition of entry will also be ordered. In some cases, you can be refused entry into Finland and sent back before your appeal has been processed. The day when the decision on refusal of entry may be enforced is mentioned in the decision.

*) In addition to Finland, the member states of the European Union include Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, France, Germany, Great Britain, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain and Sweden.

DISSATISFIED WITH THE DECISION OF THE FINNISH IMMIGRATION SERVICE?

If you are dissatisfied with the Finnish Immigration Service's decision on your asylum application, you may appeal against the decision to the Administrative Court.

A further appeal against the decision of the Administrative Court may be lodged to the Supreme Administrative Court, if the Supreme Administrative Court grants leave to appeal.

If you can be refused entry into Finland and sent back before your appeal is decided, you can apply to the administrative court for a prohibition of enforcement of the decision on refusal of entry. The day when the decision on refusal of entry may be enforced, and when the police can remove you from the country, is mentioned in the decision.

Administrative Court has to be made within 21 days and the leave to appeal to the Supreme Administrative Court within 14 days from the date that you are informed of your decision. An application for prohibition of enforcement must be submitted within 7 days.

The instructions on how to appeal are attached to the decision. If you want to appeal against the decision, it is recommended that you seek legal advice. Legal aid is provided by legal aid offices, as well as other law firms and lawyers. Your reception centre can give you advice and assist you in obtaining legal aid.

SUBSEQUENT APPLICATION

A subsequent application means an application filed shortly after the final decision has been made on your previous application.

If you file a subsequent application and your situation has not changed in any way since your earlier decision, your application will not be examined. If you file a second subsequent application, you may not stay in Finland during the processing of the application.

If a decision on your previous application is being dealt with in the administrative court, you cannot file a new application. If you have new information, it must be submitted to the court, so that it can consider it in your appeal. If you cancel your appeal and make a subsequent application, this does not prevent you from being refused entry based on the previous decision.

If the time limit for appealing against the decision of the Finnish Immigration Service has not yet expired, you should appeal against the decision instead of submitting a new application.

RECEPTION SERVICES

If you cannot afford to support yourself, you can live in a reception centre and receive a reception allowance. If necessary, the reception centre can arrange health services for you. You must participate in the work and study activities arranged by the reception centre unless you have a good reason to refuse. Children are entitled to attend school free of charge. When you live in a reception centre, you must follow the rules of the reception centre. You can get more information on reception services from your reception centre.

CONTACT INFORMATION

Finnish Immigration Service

PO Box 18, FI-00581 Helsinki, Finland
tel. 0295 419 600
Service number in this matter: 0295 419 627,
Tues.–Thurs. 10.00–11.00

Office of the Non-Discrimination Ombudsman

PO Box 24
FI-00023 Government
Customer service number: 0295 666 817
www.syrjinta.fi

Centre for Torture Survivors in Finland

Helsinki Deaconess Institute

Mäkelänkatu 58–60
FI-00510 Helsinki
tel. (09) 7750 4584
www.hdl.fi

Finnish Association for Mental Health

SOS Crisis Centre

Maistraatinportti 4 A, 4th floor
00240 Helsinki
tel. (09) 4135 0510
www.mielenterveysseura.fi

Nearest Regional Office of the UN High Commissioner for Refugees

UNHCR

Ynglingagatan 14, 6th floor
S-113 47 Stockholm
Sweden
tel. +46 8 457 48 80
www.unhcr.org

Occupational safety and health authorities

See contact details at www.tyosuojelu.fi