

## DECLARATION OF THE ADVISORY BOARD FOR ETHNIC RELATIONS:

### Wellbeing of minors who have arrived in Finland as unaccompanied asylum seekers – family reunification and aftercare

The Advisory Board for Ethnic Relations ETNO wishes to draw the attention of authorities to certain important questions related to the wellbeing of minors who have arrived in Finland unaccompanied. These questions concern family reunification and aftercare in particular.

#### Current situation

Every year, an average of 100–700 unaccompanied minors arrive in Finland. The year 2015 was exceptional, with more than 3,000 unaccompanied minors entering the country. Most of these young people are 16–17 years old when they arrive in Finland, and around 80 percent of them are boys. These children and young people are in a vulnerable position and at risk of being abused, both during their journey here and when in Finland.

According to the information received from members of the Advisory Board, young people who have come to Finland unaccompanied are doing reasonably well. Nevertheless, attention should be paid to their wellbeing, as they do not have family members to support them. Many of these youngsters share similar problems: loneliness, anxiety about coping and living alone, in addition to uncertainties about their futures, employment, and if they will be granted an extended residence permit. These young people are also worried about families and relatives in their countries of origin. In some cases, they are also under pressure to help these family members in obtaining residence permits and to provide them with financial support.

#### Family reunification

The right to family life is a fundamental human right. Binding international obligations require that the criteria set for family reunification shall not factually restrict the right to family reunification in Finland.

However, the Advisory Board is concerned about the possibilities of minors, who have been granted international protection or a residence permit for humanitarian reasons, to opt for family reunification. The legislative amendments introduced in recent years have considerably tightened the criteria for family reunification, and, consequently, reunification is often impossible in the current situation.

Unaccompanied youngsters often require adults' assistance and support in the family reunification process. The support provided by social services varies greatly between municipalities, for example when it comes to referring these youngsters to legal aid offices. In addition, the process takes a long time and incurs high costs for the applicant. The biggest obstacles in the process are usually the difficulties experienced by the applicant's family members in accessing an embassy or external service provider, and the difficulties in meeting the requirement of sufficient financial resources.

For reasons stated above, the Advisory Board welcomes the entry in the Government Programme *Inclusive and competent Finland* stating that 'we will examine problems relating to family reunification and the reasonable income limits applied to family reunification applicants who have been granted international protection' (p. 87). We especially welcome the entry stating the discontinuation of the requirement for sufficient financial resources in those family reunification cases when the under aged applicants have been granted international protection.

When making decisions concerning family reunification, the authorities must take account of how long separations affect the wellbeing, and especially the mental health, of both the youngsters and their family members. Restoration of familial relationships is of key significance for the growth, development, and integration of this youth into their new home country. In addition, uncertainty about the outcome of the reunification process affects the young people's mental health and wellbeing. The conflicting information a youngster may receive about the outcome can lead to vain hopes, disappointments and even loss of faith in Finnish society.

The Advisory Board recommends that the possibilities for family reunification by unaccompanied minors be improved and any obstacles hindering the process be removed. The Advisory Board emphasises that family reunification must be preserved as a safe legal channel for entering Finland.

#### Aftercare

Young people who have arrived in Finland unaccompanied are willing to study, work and establish their lives here. However, they cannot, similarly to their peers, reach these goals alone but need different types of support. The Advisory Board emphasises that aftercare must be consistent and provided over the long term, irrespective of the person's municipality of residence. As the youngsters have arrived in Finland unaccompanied and they do not have their own family to support them, society should provide them with support on equal terms with child welfare clients.

The Advisory Board takes note that the Child Welfare Act was recently amended so that the upper age limit for aftercare will be raised to 25 years as of the beginning of 2020. We consider it desirable that the provisions of the Act on the Promotion of Immigrant Integration concerning the upper age limit for aftercare would also be amended so that aftercare would be provided until the age of 25 instead of the current 21.

The majority of unaccompanied youngsters do not have any adults permanently present in their lives, or any reliable places to turn to for advice and concrete support, to have their affairs appropriately dealt with. This may lead to challenges in life management and, thus, raises the risk of marginalisation. Some unaccompanied minors can have a voluntary support person to assist them in taking care of their affairs. There are not, however, enough volunteers available, and the statutory responsibility for taking these young people's affairs forward lies with the authorities.

The Advisory Board states that authorities, and other professionals, involved in aftercare activities should be trained to encounter and deal with young people who have sought asylum. At the moment, there are major differences between municipalities in the organisation and provision of aftercare services. Minors who reach the age of 18 during the permit process are rarely offered any aftercare services, or the services provided are fragmented. Unfortunately, if a youngster's municipality of residence changes during the integration period, it is challenging to restart the provision of aftercare.

#### Conclusion

The Advisory Board emphasises that the best interests of the child must always be given priority in all decisions and measures concerning children and young people who have arrived in Finland as unaccompanied minors. In addition, more attention must be paid to the professional skills and education of representatives who are selected to assist unaccompanied minors residing in Finland. When communicating with a client, the authority is responsible for ensuring that the client understands the matter at hand. The best way to ensure this is by always having an experienced professional interpreter present to assist a young person in the process.

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To guarantee the wellbeing of minors who have arrived in Finland as unaccompanied asylum seekers, the Advisory Board for Ethnic Relations wishes to address the following questions with the ministries concerned:

Ministry of the Interior:

- 1) How and within what timeframe will the examination of the problems related to family reunification, as stated in the Government Programme, be carried out?
- 2) When will the requirement of sufficient financial resources cease to apply to minor family reunification sponsors who have been granted a residence permit due to a need for international protection? Will this amendment also apply to unaccompanied minors who have been granted a residence permit on other grounds?
- 3) How will the best interests of the child be guaranteed in the family reunification process? What kind of support will minor family reunification sponsors be provided with in advancing the process?
- 4) What legal means are available to remedy the situation of young people who are in Finland as undocumented immigrants because they have been unable to renew their temporary residence permits?

(Ministry of the Interior/Ministry for Foreign Affairs: 5) How will family member identification be developed for other possible places besides the Finnish embassies?)

Ministry of Economic Affairs and Employment and Ministry of Social Affairs and Health:

- 1) How will it be ensured that municipalities will provide aftercare services specified in the Child Welfare Act also to unaccompanied minors?
  - 2) Will the Act on the Promotion of Immigrant Integration be amended in the same manner as the Child Welfare Act when it comes to raising the upper age limit for aftercare?
  - 3) How will access to health and social services be ensured for all young immigrants who have not completed comprehensive school education in Finland regardless of the grounds for their residence permit?
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