

FINLAND

SUBMISSION TO THE UN COMMITTEE AGAINST
TORTURE
FOLLOW-UP REVIEW



CONTENTS

1.	INTRODUCTION	3
2.	ASYLUM AND NON-REFOULMENT (PARA 19A)	3
2.1	Non-refoulement and access to fair asylum process	3
2.2	Border policies	5
2.3	Recommendations	6
3.	HATE SPEECH AND HATE CRIMES (PARA 39A)	6

This submission has been prepared by Amnesty International in advance of the consideration by the UN Committee against Torture (the Committee) of Finland's follow-up report relating to the 2024 concluding observations concerning asylum and non-refoulement (para 19A) and hate crimes (para 39A).

1. INTRODUCTION

This submission has been prepared by Amnesty International in advance of the consideration by the UN Committee against Torture (the Committee) of Finland's follow-up report¹ relating to the 2024 concluding observations concerning asylum and non-refoulement (para 19A) and hate crimes (para 39A).²

2. ASYLUM AND NON-REFOULEMENT (PARA 19A)

2.1 NON-REFOULEMENT AND ACCESS TO FAIR ASYLUM PROCESS

The legislative changes to the Aliens Act from 2016 continue to place asylum seekers at risk of human rights violations such as refoulement.³ Finland has not amended its legislation and practice in accordance with the pertinent recommendations made to it by the Committee in its Concluding Observations from 2017 and 2024. On the contrary, Finland has since introduced several legislative amendments rolling back existing protections in migration and asylum policies. These included changes to make international protection temporary⁴, introduce a new border procedure allowing for applications for international protection to be processed in an accelerated procedure near the border which may have a negative impact on access to international protection⁵ and prevent asylum seekers from applying for residence permits on grounds other than asylum, such as a work or a study based permit.⁶ The amendments were introduced hastily and there was no assessment of their combined impact on the rights of asylum seekers, refugees and migrants.⁷

Amnesty International continues to be concerned about the impacts of the legislative amendments the current government has introduced since 2024 that aim to "efficiently" enforce forced returns and tighten the conditions for submitting subsequent applications even further.⁸ In general, the government's objective is to "tighten asylum policy".⁹ This approach puts the rights of asylum seekers at further risk, including at an increased risk of refoulement if their applications for international protection are not adequately assessed.

The Finnish asylum procedure does not provide adequate guarantees to ensure that no individual is returned to another country in contravention of the principle of non-refoulement. The Committee concluded in two decisions in 2023 that the return of the complainants would constitute a breach of Article 3 of the Convention against Torture.¹⁰ The Finnish Refugee Advice Centre has brought 20 cases to

¹ Information received from Finland on follow-up to the concluding observations on its eighth periodic report, 15 May 2025, CAT/C/FIN/FCO/8, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FFIN%2FFCO%2F8&Lang=en

² UN Committee against Torture, Concluding observations on the eighth periodic report of Finland, 3 June 2024, CAT/C/FIN/CO/8, <https://www.ohchr.org/en/documents/concluding-observations/catcfino8-concluding-observations-eighth-periodic-report-finland>.

³ More information about the changes made to the Alien's Act in 2016 can be found in our submission to this Committee in 2019, <https://www.amnesty.org/en/documents/eur20/0560/2019/en/>.

⁴ Kansainvälinen suojelu muutetaan väliaikaiseksi – turvallisuus huomioidaan entistä paremmin, Press release, Ministry of the Interior, 21 November 2024, <https://intermin.fi/-/kansainvalinen-suojelu-muutetaan-valiaikaiseksi-turvallisuus-huomioidaan-entista-paremmiin>

⁵ Suomessa otetaan käyttöön rajamenettely – turvapaikkahakemukset voidaan käsitellä rajan läheisyydessä, Press release, Ministry of the Interior, 27 June 2024, <https://intermin.fi/-/suomessa-otetaan-kayttoon-rajamenettely-turvapaikkahakemukset-voidaan-kasitella-ajan-laheisyysdessa>

⁶ Maahantulosäännösten kiertämistä estävät lakimuutokset voimaan 1.9., Press release, Ministry of the Interior, 4 July 2024 <https://intermin.fi/-/maahantulosaanntosten-kiertamista-estavat-lakimuutokset-voimaan-1-9>

⁷ Decision of Chancellor of Justice, OKV/608/10/2024, 14 March 2024, https://oikeuskansleri.fi/documents/1428954/196899305/julkaistu_ratkaisu_sisaministerion_lainvalmistelussa_liian_lyhyita_lausuntoaikoja_OKV_608_10_2024.pdf/8915e099-f600-3843-b4b3-fc0b32bd61cd/julkaistu_ratkaisu_sisaministerion_lainvalmistelussa_liian_lyhyita_lausuntoaikoja_OKV_608_10_2024.pdf?t=1710747339509

⁸ Finnish Government, A Strong and Committed Finland: Programme of Prime Minister Petteri Orpo's Government (Government Programme), 20 June 2023, <http://urn.fi/URN:ISBN:978-952-383-818-5>, section 10.3., New project aims to develop regulation on denial of admittance or stay and deportation, Press release, Ministry of the Interior, 31 October 2024, https://intermin.fi/-/kaannyttamiseen-ja-karkottamiseen-liittyvaa-saantelya-kehitetaan?languageid=en_US

⁹ Government Programme, 10.3.

¹⁰ UN Committee against Torture, Decision adopted by the Committee under article 22 of the Convention, concerning communication No. 1044/2020, adopted by the Committee at its seventy-sixth session (17 April – 12 May 2023, CAT/C/76/D/1044/2020; Decision adopted by the Committee under article 22 of the Convention, concerning Communication No. 1052/2021, adopted by the Committee at its seventy-eighth session (30 October–24 November 2023) CAT/C/78/D/1052/2021.

the Committee since 2009.¹¹ In five of these cases, the Committee found that the Finnish authorities failed to identify a risk of torture, violating the principle of non-refoulement. In the other cases, the proceedings before the Committee have been or are being concluded because the Finnish authorities have granted the complainant the right to reside in the country, usually recognizing their right to asylum, while the appeal was pending before the Committee.¹² This suggests the inadequacy of safeguards against refoulement as, in some instances, it has been necessary to turn to supranational entities to prevent refoulement. The ability to resort to supranational entities depends highly on the expertise and resources of individual lawyers.¹³

The stringent criteria to appeal to the Supreme Administrative Court¹⁴, the lack of the right to choose one's legal adviser in the first instance, the high threshold for assessing subsequent asylum applications¹⁵ and the lack of suspensive effect as regards deportation while the first subsequent application is pending, introduced by Prime Minister Juha Sipilä's government term in 2016-2019, still remain. These restrictions continue to violate asylum seekers' right to a fair asylum procedure and to an effective remedy and the risk of forcible returns in violation of the principle of non-refoulement remains.¹⁶

Asylum seekers can only seek legal aid from the Public Legal Aid Offices in the first instance. The Public Legal Aid Offices decide whether the applicant requires legal aid and whether a Public Legal Aid Attorney will provide counsel or whether the applicant is referred to a private lawyer. In the appeal stage, one can choose their counsel and refer to an NGO or a law firm specialized in asylum law.

Moreover, the government has said it will examine the possibility of limiting appeals against deportation to the first instance court, meaning further appeals to the Supreme Administrative Court would not be possible.¹⁷ If these plans are implemented, this would mean that the final legal guarantee at the national level would be omitted. The government also plans to accelerate deportations and expulsions at the appeal stage where enforcement is not prohibited by a court decision.¹⁸

Despite the Committee's recommendations from 2024 to ensure that restrictions on the right to introduce new information in subsequent asylum applications do not lead to a violation of the principle of non-refoulement, the government still plans to further tighten the conditions for submitting subsequent applications¹⁹ further increasing the risk of refoulement. In April 2024, the Non-Discrimination Ombudsman reported that a significant percentage of subsequent applications receive favourable decisions and around one third of positive decisions concern cases where the asylum seeker had first received a negative decision and after submitting a subsequent application on the same or partly the same grounds, they received a positive decision. The later positive decision was also sometimes due to identifying a vulnerability that existed but was not previously identified.²⁰

¹¹ Laura Tarvainen (ed), Marjaana Laine, Mia Leisti, Matti Rautakorpi, Hedayat Selim and Jenny Skrifvars, *Haavoittuva asema turvapaikkaprosessissa* [A vulnerable position in the asylum procedure], 2022, Pakolaisneuvonta, https://www.pakolaisneuvonta.fi/wp-content/uploads/Haavoittuva_asema_turvapaikkaprosessissa.pdf, p.14. Information received also directly from the Refugee Advice Centre, an NGO assisting asylum seekers.

¹² Pakolaisneuvonta, *YK:n kidutuksenvastainen komitea: Suomen viranomaiset olisivat rikkoneet palautuskieltoa* [The UN Committee against Torture: The Finnish authorities would have violated the principle of non-refoulement], 13 December 2023, <https://www.pakolaisneuvonta.fi/ykn-kidutuksen-vastainen-komitea-suomen-viranomaiset-olisivat-rikkoneet-palautuskieltoa-2/>.

¹³ Laura Tarvainen (ed), Marjaana Laine, Mia Leisti, Matti Rautakorpi, Hedayat Selim and Jenny Skrifvars, *Haavoittuva asema turvapaikkaprosessissa* [A vulnerable position in the asylum procedure], 2022, Pakolaisneuvonta, https://www.pakolaisneuvonta.fi/wp-content/uploads/Haavoittuva_asema_turvapaikkaprosessissa.pdf, p.49.

¹⁴ Previously, the Court could consider appeals if there was a "weighty reason" for giving the leave. This was changed to "particularly serious grounds", thus adding a very strict qualifier for appeals.

¹⁵ The legislation involves a limit of "well-founded grounds" for not having previously presented the arguments for asylum in order for the subsequent application to be taken into consideration by authorities.

¹⁶ Finland: Time to Address Remaining Gaps in Human Rights Protection: Amnesty International Submission for the 41st Session of the UPR Working Group, 7 –

18 November 2022, March 2022, <https://www.amnesty.org/en/documents/eur20/5402/2022/en/>

¹⁷ Government programme, section 10.3

¹⁸ Government programme, section 10.3.

¹⁹ Government program, section 10.3.

²⁰ The Non-Discrimination Ombudsman report, press release, 24.4.2024: [The Non-Discrimination Ombudsman's Report: Subsequent applications are a key factor in safeguarding basic rights and liberties in the asylum process](#) | Non-Discrimination Ombudsman

violations of the principle of non-refoulement. The law does not allow appealing the decisions by border guards and is therefore lacking effective legal remedies.

The “emergency law” was adopted by the parliament in July 2024 to be in effect for one year. In June 2025, the parliament extended the validity of the law until the end of 2026.³¹ To this day, the law has not been activated by the government. Amnesty International³² along with the UNHCR³³ and the Council of Europe Commissioner for Human rights³⁴ have expressed concern over Finland’s response to the alleged “instrumentalization” of migrants and refugees by Russia and the risk of refoulement it presents.

2.3 RECOMMENDATIONS

Amnesty International recommends that Finland:

- Retract all measures that restrict the right to asylum, including the “emergency law”, and respect the principle of non-refoulement at all times. Ensure access to territory and to a fair and effective asylum procedure as well as the right to non-discrimination.
- Ensure that all asylum seekers can choose their legal counsel during all stages of the proceedings, including subsequent applications.
- Ensure that the applications for international protection are duly assessed, and that the specific needs of people, especially those who may have specific vulnerabilities, are recognised early on in the asylum process.
- Take urgent measures to comply with the Committee’s existing recommendations.

3. HATE SPEECH AND HATE CRIMES (PARA 39A)

The government’s measures to combat hate speech and hate crimes remain inadequate. The activities lack overall coordination, and limited government projects exist to address these issues. A permanent national coordination structure and a whole-of-government action plan to combat hate speech and hate crimes, as well as a comprehensive data collection system to record and analyze hate incidents, are lacking.³⁵

According to an annual report published by the Police University College in 2024, the number of suspected hate crimes continued to increase. In 2023, the police recorded a total of 1,606 offenses classified as suspected hate crimes which was the highest number in recorded history. The number increased in all motive groups, the most common motive being the victim’s ethnic or national

³¹ The Government proposal to extend the Law on temporary Measures to Combat Instrumentalised Migration, 27 March 2025 (the original text in Finnish): https://www.eduskunta.fi/FI/vaski/HallituksenEsitys/Sivut/HE_18+2025.aspx ; Adopted by the parliament on 4 June 2025: https://www.eduskunta.fi/FI/vaski/EduskunnanVastaus/Sivut/EV_59+2025.aspx .

³² Amnesty International press release, 10 June 2024: Finland: Emergency law on migration is a “green light for violence and pushbacks at the border” - [Amnesty International](#)

³³ UNHCR press release on 27 March 2024: [Finland should not violate international agreements by restricting the rights of people in need of protection | UNHCR Europe](#)

³⁴ Council of Europe Commissioner for Human Rights visit to Finland on 23 - 26 September 2024: [Observations on the Human Rights Situation of People and letter to Finnish Minister for Interior on 4 December 2023: Letter to the Minister of Interior of Finland concerning the human rights of refugees, asylum seekers and migrants](#)

³⁵ See for example: UN Committee against Torture 2024, Concluding observations on the eighth periodic report of Finland, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FFIN%2FCO%2F8&Lang=en; UN Human Rights Committee 2024, Report on follow-up to the concluding observations of the Human Rights Committee, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2F140%2F2%2FAdd.1&Lang=en; Senta, Cvijeta, Knezić, Dragana, Sillfors, Pauliina, Costa Sa, Maria Elena, Ng’oma, Nedson & O’Curry 2024, Shane, Mapping of the Needs of Hate Crime Victims in Croatia, Finland and Ireland, Publications of the Ministry of Justice, Reports and guidelines 2024:18, https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/165783/OM_2024_18_SO.pdf; Aaltonen, Milla & Al Omair, Nada 2023, Centre of Excellence for Work against Hate Crimes and Discrimination – Concept report. Publications of the Ministry of Justice, Reports and guidelines 2023:13, https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/164808/OM_2023_14_SO.pdf?sequence=1; Saresma, Tuija, Pöytäri, Reeta, Knuutila, Aleks, Kosonen, Heidi, Juutinen, Marko, Haara, Paula, Tulonen, Urho, Nikunen, Kaarina, Rauta, Jenita 2022, Verkkoviha : Vihapuheen tuottajien ja levittäjien verkostot, toimintamuodot ja motiivit (Abstract in English), Valtioneuvoston selvitys- ja tutkimustoiminnan julkaisusarja 2022:48, <https://julkaisut.valtioneuvosto.fi/handle/10024/164244>; European Commission against Racism and Intolerance (ECRI) 2019, Report on Finland (Fifth monitoring cycle), CRI (2019)38, <https://rm.coe.int/fifth-report-on-finland/1680972fa7>, para. 44–45.

background. A significant number of hate crimes related to religious background, sexual orientation, gender identity, gender expression and disability were also reported.³⁶

According to Finland's follow-up report, the police have developed their online crime reporting system and have an Internet tip system where people can anonymously report online hate crime.³⁷ However, the issue of under-reporting hate incidents remains a significant problem.³⁸ A 2023 report by Anti-Racist Forum, an NGO, noted that hate incidents reported through their online tool were rarely reported to the authorities. Around 60% of respondents did not report the incident. Reasons for not reporting included not knowing who to report to, not trusting the process of reporting, being unsure of the impact of the reporting and the respondent not knowing they could report or where and how to report.³⁹

In March 2024, 33 NGOs including Amnesty International criticized the government for taking numerous measures, including in its migration, social and health policies, which deepened structural racism and discrimination.⁴⁰ The government's action plan to combat racism and promote equality, published in September 2024, did not include legislative measures to combat racism, hate speech and hate crimes.⁴¹

Discrimination and bias-motivated violence against LGBTI persons remain common. In 2024, 60% of Pride organizers that responded to an NGO questionnaire reported experiencing some sort of harassment or violence.⁴²

Under-reporting of hate-motivated violence and discrimination against LGBTI persons remains a problem. According to an EU-wide survey published by the European Union Agency for Fundamental Rights in 2024, only 18% of respondents in Finland had reported to the police physical or sexual attacks they had experienced, and only 11% had reported their discrimination experiences to an equality body or another organisation in Finland.⁴³

Recommendations

Amnesty International recommends that Finland:

- Establish a permanent body to coordinate and develop national efforts to combat hate speech and hate crimes.
- Ensure that hate crimes are effectively investigated and those perpetrating them are held accountable, including by making it mandatory for police to include a separate classification for whether a reported offence is a suspected hate crime or not, and by updating the instruction on police interviews to include the examination of motives.
- Collect data on hate crimes at all levels, including reporting, investigation, prosecution and sentencing. Data should be disaggregated by protected grounds, made publicly accessible (considering privacy and in line with human rights law and standards), and regularly reviewed to assist the development of policies to combat hate crimes.

³⁶ Rauta, Jenita, 2024, Poliisin tietoon tullut viharikollisuus Suomessa 2023 ("Hate crime reported to the police in 2023"), <https://www.theseus.fi/handle/10024/866764>.

³⁷ Concluding observations on the eighth periodic report of Finland – Information from Finland on follow-up to the concluding observations 2025, pp. 4.

³⁸ The Ministry of the Interior states on its website that according to a survey, only approximately 20% of hate crime victims are reported to the police. Ministry of Interior, "Suurin osa viharikoksista on rasistisia rikoksia" ["The majority of hate crimes are racist crimes"], <https://intermin.fi/poliisiasiat/viharikollisuus> (in Finnish, website accessed on 28 May 2025).

A report from 2019 reveals that only a small proportion of respondents had reported hate crime incidents to the police. The main reason for not reporting to the police was due to distrust of police action in hate crime cases. According to the report frustration and numbness, fear and anxiety were also evident in many responses. Victim Support Finland (RIKU) and The National Forum for Cooperation of Religions in Finland (CORE Forum) 2019, Uhrien kokemuksia viharikoksista Suomessa vuosina 2014–2018 ["Victims' experiences of hate crime in Finland 2014–2018"], https://www.riku.fi/content/uploads/su_file/2140_Uhrien_kokemuksia_viharikoksista_2014_2018.pdf (in Finnish).

³⁹ Anti-Racist Forum, Shadow report III: Together against Hate, 2023, <https://static1.squarespace.com/static/5c61e3977980b3278f57db6e/t/6659e9892db6c77e9b0c3233/1717168536263/shadowreportIII-ENG+%281%29-min.pdf>.

⁴⁰ The Finnish Section of Amnesty International, Järjestöt peräänkuuluttavat hallitukselta antirasistista politiikkaa ja yhdenvertaisuutta edistävää lainsäädäntöä, joint statement, (in Finnish) <https://www.amnesty.fi/jarjestot-peraanakuultavat-hallitukselta-antirasistista-politiikkaa-ja-yhdenvertaisuutta-edistavaa-lainsaadantoa/>.

⁴¹ the Finnish Government, 2024, A New Boost for Equality in Finland : Government action plan to combat racism and promote equality, <https://julkaisut.valtioneuvosto.fi/handle/10024/165805>.

⁴² Seta, 11.3.2025, Pride ja vihateot 2024 -raportti: 60 % tapahtumista kertoi vihateoista, <https://seta.fi/2025/03/11/pride-raportti-2024/>.

⁴³ The European Union Agency for Fundamental Rights 2024, Harassment and violence against LGBTIQ people on the rise: <https://fra.europa.eu/en/news/2024/harassment-and-violence-against-lgbtq-people-rise-and-country-data-from-finland>: https://fra.europa.eu/sites/default/files/fra_uploads/lgbtiq_survey-2024-country_sheet-finland.pdf.

- Take legislative measures to combat racism, hate speech and hate crimes and promote equality to address the root causes and contemporary manifestation of racism in line with international human rights law and standards.
- Support anti-racist civil society actors and enable their participation in the implementation of the government action plan.
- Establish a comprehensive action plan for protection of the rights of LGBTI people.

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