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EUROPEAN MIGRATION NETWORK

- SPECIFICATIONS FOR EMN STUDY –

**PROGRAMMES AND STRATEGIES IN THE EU MEMBER
STATES FOSTERING ASSISTED RETURN TO AND RE-
INTEGRATION IN THIRD COUNTRIES**

FINLAND

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PROGRAMMES AND STRATEGIES IN [MEMBER STATE] FOSTERING ASSISTED RETURN TO AND RE-INTEGRATION IN THIRD COUNTRIES

Executive Summary

Finland does not have any national level assisted voluntary return framework as a regulated common policy. On the legislative side, there are some stipulations on assisted voluntary return for refugees holding residence permits. However, over the years there have been several projects on assisted voluntary return of groups of evacuees from war zones, as well as individual asylum seekers. The stakeholders in these projects have been various government authorities, the municipalities who have received the refugees and asylum seekers, several NGO's, including the refugees' own associations, and least but not last IOM, who has been one of the main actors in the field of assisted voluntary return.

The many roles of IOM in Finland this regard have included being either co-operation partners or main applicants and de facto implementers in various ERF-assisted voluntary return programmes. They have also handled the transportation logistics in most of the voluntary return cases, as well as being the main agent in disseminating information concerning the possibility of assisted voluntary return in individual cases. IOM has also lobbied the Finnish authorities and the political decision makers to develop a national level assisted voluntary return policy with implementing frameworks modelled after other Nordic countries.

Remigration support is given primarily to a refugee or asylum seeker, who returns to his or her country of origin. The conditions for the support include that remigration is free-willed, security of the return (based on UNHCR's monthly evaluation of the situation in different countries), proper travelling documents, a specific home address in the country of return, and a clear judicial situation in Finland (no unfinished court cases). Remigration support includes reasonable travel costs, moving costs, support for settlement in the target country, and an escort for a disabled person.¹

A remigrant who receives return support, does not have to move back permanently, but can move back temporarily for a maximum time of two years. After this time, permanent residence permit is no longer valid.

According to statistics, the remigration of refugees and asylum seekers has been quite small in comparison with the overall amount of refugees in Finland. However, when writing this, we had no comparable information from other EU countries. Between 1983 and 2001, Finland received some 20 000 refugees, whereas at the same time, only 263 registered return migrations took place

This report gives an overview of how AVR has been handled in the absence of national level framework. It goes through the documents discussing suggestions for the development of national measures for ACR and of the documents on certain key projects in voluntary return from the past years, elaborating on their key findings concerning the obstacles and best practices for efficient voluntary return. The main conclusions drawn from these experiences can be used by all of the main stakeholders when developing a national level approach to this issue.

One thing that has hampered the development of national approach in any migration issues has been their dispersed administration and lack of centralised funding. The various aspects of immigration management have been dispersed between different ministries and various authorities.

¹ http://www.reintegration.net/finland/summary_finland.htm

This also means that their funding has come from different budget units within the state funds, with some funds being channelled through the municipalities.

The reorganisation of the administrative structures in 2008, which brought all the main migration issues under the ministry of interior, together with a suggested reorganisation of certain budget units for the year 2010 has created a more feasible administrative framework for a concentrated effort to be made in creating a national level AVR programme. So far, however, there has been a lack of political will to move forward in creating a national level AVR policy.

1. INTRODUCTION: PURPOSE AND METHODOLOGY FOLLOWED

As there is no national level AVR framework to report on according to the specifications of this study, for the national purposes this report can serve as a tool in describing the baseline upon which such framework can be developed. This is done by summarising the conclusions from the two key documents prepared by the government for the furtherance of AVR, and by discussing the main findings of the ad hoc voluntary return projects from the past years concerning the obstacles and best practices in the area of assisted voluntary return.

1.1 Methodology

The following methods were utilised to gather the information for this report:

- The reports of the Ministry of the Interior, from 2003 and 2009, concerning suggestions for an efficient handling of AVR on a national scale.
- The Finnish League for Human Rights contribution on Finland for the 2002 Migrants in Europe Survey
- The project documents from certain key return projects organised by IOM and the Ministry of Labour.
- Interview with the staff of IOM Helsinki, Finland
- E-mail correspondence with the following
 - Ministry of the Interior's Legal Unit,
 - Ministry of Labour staff involved in voluntary return programmes
 - Helsinki Police Department's Alien's Unit, Statistics Dept.
 - Staff of Finnish Church Aid
- Media monitoring data base of the Finnish Immigration Service

The main problem has been that from the most recent years there is not much material available on this topic. This is partly due to the fact that the number of project based return activities has reduced in the last 5 - 6 years. Only recently has there been a resurgence of interest in the return voluntary projects and also within the governmental actors to develop AVR on a national scheme. However, there is no national plan of action in the making as yet, it is all still very much in the planning stages. Hence, it is difficult to state anything definite in this report concerning how things will actually develop in the foreseeable future, and what stance the politicians will take on this issue.

2. DEFINITIONS, CATEGORIES OF RETURNEES AND AVAILABLE DATA

2.1 Definitions of Assisted Return

Following the change in the Act on Integration (HE 25/2001), Finland seeks to ensure that all people with a refugee status who wish, may return to their home country at will, and receive

economic support for their return. The subsidy is supplied by the municipality where the refugee lives. This remigration support is available for refugees who obtain a permanent residence permit, (status A) and those, whose residence is based on the need for temporary protection (status B) (Ministry of Labour 2000).²

The term ‘**voluntary return**’ has been used in Finland in the official titles of the EU-assisted voluntary return projects of evacuees from war zones in Kosovo and Bosnia, as well as with individual asylum seekers who have returned voluntarily either after they have withdrawn their applications or having received a negative decision on their asylum application as an independent, individual decision to return. This is so even though in the first scenario, financial and other kind of assistance has been provided. Likewise, also in the second scenario with the individual asylum seekers, in many cases financial assistance and travel costs have been provided. The explanation for the lack of this term on the macro-level is that so far there has not been any national scale, uniform scheme for the assisted voluntary return of any categories of returnees.

The term ‘assisted voluntary return’, for which the Finnish term in the EMN glossary is *‘tuettu vapaaehtoinen paluu*, lit. ‘supported voluntary return’ has, however, been used in the texts of the project documents when describing the nature of the activities in these projects.

The term ‘self-motivated return (in Finnish: ‘Omaehtoinen paluu) was used in the 2003 report by the Ministry of the Interior, which concentrated on making suggestions for a national level t assisted voluntary return procedure for failed asylum seekers, even though it mentions that the same procedure could be applied to any foreign national living in Finland without a valid residence permit. This term was also used in connection in the Kosovo return projects. The returned persons all held temporary residence permits.

In the 2002 European Reintegration Networking Survey, the term ‘remigrant’ and ‘remigration assistance’ has been used in connection with refugees or asylum seekers who return to their country of origin: Migrants in Europe, for which the Finnish League for Human Rights collected material concerning the situation in Finland and which is also quoted in this report.

2.2 Categorisation of returning migrants

In Finland, the categories of returning migrants who have received return assistance have included the following categories of persons:

- evacuees from war zones persons who have been granted residence permit on the basis of temporary protection needs
- asylum seekers who have withdrawn their applications
- asylum seekers who have received negative decision and who co-operate with the authorities concerning their return arrangements

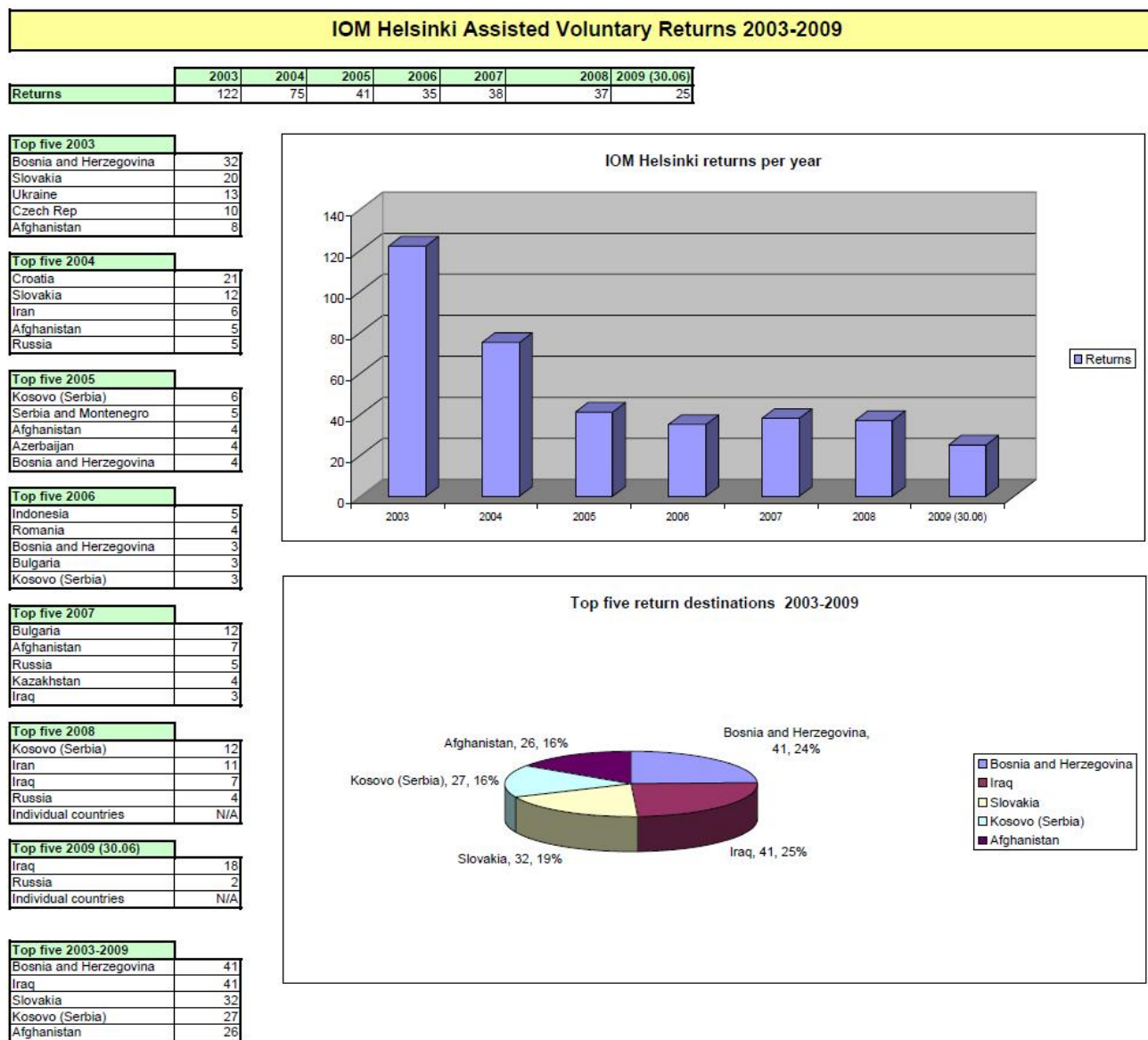
² http://www.reintegration.net/finnland/summary_finnland

2.3 Data on Assisted Return

IOM assisted voluntary returns for the period 2004 to 2008

The following data provided by IOM on assisted voluntary returns carried out by them lists the country to which the returnees go to, thus indicating their nationality and country of origin. No exact data is available on the various defined return statuses, e.g. tolerated, awaiting decision, refused asylum application, appeal dismissed, neither on the demographic characteristics of returnees (e.g. gender, age, qualification, type of employment).

The IOM statistics are not 100 % comprehensive for all voluntary returns. For example, from the Kosovo evacuees in Finland, over the years around 600 persons³ have returned on their own initiative, without IOM assistance.



³ This information was provided by a staff member working for the Ministry of Labour at the time of these returns took place.

Comparable data of the number of Forced Returns from Finland 2005 -2009⁴

| REMOVALS: | 2005 | REMOVALS: | 2006 | REMOVALS: | 2007 |
|---------------------------|-------------|---------------------------|-------------|---------------------------|-------------|
| Total | 2 229 | Total | 1 388 | Total | 1 055 |
| Police escort | 1 234 | Police escort | 423 | Police escort | 233 |
| To third countries | | To third countries | | To third countries | |
| Albania | 5 | Albania | 3 | Albania | 2 |
| Algeria | 6 | Armenia | 11 | Algeria | 2 |
| Angola | 1 | Azerbaijan | 4 | Angola | 1 |
| Armenia | 4 | Bangladesh | 5 | Azerbaijan | 4 |
| Bangladesh | 5 | Belarus | 5 | Bangladesh | 6 |
| Bosnia- | | Bosnia- | | | |
| Hertzevina | 8 | Hertzevina | 9 | Belarus | 8 |
| Bulgaria | 345 | Bulgaria | 76 | Camerun | 2 |
| Gambia | 3 | Camerun | 1 | Canada | 2 |
| Georgia | 57 | China | 3 | China | 2 |
| Ghana | 3 | Colombia | 3 | Colombia | 2 |
| Guinea | 1 | Congon DR | 8 | Congo DR | 4 |
| India | 1 | Croatia | 1 | Egypt | 1 |
| Iran | 4 | Cuba | 1 | Ethiopia | 2 |
| Israel | 3 | Ecuador | 1 | Gambia | 2 |
| Japan | 1 | Egypt | 2 | Georgia | 3 |
| Jordania | 1 | Ethiopia | 2 | Ghana | 3 |
| Canada | 1 | Gambia | 3 | Iran | 1 |
| Kazakstan | 1 | Georgia | 5 | Kirgiztan | 4 |
| Kenia | 1 | Ghana | 3 | Kosovo | 1 |
| Croatia | 16 | India | 3 | Libanon | 2 |
| Libanon | 2 | Iran | 2 | Libya | 3 |
| Macedonia | 3 | Israel | 2 | Malaysia | 1 |
| Morocco | 1 | Japan | 1 | Moldova | 2 |
| Moldova | 3 | Jordania | 1 | Montenegro | 4 |
| Nigeria | 13 | Malaysia | 1 | Morocco | 1 |
| Ivory Coast | 1 | Mauritania | 1 | Nigeria | 12 |
| Romania | 107 | Moldova | 1 | Russia | 2 |
| Senegal | 2 | Morocco | 4 | Rwanda | 1 |
| Serbia | 124 | Nigeria | 9 | Serbia | 25 |
| Syria | 10 | Romania | 7 | Sri Lanka | 1 |
| Thailand | 2 | Russia | 1 | Sudan | 4 |
| Togo | 2 | Serbia | 29 | Syria | 1 |
| Tsad | 1 | Sierra Leone | 1 | Tanzania | 1 |
| Turkey | 25 | South-Africa | 3 | Turkey | 10 |
| Uzbekistan | 1 | Sudan | 1 | Tunisia | 1 |
| Russia | 1 | Syria | 2 | Ukraine | 2 |
| | | Thailand | 1 | United States | 2 |
| | | Tunisia | 1 | | |
| | | Turkey | 13 | | |
| | | Ukraine | 7 | | |
| | | Vietnam | 3 | | |

⁴ Data gleaned from the data base of the Helsinki Police Department's Alien's Unit. Electronic statistics are not available in an electronic form from the year 2004.

DUBLIN RETURNS FROM FINLAND 2008 – 2009

| REMOVALS: | 2008 | REMOVALS: | 2009* |
|---------------------------|-------------|---------------------------|--------------|
| Total | 1 093 | Total | 697 |
| Police escort | 258 | Police escort | 200 |
| To third countries | | To third countries | |
| Afganistan | 2 | Afganistan | 3 |
| Albania | 5 | Albania | 4 |
| Algeria | 1 | Armenia | 3 |
| Armenia | 7 | Azerbaidzhan | 1 |
| Australia | 1 | Bangladesh | 1 |
| Bangladesh | 3 | Belarus | 5 |
| | | Bosnia- | |
| Belarus | 17 | Hertzegovina | 4 |
| Bosnia- | | | |
| Hertzegovina | 3 | Camerun | 3 |
| Camerun | 1 | Congo DR | 1 |
| Canada | 1 | Gambia | 2 |
| China | 1 | Georgia | 2 |
| Colombia | 1 | Ghana | 2 |
| Gambia | 4 | Guinea-Bissau | 1 |
| Georgia | 1 | India | 3 |
| Ghana | 2 | Kazakhstan | 2 |
| Guinea | 1 | Kenia | 2 |
| India | 2 | Kosovo | 13 |
| Iran | 6 | Libya | 1 |
| Israel | 1 | Morocco | 1 |
| Kap Verde | 1 | Nigeria | 2 |
| Kazakhstan | 3 | Tanzania | 1 |
| Kongon dem. | | | |
| tasavalta | 3 | Tunisia | 1 |
| Kosovo | 8 | Turkey | 7 |
| Liberia | 1 | Ukraine | 1 |
| | | United Arab | |
| Mali | 1 | Emirates | 1 |
| Marokko | 4 | United States | 2 |
| Moldova | 2 | | |
| New Zealand | 1 | | |
| Nigeria | 3 | * up till 30.6.2009 | |
| Russia | 2 | | |
| Serbia | 9 | | |
| Turkey | 3 | | |
| United States | 1 | | |
| Uzbekistan | 1 | | |
| Vietnam | 2 | | |

DUBLIN RETURNS FROM FINLAND 2005 – 2007

| Dublin returns | 2005 | Dublin returns | 2006 | Dublin returns | 2007 |
|-----------------------|-------------|-----------------------|-------------|-----------------------|-------------|
| Netherlands | 12 | Austria | 8 | Austria | 1 |
| Belgium | 6 | Belgium | 1 | Belgium | 1 |
| Denmark | 12 | Czech Republic | 1 | Bulgaria | 2 |
| Estonia | 3 | Denmark | 6 | Denmark | 9 |
| Italy | 22 | France | 12 | Estonia | 3 |
| Austria | 16 | Germany | 46 | France | 5 |
| Greece | 28 | Greece | 8 | Germany | 26 |
| Latvia | 1 | Hungary | 5 | Greece | 10 |
| Lithuania | 3 | Ireland | 1 | Italy | 8 |
| Luxemburg | 1 | Italy | 11 | Lithuania | 2 |
| Malta | 24 | Latvia | 1 | Malta | 2 |
| Norway | 21 | Lithuania | 6 | Netherlands | 4 |
| Poland | 8 | Luxemburg | 1 | Norway | 9 |
| France | 12 | Malta | 1 | Poland | 4 |
| Sweden | 147 | Netherlands | 6 | Spain | 1 |
| Germany | 125 | Norway | 8 | Sweden | 9 |
| Slovakia | 10 | Poland | 3 | United Kingdom | 7 |
| Slovenia | 4 | Slovakia | 3 | | |
| Switzerland | 1 | Spain | 15 | | |
| | | Sweden | 34 | | |
| | | United Kingdom | 4 | | |

| Dublin returns | 2008 | Dublin returns | 2009* |
|-----------------------|-------------|-----------------------|--------------|
| Austria | 5 | Belgium | 2 |
| Belgium | 3 | Denmark | 1 |
| Czech Republic | 2 | France | 1 |
| Denmark | 5 | Germany | 6 |
| Estonia | 6 | Greece | 17 |
| France | 6 | Hungary | 1 |
| Germany | 24 | Ireland | 1 |
| Greece | 7 | Italy | 53 |
| Hungary | 2 | Lithuania | 1 |
| Italy | 12 | Malta | 22 |
| Latvia | 1 | Netherlands | 1 |
| Lithuania | 4 | Norway | 6 |
| Malta | 29 | Poland | 1 |
| Netherlands | 1 | Romania | 1 |
| Norway | 9 | Spain | 3 |
| Poland | 11 | Sweden | 13 |
| Romania | 2 | United Kingdom | 1 |
| Spain | 4 | United States | 2 |
| Sweden | 15 | | |
| Switzerland | 1 | | |
| United Kingdom | 4 | | |

* up till 30.6.2009

3. THE POLITICAL AND LEGAL FRAMEWORK

There has not really been any political debate on assisted voluntary return, even though the number of asylum seekers has increased of late. Following a decrease in the number of asylum seekers to Finland from 2005 to 2007, the year 2008 has with 4,016⁵ registered asylum seekers seen an increase of 215% compared to 2007 (1,276 persons), and an increase of 50% compared to the last record year (2005, 2,684 persons). 213 unaccompanied minor asylum seekers arrived in Finland from January to August 2008, which, if also this trend continues, means an increase of 300% compared to 2007⁶. From January till August 2008, the Finnish Immigration Service made 526 positive and 589 negative decisions.⁷

The general lack of political interest in AVR is also reflected in its scant media coverage. Even though the immigration issues, refugee matters in particular, are regularly featured in the media, voluntary return is hardly mentioned at all. The Finnish Immigration Service's media survey from the past few years reveals the number of articles on this topic, or even a mention of it in a news item, to be almost non-existent. There is one example story from the year 2009 in a Swedish speaking newspaper⁸ about a Russian family, in whose voluntary return to Russia an NGO helped after they had received a negative first instance decision and had to leave the country to wait for a new handling of their case after they would provide some new information requested by the decision maker. The story was with the slant of hoping to get the family back to Finland after the decision would hopefully be overturned and lamented on the dire living conditions of the family in the home country upon their return. The Swedish-language media in Finland has been more migrant-friendly than the Finnish-language media, in particular in connection with refugee issues. The second mention of this topic is in an interview of the Director General of the Finnish Immigration Service (MIGRI)⁹, where he states that in the future developments of the Finnish immigration policy, the development of a national level assisted voluntary return programme could be considered.

3.1 The political and legal framework in Finland

The first proposal for a national AVR framework¹⁰

There are two ministerial proposals for national level AVR measures to be established. The first one is **the 2003 Report of the Ministerial Working Group under the Finnish Ministry of the Interior that investigated the legal basis and possibilities to set up a voluntary return framework in Finland, titled "The asylum seekers' self-motivated return."**

The working group explored the issue from various points of view in order to get a holistic picture. It met 12 times between 21.2.2002 – 30.6.2003. It was headed by the Ministry of Interior's Immigration Department. In addition to this department, it had representatives from the Police Department, Border Guards, and from the Ministry of Labour's Implementation Unit, which at that time was responsible for the immigrants' integration issues. The working group also acquainted

⁵ Finnish Immigration Service, 13 January 2009.

⁶ Finnish Immigration Service press release 24 September 2008.

⁷ Finnish Immigration Service statistical analysis 19 September 2008.

⁸ Vasabladet, 31.3.2009 Akimovs tillbaka i Ryssland, Familjen återvände frivilligt på Thursdags. ny bor alla åtta på 25 kvadratmeter.

⁹ Aamulehti: [Ulkomaalaislain laho kohta oleskeluluvista putosi pois](http://mediaseuranta.blogspot.com/2008/12/aamulehti-ulkomaalaislain-laho-kohta.html) 13.12.2008, by Toni Viljanmaa <http://mediaseuranta.blogspot.com/2008/12/aamulehti-ulkomaalaislain-laho-kohta.html>

¹⁰ <http://www.intermin.fi/intermin/bulletin.nsf/vwSearchView/9AFE89CEB685D6BAC2256D9100393A88>

itself with the work of the Police Department's Immigration Section, visited a reception centre and a border control post. One seminar was also arranged. A study trip was made to Germany to get acquainted with the return policies and practices in the Berlin area. The instances contacted were the German Ministry of the Interior, the Health and Social Services Ministry, a detention centre, the local immigration office and the border guards.

The resulting report is a detailed, 58 page report that looks at what status should voluntary return be given within the national asylum policy, tries to clarify the roles of various authorities in this respect and makes suggestions for the needed national regulations. It explores the AVR programmes and forced return procedures of several European states and maps out the past and present procedures in Finland. It also presents the discussions and relevant documents concerning return within the European Union decision making bodies and on international forums.

The main suggestions of the report are summed up here in the following points:

- **A new concept should be added to the Finnish Aliens' Act to regulate self-motivated return.** According to the report, the new legislation would increase the motivation to return voluntarily and create a unified system of how it is offered to potential returnees. The working group states, that in the suggested new legislation, self-motivated return would mean the removal of a foreigner, who has no legal right to stay in the country and the person does not resist the return and agrees to cooperate with the authorities in the return arrangements. This is a separate concept from the return of persons, who have a legal permission to remain in the country. According to its mandate, the working group concentrated on asylum seekers, but in suggesting the new piece of legislation, the working group has widened the scope to include in the voluntary return category all such persons who are residing in Finland without a legal residence permit.
- The administrative procedures on self-motivated return should be regulated in more detail, the cooperation between different authorities should be increased and that the dissemination of information concerning self-motivated return should be more effective.
- The Working Group on the Integration Act should take into consideration the above suggestions when preparing changes to do within their jurisdiction. It is important that the relevant stipulations in the Aliens' Act and in the Integration Act are compatible, so that there is a unanimous understanding concerning which authorities carry the financial responsibility for the return measures in each instance.
- On the European level, the working group suggests that in order to steer the Finnish policies and practices towards common European standards, the developments in other European countries concerning the amount of financial assistance given to those returning voluntarily from other European countries should be monitored closely. Similarly, the developments within the European countries concerning policy and practical arrangements in connection with motivating voluntary return by reducing reception services and financial benefits in the country of asylum should also be monitored closely. The travel costs could be covered all the way to the returnee's home municipality, not just to the home country.
- The possibility to use Refusal of Entry as an incentive to motivate voluntary return should be investigated.
- The reporting and statistics on voluntary return should be improved

This report did not lead into any concrete measures on the national level, even though **through comparison of procedures in Finland with return programmes and procedures in other EU**

countries, the report concludes that the definition of voluntary return in Finland is vague, procedures unclear and outreach next to non-existent. [4]

As an example of the vagueness and contradictions note the following: The Finnish Integration law (493/1999) stipulates that any person seeking asylum according to the Aliens' Act § 30 is included in the reception measures, until he/she has been granted a residence permit, or his removal order has become legally binding. However, these two pieces of legislation are not 100 % compatible, as according to certain situations stipulated in the Aliens' Act, an asylum seeker can be removed from the country even before the decision is legally binding.

In the Integration Ruling 511/1999 § 6 (In Finnish: Kotouttamisasetus), there are stipulations on covering the return cost of the asylum seekers. According to it, persons who have applied for asylum or temporary protection can be granted travel expenses to their home country from the income assistance funds, unless they have been granted residence permit and they return of their own volition. In very exceptional cases, from particularly pressing reasons, the travel costs of those persons who have cancelled their asylum application, or application for secondary protection, can also be covered by the Finnish state. The travel costs are paid according to the cheapest rate available. The wording 'can' in the § 6 has been interpreted in similar vein than in other situations concerning the granting of income assistance: the only condition is the person's lack of funds.

The second proposal for national level steps in AVR ¹¹

In 2009, as part of the governments half-term monitoring exercise of how its' policies were being implemented, the Ministry of the Interior was charged with mapping out the present state of asylum policy in Finland. The consequent report, "Viewpoints on the asylum policy; Development Suggestions and Nordic Comparisons" (*Näkökulmia turvapaikkapolitiikkaan; kehitysehdotuksia ja pohjoismaista vertailua ISSN 1236-2840 ISBN 978-952-491-449-9 (PDF)*) produced by Ministry of the Interior's Immigration Department came out in the spring of 2009. Assisted voluntary return is also taken up in this report and two main recommendations are given:

1. AVR should be furthered through co-operation protocols with Iraq and Afghanistan and by creating co-operation on practical level with Somaliland. The ministry of the Interior has already started preparations for such documents to be drafted between Finland, Afghanistan and IOM and another one between Finland and Iraq. The purpose of both of these protocols is to form the basis for a compatible, gradual and humane return process for Iraqis and Afghans residing in Finland, which takes into account the priority of voluntary return, the situation in Iraq and Afghanistan and the importance of safe, dignified and durable return. The individuals covered by the planned protocols would be nationals of these two states with a residence permit in Finland, those who have withdrawn their asylum applications or other application for residence permit and who return voluntarily. Thus, voluntary return is seen to be primary mode of return, while forced return would always be the second option. UNHCR would have a central role in implementing this protocol. It would also advise the persons considering return, assist in the transit arrangements and reception arrangements in the home country. UNHCR would also have an unhindered access to all returnees both in Finland and in Afghanistan in order to monitor that the returnees are treated humanely, respecting their human rights.

¹¹ ISSN 1236-2840 ISBN 978-952-491-449-9 (PDF)

<http://www.intermin.fi/intermin/biblio.nsf/vwbytype/D71589287E4A2A63C22575D90031CC32>

2. AVR should be furthered by giving the overall responsibility for directing the operations to the Finnish Immigration Service and the practical co-ordination of all returns to one reception centre only.

Budgetary and organisational issues affecting the development of national level AVR framework

The Finnish Integration law (493/1999 § 4 and § 8) is also interpreted to allow state funds to be utilised for the assisted voluntary return of refugees. As a return assistance, the municipality where the refugee is staying, will pay the equivalent sum of a two months income support (834,90 €) for a single person and to a family the same amount doubled at the most (1 669,80 €). Reasonable travel costs and moving costs can also be covered. These costs will then be remunerated to the municipalities from the state funds via the Regional Employment and Economic Development Centres. This kind of transfer of funds between government agencies also complicates the planning of state funded voluntary return services.

Certain recently implemented, as well as currently ongoing changes within the field of immigration in Finland have begun to affect the AVR scene, making it easier in practical terms to carry out AVR return programmes on a national scale instead of the patchwork-type ad hoc approach with the need for municipal involvement, which has been adopted so far. After the reorganisation of the migration administration in 2008, all the migration affairs were concentrated under the Ministry of the Interior (MOI). In connection with these changes, the Finnish Immigration Service's duties were widened to include the administration of the reception centres, making them also part of the implementing agency for possible assisted voluntary return programmes. With funds made available from the ERF, and the MOI's Immigration Department urging the Immigration Service (Migri) to make use of these funds, in the spring 2009 it was decided that Migri should fund an assisted voluntary return project implemented with IOM. This could have been a pilot project in planning for a national level AVR programme.

However, the plan was thwarted by a technical obstacle which hindered Migri from being an eligible agency to fund the project. This was due to an existing government stipulation (Government Decision 512/1999) stipulating a joint budget for the reception of the asylum seekers and for the categories of remuneration given from the state funds to the municipalities for receiving refugees and asylum seekers (budget item 26.40.63). These categories do not mention the possibility of these funds being used for assisted voluntary return. Currently the Ministry of Interior is drafting a reorganisation to the above mentioned budget item for the 2010 state budget. It suggests that the remuneration paid to the municipalities for the reception of refugees and the costs for the reception of asylum seekers are separated into independent budget items. It also widens the grounds for the use of the budget (budget line 63) for the reception of asylum seekers. The new draft decision includes a sentence stating that these funds can, for example, also be used for EU-funded projects supporting assisted voluntary return. However, the draft does not suggest any ear-marked, additional funds within this budget line to be allocated to the AVR. The Ministry of Labour has not objected to the text of the draft, so it will most likely proceed in its present wording to the Finnish parliament, who will discuss next year's budgetary estimate and accept it in December 2009.¹²

Consensus for forming a national framework for AVR is perhaps more easily found now when the network of implementing agents and budget allocation system is clarified. It still remains to be seen, however, whether the political will exists to carry out these developments. The fact that in 2007, the post of the Minister for Migration and European Affairs was created within the MOI, gives the migration issues in general at least more visibility in the government and with time also a chance to influence the government policy making.

¹² Interview with the Ministry of Interior, Legal unit staff member

In the summer of 2009, the Ministry of the Interior distributed an information leaflet in name of the ministry and the Finnish Immigration Service¹³ aimed at EU-nationals, stating how difficult it is for them to receive political asylum or residence permit based on protection need, and giving information on the rights of EU-nationals to work in Finland. The leaflet was made available in the languages of the intended target groups. This brochure also states that when a person withdraws the asylum application, the reception centre can sort out, how the return to the home country can be arranged. Even though it is not spelled out in the leaflet, this sentence refers to the fact that such persons, if they are without financial means, could be returned with the state funds.

The role of IOM with voluntary return activities in Finland

Already in 1997 the Ministry of the Interior and the IOM Helsinki office had made a preliminary decision for co-operation in organising the voluntary return of foreigners. The criteria for a person to use the services of IOM was that the foreigner is without financial means and that he has received a deportation or a removal order. The word “voluntary” in this connection should be re-worded as “willing to co-operate”, rather than being a self-motivated return of one’s own volition.¹⁴ It was concluded, that the Police in Finland and IOM ought to finalise an agreement, where the target groups, detailed modes of co-operation and the boundaries of operation for the Police would be spelled out. This agreement was meant to offer foreigners a mode of return that respects human rights while simultaneously offering the Police an efficient and inexpensive return arrangements, that would not raise the present level of return costs for them.

According to the preliminary decision, negotiations should be started to also include into the IOM assisted return category those persons who wished to return to their home country even though they have a valid residence permit in Finland. However, the preliminary decision never led to an official agreement being signed, but for a while, both IOM and the Police noted down the principles according to which the voluntary return would be carried out, in a document called ‘Asylum seeker’s voluntary return.’ The basic assumption in the document was that the returnee pays for his/her own return fee, unless the person is without means. In an agreement between the police and the reception centres, the travel costs were divided between these two authorities in differing manner depending on whether the asylum seeker has cancelled the application or received a negative decision and whether the application is considered lapsed with a removal order or not and whether the return is IOM assisted or not.

Between the years 2000 – 2003 IOM was involved in implementing six voluntary return projects, with financial assistance from ERF and partly from the state of Finland. They are listed in this report under subheading 4. Some of them will be dealt with in more detail in that connection and under subheading 5. One of the projects included the option of returning back to Finland.

Individual IOM assisted returns outside the return programmes¹⁵

IOM Helsinki office in Finland also assists on an individual basis the voluntary return of asylum seekers who have decided to cancel their application or who have received a negative decision. For each returned individual, IOM charges 90 € fee from the state. The Finnish authorities will decide if IOM can arrange the travel and whether a person is entitled to some financial support.

The travel costs to the returnees home country are paid either totally by the Police or the reception

¹³ The leaflet is called: “Sisäasiainministeriön ja Maahanmuuttoviraston asiakastiedote, kesä 2009”

¹⁴ The word “voluntary” in this connection should be re-worded as “willing to co-operate”, rather than being a self-motivated return of one’s own volition.

¹⁵ <http://iom.fi/content/view/196/156/>

centre where the person has been staying, or alternatively the costs are shared, depending on the status of the returnee. The cost sharing depends on different combinations of the following factors; whether the person has withdrawn the asylum application or has received a negative decision, whether the asylum decision includes a refusal of entry decision or not, and whether the person returns with IOM's assistance or not. This basis for sharing the costs between these two authorities responsibility for these costs is stipulated in detail in a guidance letter dated 6.6.2000 from the Minister of Interior's Police Department to the Police Precincts. The Police has paid the return fare of the persons with a removal order (they are either escorted by Police, or their leaving of the country is otherwise secured). The reception centres have paid the return fare of those persons have either withdrawn their application or received a negative decision, regardless whether they have a refusal of entry order. IOM and the Ministry of Labour have had an agreement, whereby IOM arranges the travel for the returning refugees.

The local IOM web-page contain **Assisted voluntary return from Finland Brochure**.¹⁶ It is currently available in 11 languages. The brochure explains how IOM's Assisted Voluntary Return service helps individuals to return to their country of origin in a safe and dignified manner by offering the following services in Finland and in the home country :

- Providing with relevant information prior to departure;
- Organizing all travel to the home country;
- Assisting in transit and upon arrival;
- If available in the country, referral to reintegration assistance.

If a person wants to return home from Finland, the following course of action is taken:

1. Obtain an **IOM Assisted Voluntary Return form** from the social worker, the police, or download at: <http://www.iom.fi/avr/forms>
2. A social worker or the Police can help in filling out in the form. The completed form is sent, with a copy of the returnee's travel document, to IOM Helsinki by fax, e-mail or surface mail.
3. IOM can also assist in getting a travel document if the person does not have one
4. IOM will find the most suitable travel date and then make the necessary travel arrangements;
5. On the agreed travel date, IOM staff will meet the returnee at the airport and assist him/her with check-in;
6. IOM staff will assist the person throughout the journey, including helping with transit.
7. Further information on AVR from Finland can be provided by Social workers at reception centres and in municipalities, Local police and IOM Helsinki

In addition to the information on the website, IOM staff members also give advice on AVR during their visits to the reception centres or when asylum seekers and refugees visit the IOM Helsinki office to ask for advice on this matter. All this is done on an ad hoc-basis, no staff member is designated with a particular duty to give AVR advice in a systematic manner. Even though IOM on its part has carried out the voluntary returns successfully and in a trustworthy manner, **the number of returnees has remained lower than expected. One reason may be that prospective returnees have insufficient information on this possibility. IOM has, in its continued contact with all of the return stakeholders in Finland, reiterated the need for centralized and updated information sources, clarification of responsibilities, outreach on the benefits of AVR from Finland, as well as the development of AVR in Finland at large.**

¹⁶ | <http://iom.fi/content/view/196/156/>

3.2 The influence of European policy, legislation and funding

The recent acceptance by the European Parliament of the EU Return Directive, the creation of the European Return Fund and the consequent national Call for Proposals in Finland offer a much needed opportunity to support the Government of Finland in developing return management and voluntary return framework. In face of increasing numbers of asylum seekers to Finland, many of whom should be offered the opportunity of voluntary return even if eventually granted residence. The development of a general voluntary return framework is particularly needed to support the development of special return programmes for vulnerable groups of migrants – such as unaccompanied minors and victims of trafficking – who in case of voluntary return will need special and thorough assistance. Clarifying and establishing a general AVR framework will facilitate addition of return and reintegration services tailored particularly to various vulnerable groups in continued development of AVR services from Finland.

As to the implementation in Finland of the Council Decision 575/2007/EC¹⁴ of the European Parliament and of the Council of 23 May 2007 establishing the *European Return Fund* for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows", in 2009 one ERF-project has been started with the aim of assisted voluntary return of vulnerable persons to Kosovo. The project details are as follows:

- **‘Facilitating Assisted Voluntary return to Kosovo through a Sustainable Return Plan’** Aimed at vulnerable groups. ERF-funded 6 month project (1.7.-31.12.09) with plans to extend it for another 3 years. Implementors: Better Life World Wide (BLWW) association & Turku Polytechnic. Total budget 78 539 €

The Steering group in Finland consist of the Regional Employment and Economic Development Centre, Finnish Immigration Service, The social welfare section of Turku municipality, Turku reception centre, International centre of the Finnish Defence Forces, Daisy ladies NGO, and the Albanian association in Finland called Bashkimi.

The activities take part both in Finland and in Kosovo. The activities include the following:

- Situation analysis in Finland and in Kosovo
- Reaching the target group
- Workshop-activities to empower the target group
- Researching the present return modes and obstacles for return to plan for best practice for effective management of the return
- Drawing up the return strategy and return plans
- Planning the co-operation between municipalities, government agencies, and third sector in Finland as well as with the national and international organisations and government officials in Kosovo.
- Information dissemination about the project

BLWW is a Finnish-international relief agency. It has worked in empowering minority groups and in assisting voluntary return in Kosovo since April 2007. It has been registered in Kosovo and given the beneficiary status and an NGO status there. It has a branch office in Pristina, supported by the Kosovo Ministry of Health and working from their premises. The other co-operating partners in Kosovo are the Kosovo University Clinical Hospital, Red Cross (Suhareka branch office) and the Immigration Department of Kosovo. BLWW as been monitoring the situation in Kosovo for a long time and made assessments in view of possible future projects. The general secretary and administrative head of the BLWW carried out two fact finding missions to Kosovo in 2006 and 2007 to identify, together with the local co-operating partners, the target groups to be the Ashkalis

and Roma people in Kosovo and the support of the assisted voluntary return of vulnerable Kosovars living in Finland.

4. OVERVIEW OF ASSISTED RETURN MEASURES

A general framework for voluntary return has not yet been established in Finland. The responsibility and knowledge on returns has been dispersed amongst a number of return stakeholders such as the Police, social workers in reception centres and municipalities, the Finnish Immigration Service, and IOM. IOM Helsinki has since 1997 provided Assisted Voluntary Return services to the Finnish Government and migrants in Finland on a case-by case basis, upon request by the individuals wishing to return.

In between the years 2000 – 2003 there were many voluntary return projects, but since then activity in this field has quietened down considerably. These projects were called **Return Programmes**. The following lists some of the activities concerning assisted return measures, which have been carried out over the years by the government authorities in Finland in co-operation with other actors, such as IOM and NGO's. Many of these projects have received assistance from the European Commission (European Refugee Fund). The projects dealt with in more detail here have been selected partly to demonstrate the scope of these projects and partly to point out their impact.

Completed projects¹⁷

- **GLE DAM-project (1997 – 1999)**. This project was 80 % EU funded . The target group was refugees from Bosnia-Hertze govina. The project included a fact-finding trip for representatives of Finnish government authorities and members of the Bosnian community living in Finland. The size of the delegation was 25 persons. The Bosnia-Hertze govina Society carried out the project.
- **DOMOVINI PROJECT (1998 – 1999)**. This project was 80 % EU funded. This was a training project, where the practical work experience, which was part of the course, was carried out in Bosnia-Hertze govina. The project was implemented by the The Bosnia-Hertze govina Society, Ministry of Labour, IOM, Tampere Adult Education Centre TAKK), and the Helsinki Polytechncic (AmiEdu).
- **Novi Krov - House repairing project for Bosnians returning from Finland (0216C)**¹⁸
Cooridnator: Finnish Bosnian Association, ERF-funding: 68 116,11 € The objective of the project was to assisting those Bosnians wishing to return, but whose homes had been partially or entirely destroyed and who were lacking the financial means to renovate or to rebuild them. The project was carried out in Finland and in Bosnia; the Finnish part consists of disseminating information regarding repatriation, counselling the candidates and organizing practical training for those planning to build their own house, arranging a follow-up and taking care of the costs when necessary. The returnees also received e.g. legal counselling if needed. FINN CHURCH AID (FCA)¹⁹ an aid organisation within Lutheran Church also assisted in the programme.. FCA is a partner organisation of the Ministry of Foreign Affairs in Finland and part of the international aid network. It assisted in rebuilding the houses of 10 Bosnian returnee refugee families. This activity was carried out in co-operation IOM, the Boznia-Hertze govina society

¹⁷ The list of the first projects listed here was given by a staff member of the Ministry of Labour involved in them.

¹⁸ http://ec.europa.eu/justice_home/funding/2004_2007/refugee/doc/finland_en.pdf

¹⁹ http://www.kua.fi/en/about_us/?id=295

operating in Finland and the municipalities where the Bosnians lived in Finland. Originally FCA offered this assistance to 22 families, but 12 of them decided to stay in Finland.

- **Somalia today – unaccompanied minors familiarizing the fatherland” (ERF 0215C)²⁰**
Coordinator: Save the Children Finland ERF-funding: 24 387,25 €
The project was targeted at Somali minors living in Finland without their parents or primary care-givers. They will be provided a chance to visit Somaliland in Northern Somalia, in order to awaken their interest in building their lives and planning their future, and in order to give them a possibility to assess the prospect of eventual repatriation. The participants were be trained before leaving, and contacts with relatives living in Somalia established. The visit was carried out in cooperation with the Finnish embassy in Kenya and with ECHO. The duration of the visit was at least two weeks, most of it spent in Somaliland, getting to know the local conditions and finding out more about an eventual repatriation. The purpose was to raise youth’s interest to invest in building their own life and planning their future. The project also aims at giving the children a realistic impression on the possibility of return.
- **The Nordic return Project for Elderly Bosnians.** (Included 30 old persons from Finland).
The Finnish component was financed by the Finnish Slot Machine Association (RAY).
Implemented by the Bosnia-Herzegovina Society, Ministry of Labour. IOM co-ordinated the support measures carried out in Bosnia.
- IOM-project²¹ for the return and re-integration programme for persons who have received negative asylum decision. 1.1.-31.12.1999. **This was the first programme in Finland aimed at furthering voluntary return.** Return information was given and the returnees were given practical assistance. 306 persons returned to their home countries with this programme.
- IOM-project for assisting the return and re-integration programme for persons who have received negative asylum decision. 1.1.- 31.12.2000 The intention was to develop the existing voluntary return programme started with the previous project. The activities included organising the voluntary return, assisting the re-integration and monitoring its success. A total of 1063 persons returned voluntarily with this programme, mainly members of the Roma ethnic minority group from Poland.
- IOM-project for furthering the voluntary return and re-integration of asylum seekers:
Information dissemination, counselling and return arrangements (RAFIN III programme).
16.12.2000-16.12.2001. Around 1000 asylum seekers were given return information, assist the returnees in the return arrangements and re-integration measures and training the authorities in Finland in issues dealing with voluntary return. 143 persons returned through this programme.
- IOM-project: The return programme for educated Afghans 1.7.2002 – 31.12.2003. This offered well trained Afghans the chance to work in highly demanding positions, or to get financial assistance and training in starting up a small business venture. The persons were given a chance to return to Finland after working in Afghanistan.
- IOM also conducted return activities for the Kosovo Albanians outside any projects.
- **DRITA projects**

²⁰ http://ec.europa.eu/justice_home/funding/2004_2007/refugee/doc/finland_en.pdf

²¹ This list of IOM-projects was gleaned from the following source:

<http://www.intermin.fi/intermin/bulletin.nsf/vwSearchView/9AFE89CEB685D6BAC2256D9100393A88>

1. **DRITA I.** Return and reintegration project for the evacuees from Kosovo implemented by the Ministry of Labour partly by national funding (training activities in the reception centres) and by EU –funding from the ERF Emergency Funds (e.g. social and health services, return activities carried out by IOM) 1999-2000.
2. **DRITA II.** Voluntary return project to Kosovo lead by the Ministry of Labour and implemented to a great extend by IOM. 2000-2001 The project included pre-return information sharing, return process, reintegration and monitoring activities in Kosovo. Four fact-finding missions were carried out: 1) security situation and general living environment, 2) employment, 3) young people and civil society actors and 4) families, children and health care system. Two employees were placed in IOM/Pristina for counselling on returnees and monitoring on the success of the reintegration process.
3. **DRITA III.** Return and occupational reintegration of Kosovo Albanian refugees from Finland carried out by IOM. 1 January 2001 – 15 March 2002. Total budget 217,662 EURO: Project results: 24 assisted returns, capacity building of returnees, information dissemination on assisted return. This project was based on the experiences of two prior DRITA-projects. It included a seminar on Nordic comparisons, aiming to map out best practices beyond national level for humane and efficient AVR programmes.

The executing agency in DRITA III programme was the International Organization for Migration (IOM) Helsinki. The project partner agencies (or national counterparts) were the following: Ministry of Labour, Employment and Commerce Centre of Uusimaa, Folkhälsan (Third Sector Health Service Provider in Finland), Kosovar association Liria, Refugee reception centers in Finland and Finnish municipalities. The Steering Committee functioned as an advisory body to advance any co-operation possibilities that could further strengthen/develop the project. Members of the Steering Committee included representatives of the Ministry of Labour, Folkhälsan, The Commerce and Employment Centre of Uusimaa and the Kosovo Association Liria. The Steering Committee met 4 times.

The project was funded by the European Refugee Fund and the Finnish Partners (The Ministry of Labour and Folkhälsan). Both partners supported the project operationally and financially. Within the project there was also cooperation with Kosovo Albanian NGOs, Reception Centres and Finnish municipalities. The IOM Kosovo office was also closely linked to the project implementation.

The DRITA III project addressed issues hampering the return and reintegration planning of potential returnees through a wide range of activities explained in the below section 3. Cooperation and networking within the project promoted exchange of information and capacity building between project partners in Finland and in Kosovo. All relevant project information was provided in both Albanian and English. The DRITA III project focused on long-term income generating initiatives enabling also an occupational reintegration in Kosovo. This was done through business training and grants schemes. Another innovative feature was the capacity building information tools provided to the public administration in Finland (voluntary return handbook) and the focused information tools on the return option provided to returnees (video and brochure).

The project consisted of six components: A) Pre-departure training; B) Special Support for the vulnerable groups; C) Assisted return to Kosovo; D) Support of Employment Schemes in Kosovo; E) Support in Social Reintegration; F) Promotion of Nordic cooperation in voluntary return and G) Capacity building and information dissemination to increase skills within the Finnish public administration to deal with voluntary return. The project followed the common approach of the Nordic countries in their efforts to support voluntary repatriation to Kosovo. It was been designed

taking the UNHCR's and UNMIK's recommendation on return to Kosovo into account.

The project assisted in return and re-integration through: Pre-departure training (24 courses); Special support for vulnerable groups (1 Mental Training course, 1 Fact-finding mission); Assisted return (24 cases); Support through Employment schemes (1 business grant and 2 employment assistance grants); Support in Social re-integration (provision of information and monitoring for returnees); Promotion of Nordic cooperation (Organisation of closing Nordic Seminar) and Capacity building and information dissemination (incl. a voluntary return information package).

Two current projects

ERF-funded project (0508C4 – 2008) Positive Action for vulnerable returnees. Ministry of Interior, Legal Affairs Unit.

Starting date: 1.5.2009. This is planned to be a 3 year project. With a first year budget of 127 000 € second year estimated budget at 200 000 € and a third year budget of 320 000 €. The number of returnees is estimated: 30 (2009), 50 (2010), 100 (2011).

The beginning stage of the project gleans the experiences from previous projects in order to map out best practices with assisted return measures in general and the possible special needs of vulnerable groups. Vulnerable returnees are considered to be single women, unaccompanied minors, single parent families, disabled, persons with physical illnesses or mental health problems, elderly persons, , LGBT persons, members of ethnic minorities (the Roma people for example), victims of human trafficking etc.

The plan is that some other organisation will simultaneously developed the basic assisted return-model for Finland, which is now lacking. This project aims to develop positive action for the vulnerable groups that could be integrated into this wider model. In this sense the project is forward looking, trying to develop sustainable solutions that fit into the currently evolving national scheme of things. Through development aid, the project tries to find possibilities to support the re-integration of the vulnerable returnees in co-operation of refugee associations in Finland (RCOs) and local civil society in the country of return. This approach also strengthens the democratization process in the concerned countries.

The following processes are covered by the project:

- Pre-return information and advice
- Making individualised return plans, including necessary financial assistance and other support measures
- Implementing the actual return (logistics)
- Supporting the re-integration process of the vulnerable returnees
- Monitoring the success of the returns

Project activities

- The first step is to gather information from the earlier returns of the evacuees to Kosovo and Bosnia-Herzegovina (particularly concerning the return of the elderly). This is carried out by summing up the info from documentation, field reports and other research done in connection with earlier return projects. In the autumn of 2009, the needs and modes of positive discrimination in connection with vulnerable returnees, as well as the role of the refugee organisations in Finland in the process, are identified in two workshops aimed at representatives of refugee organisations and

refugee communities. The first workshop will be held in the south-western coastal city of Turku on the 31.8.2009 and the second one in the city of Tampere, located in the southern part of Finland.

- Training representatives of refugee organisations concerning the need and possibilities of positive special measures in connection with vulnerable groups
- Information meetings concerning return and group-specific mother tongue return advice at the reception centres.
- Fact finding trip to Northern Iraq get acquainted with the NGO activities and local conditions in general.
- Pilot return project tested in practice over a 3 year period, including a 1000-2000 € return assistance per person besides the travel costs. These funds will be paid by the reception centres and municipalities in connection to preparing Individual or Family-based Return Plans or at a latter phase partly in co-operation with IOM in the country of return.
 1. Already during the first project year (2009) funds are made available to assist the voluntary return of 30 individuals (not necessarily a vulnerable returnee, but any failed asylum seeker wishing to return).
 2. In 2010, 50 vulnerable persons returned
 3. In 2011, 100 vulnerable persons returned
- Support measures for reintegration in the country of return
- Creating the monitoring mechanism
- Training and information dissemination

‘The development of a country or origin information system concerning Afghanistan to ensure the preconditions for safe return’, 1.5.-31.12.2009.²²

This is an ERF-funded project conducted by Migri’s Legal and Country Information Unit. It aims to create a permanent country information service network for the use of Migri and the Police authorities who carry out the removals of asylum seekers. The goal is that the COI info gathered through these sources concerning the preconditions of safe return could provide up-to-date and trustworthy estimation of the situation both in the decision making phase at Migri and in the return phase by the Police. Through Migri this information network could also be utilised by the appeal courts, the authorities organising assisted returns, the Finnish municipalities where Afghan nationals are staying, NGO’s and other stakeholders, including individuals contemplating voluntary return to Afghanistan. Migri and the Police conduct a fact finding mission to Afghanistan in October 2009. During the trip discussions are held with the local authorities, the embassies of various countries, including the Finnish embassy, NGO’s political parties and international actors. The goal is to create a local COI network by forging contacts with all of the above actors. The results of the fact finding trip are disseminated in a seminar conducted for the co-operating partners of the project in Finland, for the authorities assisting voluntary return, for the Afghan immigrant organisations in Finland, and for the organisations offering legal aid to immigrants and asylum seekers. After the fact finding mission Migri will update its guidance note for the decision makers on the Afghan asylum seekers’ need for international protection.

3. See also 3.2: BLWW-project ‘Facilitating Assisted Voluntary return to Kosovo through a

²² <http://www.intermin.fi/intermin/biblio.nsf/vwbytype/D71589287E4A2A63C22575D90031CC32>

Sustainable Return Plan' 2009 -2011

4.1 Motives for (and Perceptions of) Assisted Return

The motives for remigration projects and development cooperation that affect the countries of return, are mostly determined by the Finnish development cooperation policy, which very much stresses the empowerment of local actors as an objective. Therefore many of the projects have focused on mapping the field of local actors, and on developing cooperation and networking between them, as well as supporting them in various ways. From the perspective of migrants, the question concerns:

- building and maintaining a functioning and safe physical infrastructure (such as water, plumbing, minesweeping)
- supporting the conditions and networking of local social support organisations (existing local NGOs, new NGOs, cooperation between authorities and NGOs)
- supporting educational infrastructure (professional skills of education staff)
- the conditions for employment (support for new small enterprises).

The planning of projects which affect the countries of return, is often carried out in cooperation between the Ministry of Foreign Affairs, authorities in the country of return, and NGOs from Finland, as well as from the country of return. As a truly trans-national organisation, IOM has been able to use its existing international network of local offices, using them as central points for networking in the country of return. The Red Cross has also a similar kind of structure, and it is able to efficiently use its' international network in carrying out its aid programmes.

The projects have often received funding from the Finnish development cooperation budget, and/or from European Union or European Refugee Fund. In many projects, mostly in Bosnia, Finland has been one of several participating foreign country.

The contact with enterprises in the projects have been self-made, meaning that in order to support the employment of remigrants, they have been given small grants for starting up businesses. A good example is the *Zgijm* handiwork store in Mitrovica, Bosnia. In one project, a Finnish company offered its expertise in water and sanitation education in Bosnia.

The development cooperation department of the Ministry of Foreign Affairs has a central role in the remigration and development cooperation projects arranged by Finnish organisations. The most central NGO actor during the last years has been International Organisation for Migration Scandinavian & Baltic Office in Helsinki. In addition, IOM has, in cooperation with the authorities, executed the unavoidable deportations in a more humane way.²³

Apart from the 2003 report where the motives for assisted return are mentioned briefly, the only other text from more recent years expounding this theme is in the IOM 2009 project proposal which spells out the need for a comprehensive AVR framework to be developed in Finland. It sates the following justifications:

- Providing general information and clarifying the needs of important returnee groups and vulnerable migrants as regards return and reintegration fulfil the most immediate needs in the development of return management in Finland. If information on AVR is not easily

²³ http://www.reintegration.net/finnland/summary_finnland.htm

available to return counsellors directly in contact with migrants, the AVR option may not become known to potential returnees either. This can lead to unnecessary long stays in the country and possible police enforcement of the return after all other options known to the migrant have been exhausted, both of which are cost intensive as compared to AVR.

- AVR is widely recognized as a more humane and publicly acceptable return option than forced return that benefits all players on the origin-transit-destination spectrum. For the migrant, it is a humane return alternative without the stigma of deportation, which most often entails various host country specific benefits, such as reintegration support and/or possibilities to apply for regular migration to the host country after return. For host countries, AVR works to support the integrity of national asylum systems and provides an expedient alternative to forced returns while supporting bilateral relations with countries of origin that might even be unwilling to accept the return of émigrés “in shackles”.
- AVR is also the most cost-effective return option for national authorities and society as a whole. Elements contributing to the lower cost level of AVR are lack of costs related to detention and escorts, preferential airline agreements with no or reduced cancellation fees, and shorter stays in host countries because of migrant incentives to cooperation on the return. An EC working document from 2005 comparing costs of forced and voluntary return found significant variation from one EU member state to the other, but nevertheless estimated cost differences ranging from +23% (Germany) to 17 times higher costs on forced returns in Hungary^{24[5]}. IOM experience generally sets forced return costs at a level five to six times higher than voluntary return but also recognizes that cost comparisons are highly dependent on the national context of the host country.
- Because of IOM Helsinki’s long-standing experience in the provision of AVR services to the Government of Finland, established contacts with a network of return counsellors in Finland, knowledge of best return practices also as regards vulnerable returnee groups, and the global network of IOM offices in support of AVR operations, IOM Helsinki has the needed migration expertise and operational capacity to take the leading role in developing return management in Finland and to offer voluntary return assistance and support in close cooperation with Migri, who is planning to provide co-funding for such operations .

4.2 Obstacles to Assisted Return

The main obstacles experienced in Finland with regard to Assisted Return pertain to the lack of national policy on the matter and the continued lack of political will to plan such policy. Hence the number of returnees has remained fairly low. Thus there is not much data available concerning problems to do with logistical barriers, or from the point of view of the potential returnees or, obstacles presented by the Country(ies) of Return. Some comments concerning these issues have been made in the documents of the return projects referred to earlier in this report:

For example, according to the IOMs Final report on Drita III, **voluntary return activities in general as well as this particular project, would have been enhanced if there would have existed an official Government policy on voluntary return in Finland.** Also the decreasing level of activity within the Kosovo community in Finland resulted in a low level of participation at the DRITA III project information sessions. The difficulties experienced by IOM Kosovo in identifying employment opportunities for persons wanting to return to Kosovo also decreased the

^{24[5]} Commission Staff Working Document, Annex to the General Programme Solidarity and Management of Migration Flows, Extended impact assessment COM(2005).

number of applications for the projects grant schemes. Due to the lack of participants some mental training courses initially planned also had to be cancelled. Also the high turnover of IOM staff within DRITA III project (3 coordinators within one year) hampered the implementation of the project.

Special support for vulnerable groups:

This support was provided in the form of a **fact-finding mission for 13 persons residing in Finland** (10 Kosovo Albanians 3 staff). The mission was carried out between 03.04 – 10.04.01. The concerned persons were either special medical cases, people with disability or persons with special health related needs who were considering returning to Kosovo, but who needed special information to evaluate the concrete medical and health related standards enabling a resettlement. The selection of participants was made on the basis of the type of medical needs (heart, blood, lung, kidneys, back problems, cancer, a handicap or mental problems) of each person. The participants had 13 meetings of which 2 with national public sector institutions; 2 NGOs; 3 International Governmental Organisations; 5 International NGOs and 1 Finnish consultancy company.

Also with DRITA II project, the result of the fact-finding mission to evaluate the medical care standards for certain vulnerable persons was that the standards of health services in Kosovo at that time did not allow for the return of any of the persons with special needs within the group.

4.3 Organisation of Assisted Return measures

The independent voluntary return projects carried out from Finland have included components for counselling and assistance in the return process. The following provides an example case of this.

Experiences with DRITA I and DRITA II: assisted return to Kosovo²⁵

During the crises in Kosovo in 1999, more than 850 000 people were forced to leave their home region. Most of them fled to Albania, the Former Yugoslav Republic of Macedonia and Montenegro. The refugee influx overwhelmed the reception capacity of the host governments and humanitarian organisations. The government of Macedonia requested international burden sharing including the evacuation or transfer of some of the refugees to third countries. UNHCR and IOM launched the "Humanitarian Evacuation Programme" in early April 1999. Almost 96 000 refugees had were evacuated by altogether 28 countries, among them Ireland and Finland.

Finland evacuated around 1100 Kosovars from FYROM, Stankovac Refugee Camp. Evacuees were interviewed in the camp, evacuation flights organised and several reception centres established all over the country for their temporary protection. Interviews concerning war crimes were also carried out immediately on arrival. The Finnish Ministry of Labour established a project called *Drita* to respond to the first needs of Kosovo DPs evacuated by Finland from Kosovo neighbouring regions via Humanitarian Evacuation Programme (HEP). The project received small co-funding from the European Commission, the ERF/Emergency Measures.

Because of the positive developments in the peace and stabilisation process in Kosovo, the objectives of the Drita -project was reviewed in August 1999, and a more repatriation-oriented approach to the reception operation was adopted by the project leaders. Additionally to the reception and rehabilitation measures, reintegration supportive measures and post-repatriation monitoring was organised by the Ministry of Labour. The evacuees were provided with psycho-

²⁵ http://www.mostproject.fi/mp/db/file_library/x/IMG/31367/file/Handbook_English.pdf

social rehabilitation and support, legal advice and counselling on return, look and see visits to Kosovo and other activities for information collection. Good results were achieved also from support-programmes for young evacuees and post-repatriation monitoring. The results of the project were monitored and evaluated internally by the project steering group and by the field worker in Kosovo.

Reception of Evacuees:

The reception of the evacuees consisted of the following services and components:

- Accommodation in 10 reception centres, part of them established for the purpose. Reception centres provided services like social support and psycho-social counselling, everyday activities, primary and specified health care, acute dental care, infant and maternity counselling services and basic education for children and youngsters.
- Information sharing was carried out both by authorities and the staff in the centres as well as NGOs. Finnish Red Cross established “Kosovo Help Desk”, through which evacuees as well as refugees from Kosovo living permanently in Finland got information on various questions including situation at home, tracing family members, possibilities for reuniting families, possibilities to repatriate and to be supported in their reintegration. Drita –project also organised seminars and other events and assisted evacuees in publishing a news bulletin made by the evacuees.
- Training, rehabilitation and assistance in making re-integration plans
Training was provided for the staff assisting evacuees since the orientation to the work was quite different compared to the reception of asylum seekers. Issues related to traumatic experiences, rehabilitation and decreasing of ethnic tensions were emphasised as well as support for voluntary return and reintegration. Children attended local schools where teaching, however, was given in separate classes and in Albanian language whenever possible. Crises Prevention Centre and the Centre for the Victims of Torture established a Mental Rehabilitation Programme, which consisted of: 1) training of mental health workers, 2) preparing of “guide-material” on post-traumatic symptoms and rehabilitation in Albanian language, 3) supervision of occupational therapy-groups and self-help groups for psycho-social support.

A special programme was also designed for young evacuees, who already completed their basics education. The aim of the programme was to help them to plan their future, to build their self-confidence and discuss their feelings. Practical skills like English and data-processing was also included.

Supporting voluntary return

In Finland, support for voluntary return consisted of advisory services, financial support, mine awareness, return flights, post-return counselling and monitoring.

In the beginning of September 1999, the Ministry of Labour sent a field-worker to Kosovo for post-repatriation monitoring. During a six-month period, the field worker gave counselling for the returnees from Finland and also interviewed altogether 297 of them. The results of the interviews revealed that they had found their reception in Finland well organised and the common atmosphere friendly, caring and emphatic. They felt that their acute needs had been taken care in the reception centres. Approximately half of them were still living in tents, since their houses had been completely destroyed or suffered large damages. Most of the tent-dwellers had not been aware

about the destruction/damages of their property or had got false information from their friends and relatives in Kosovo. Many of them stated that if they had known about the situation, they would not have repatriated but stayed in Finland over the winter. These results confirmed that more concrete and detailed information should have been given to support the individual and family-specified decision making on the voluntary repatriation.

More than half of the returnees had not been able to find any employment by the time of the interviews and had no income for the family. Part of them had employment but no salary; around 20% were paid for working or had established an enterprise. On the departure they had little information about the working opportunities or about the fact that for example teachers are not always able to get compensation for their work. Due to this, all returnees agreed that the two-month social allowance granted by Finland had been extremely important for their subsistence at the beginning of their reintegration process. The results of the post-repatriation monitoring showed that more efforts should have been made in the host country to promote reintegration.

A new programme was designed and carried out during 2000 in co-operation of Ministry of Labour the IOM/Helsinki. This programme was co-financed by the Commission, the ERF.

Within the new programme, more than 100 local social workers were trained to provide "Counselling on Return" for potential returnees and information sessions organised all over the country. A handbook and a video were also published as well as leaflets in Albanian and English.

Training programmes for building capacity for re-integration were carried out in reception centres, which accommodated the evacuees:

- A four month course for basic health care including practical training in Finnish hospitals, kindergartens and elderly homes
- Two courses of social work with the emphasis on trauma-work
- Two construction courses including e.g. standards of construction, element construction, dismantling, rebuilding, equipment maintenance, metal and welding works and work safety. Both theoretical and practical elements were included (e.g. a house build as an on-job-training)
- Carpenter course
- A two-month course on barbering/hair-dressing
- A five-month course on handicraft design, marketing and basics of entrepreneurship
- English courses
- Courses on data-processing, preparing of websites and other computer skills

The training courses were been designed taking into account the reintegration needs of the target group and their own wishes and interests. The aim was to provide training on skills that are in line with the labour market needs in Kosovo. A needs assessment was already carried out during the Drita project in autumn 1999.

Three 'Look and See' visits to Kosovo were organised during the spring 2000. The objective of these visits was to gather information on the concrete situation in Kosovo for further dissemination to the evacuees, who were planning their voluntary return. The participants were selected among evacuees, refugees from Kosovo, NGOs and responsible authorities. Each visit had a different focus and programme organised by IOM Pristine. The first visit focused to the issues most concern of women (e.g. provision of health-care, school infrastructure and employment), the second to the issues concerning young people and ethnic relations (e.g. conditions for studying, registration, different international and local NGO's, operational in Kosovo, situation of ethnic minorities) and

the third on studying the employment and self-employment opportunities (SME enterprises, employment offices, bank representatives, organisations that provides loans for small businesses etc.). After each visit, the participants shared information to their background organisations/audiences, refugees and evacuees from Kosovo in Finland and the media.

Return flights were organised also during the spring and early summer 2000. Information sessions including mine awareness were given to the returning groups. Financial support corresponding two-month social subsidy in Finland was also granted to each family/single person to cover the basic subsistence during the first months in Kosovo. In addition, returnees could apply for re-integration assistance of the similar amount. The precondition for the reintegration assistance was the presentation of a plan on the use of funds (Re-integration Plan).

Experiences with DRITA III project:

In the early stages of the project it became evident that the original aim concerning the number of persons assisted in their return (125) could not be materialised. Subsequently, IOM Helsinki had to re-orient the project towards providing more capacity building and information dissemination measures as well as a larger variety of training. Thus, some additional results in these components were obtained in relation to those originally set up. (Compare sections 1 and 2 within this report). **The unexpectedly low number of returnees (24) was due to the integration level of the Kosovar Albanians residing in Finland (often with young children), the lack of job opportunities in Kosovo as well as the general security and social/economic situation in Kosovo.**

The general aim of these courses was to give a wide variety of capacities in different fields thereby promoting the skills needed for re-integration into the labour market and society in general in Kosovo. Another aim was to improve the physical health and prevent its degradation. The training, which included both lectures and practical exercises, was organised in two modules between 1.1 – 9.2 and 5.3 – 11.5 2001 **and attended by 90 Kosovo Albanians** living in Finland. It was organised in cooperation with Folkhälsan Refugee reception centre in Karjaa.

The strengthening of personal resources training included:

- 4 **computer science courses** of which 2 basic and continuing courses for men and 2 basic and continuing courses for women. Participants learnt how to use word programmes, excel programmes and the Internet.
- 1 course in **English language** through group lectures with visual training methods as a speciality.

The promotion of health training included:

- Two **“Be your own doctor”** courses (Health care training). Information on mouth hygiene; infection risks; eating habits; prevention of high blood pressure; the hazards of smoking; relaxation; first aid and mental health was provided.
- Four **Health care courses** were provided (2 in Finnish language and 2 in Swedish language). Participants were introduced in how to measure fat levels; participated in walking tests; played football; badminton and exercised aerobic and stretching.

- Six **Preventive health care courses** were held (4 in Finnish language and 2 in Swedish language). The courses included walking; adventures; foot care; relaxation; making of food; eating habits; mouth hygiene and special physiotherapy.
- Two **Hair styling courses** were arranged. These courses were held at a local barbershop where participants received information on hair styling.
- One **Course on cooking and serving** was held at a local cafeteria. Participants were given the chance to participate in the work/activities of the cafeteria during the duration of the course.
- One **Sewing course** was given in which participants learned how to use a sewing machine and how to sew clothes

Special support for vulnerable groups:

This support was provided in the form of a **fact-finding mission for 13 persons residing in Finland** (10 Kosovo Albanians 3 staff). The mission was carried out between 03.04 – 10.04.01. The concerned persons were special medical cases, either handicapped or persons with special health related needs who were considering returning to Kosovo, but who needed special information to evaluate the concrete medical and health related standards enabling a resettlement. The selection of participants was made on the basis of the type of medical needs (heart, blood, lung, kidneys, back problems, cancer, a handicap or mental problems) of each person. The participants had 13 meetings of which 2 with national public sector institutions; 2 NGOs; 3 International Governmental Organisations; 5 International NGOs and 1 Finnish consultancy company.

Assisted return to Kosovo:

IOM Helsinki has actively **assisted in the return of 24 persons from Finland to Kosovo**. The activities included: booking of return flights; informing the local police, reception centres, aliens police and border guard on flights details; co-ordinating and exchanging information with IOM receiving missions; registration of returns prior to departure; assistance at the airport before departure; arranging transit and arrival assistance and informing receiving IOM missions on the assistance required by the returnees. The persons had various profiles (age, profession, sex, and family status) and returned from different locations in Finland to different locations in Kosovo.

Promotion of Nordic cooperation in voluntary return:

In the framework of the project a **Nordic closing seminar** was held in Helsinki on 11 December 2001. The aim of the Nordic closing seminar was to highlight different aspects of voluntary return to Kosovo from the Nordic countries. 37 persons from Government ministries, NGOs, international organisations and diplomatic missions in Finland, Sweden, Denmark and Norway attended. The seminar discussed how voluntary return has an impact on an individual level (sense of identity and belonging, cultural issues etc.) and as part of government policy (opportunities to education and access to the labour market etc.) depending on conditions in the country of origin and in the host country (ex. integration measures, financial assistance). Other important aspects are those of security and the social and political situation. The importance of return as an individual experience, its voluntariness and humanity was also stressed. Counselling is essential. It should include aspects of re-integration opportunities and it should involve the immigrant organisations. **The seminar concluded that the complexity of voluntary repatriation is reflected in the different national models chosen in each of the Nordic countries as well as the different terminology used.**

Capacity building and information dissemination:

The production, design and printing of a **voluntary return handbook** for public authorities. It was a consolidation of the basic procedures, policies and principles relating to voluntary return and intended for all governmental staff at the central and municipal levels in Finland, IOM staff and NGOs. The Handbook was produced and distributed in Finnish (1000 copies) and Swedish (500 copies). An English language version is also available on the Internet (www.iom.fi).

The production, design and printing of a **voluntary return brochure** for returnees in Finland. The brochure addresses return from a practical perspective, including the procedures, mechanism and scope of the assistance available to them in order to make an informative decision. The voluntary return brochure for returnees was produced and distributed in Finland in Somali language (2000 copies); Bosnian (1000), Albanian (1000), Serbo-Croatian (1000), Northern Iraqi Kurdish (1000), Finnish (3000), English (2000) and Swedish (500).

The production of a video on **voluntary return** (“Going home”) for potential returnees. This is a documentary following the return of one person to Kosovo. The video shows different aspects of the individual plans/thoughts of a returnee as well as the scope and character of the IOM assistance provided. The video was made available in English (40 copies), Bosnian (6 copies), Albanian (7 copies), Kurdish (6 copies), Finnish (10 copies) and Russian (5 copies).

Other **information dissemination** within the project included: The production and distribution of a project brochure (1,000 copies in Finnish and Albanian). The brochure was sent to refugee reception centres, municipalities and Kosovo associations in Finland. The design and launch of the project web-site in English and Albanian (www.iom.fi/drita3). Information sessions on the project activities in the Helsinki area, Tampere and Turku (8 sessions). Sending of project letters to refugee reception centres and municipalities (1 x 250 and 1 x 300). Press-releases (2), radio broadcasts (1) and stories in newspapers (2).

5. RE-INTEGRATION AND SUSTAINABILITY OF RETURN

Yes, many of the voluntary return projects have included a component on counselling and assistance given after the return has taken place.

Experiences from DRITA I and II²⁶

In connection with the voluntary return programme of the Kosovo evacuees in 1999 and 2000, post-return support was organised in co-operation with IOM Pristine, which hired a Coordinator and a Community worker to assist returnees from Finland. The community worker gathered information on conditions and opportunities in Kosovo and assisted returnees in their reintegration process. Monitoring was carried out by making interviews and home calls.

The following findings were made:

- Since many returnees found their property destroyed or partly destroyed, the reintegration support received from the Finnish Government was used to buying furniture and other household appliances, for reconstruction, and only in a very few cases it was invested in new businesses.

²⁶ http://www.mostproject.fi/mp/db/file_library/x/IMG/31367/file/Handbook_English.pdf

- The assistance from Finland lasted usually more than two months and was essential in securing the acute needs until other sources of income was found.
- The high rate of unemployment in Kosovo created the biggest obstacles for reintegration. This has also affected the possibilities of the project workers to assist the target group to find employment as was planned during the project design phase. Instead, they were able to assist returnees with valuable information on organisations providing support locally for returnees.

Out of more than 1000 evacuees, 65 % returned voluntarily to Kosovo during 1999-2000. Permanent residence permits in Finland were granted mainly to persons coming from ethnic minorities, e.g. Roma. Lessons learned from the process are:

- Reintegration and rehabilitation has to start from the beginning of the evacuation process in order to ensure sufficient mental and physical support for the return and re-integration process
- Assistance on return has to be provided on the both ends: the sending society and the receiving one.
- Special attention has to be paid on practical and up-dated information gathering and sharing in order to enable informed and well considered decisions e.g. on the time of return

Refugee stories:

A family which returned from the Reception Centre of Länsi-Uusimaa Finland on March 2000 to the village called Llazicë, in Malisheva municipality, which was one of the most heavily, destroyed areas in the war. Their house was totally burnt. He was well informed about the situation in Kosovo in advance as he had participated on a very first “Look and See” visit during Drita project in 1999. The allowance they received was used to build one room and furnish it for living. This was not what they planned prior to departure. They had planned to use the funds for starting a hairdressing salon and buy some livestock.

A single lady who returned to Mitrovica in May 2000 from the reception centre in Helsinki reported that she found her house totally burnt and destroyed. She was not aware of the state of her house before arriving to Kosovo. The allowance received from the Finnish government was spent in buying construction material and food and did not last long. The immediate needs of her house were so high that she was not able realise the original plan of open a tailor’s shop. She had planned to use the allowance for buying new sewing equipment, since all she had before was looted during the conflict.

Another family from the Reception Centre of Länsi-Uusimaa, decided to return to the village of Grabovc i Ulët, municipality of Fushë Kosovë in May 2000 although, they knew already in Finland that their house was totally destroyed and they had to live in a tent. The family was pleased of the accurate information they received in Finland prior their arrival and thus they escaped the worse shock. The father of the family was optimistic of the situation in Kosovo at the time of monitor’s visit. His son was able go to school and he hoped for further assistance from the NGO’s operating in the area. In the original reintegration plan the family had declared that they planned to use the assistance to rebuild the house and install a water pipe. Upon his return the family spent the funds as planned.

One of the returning families that managed to reintegrate fairly fast was a large family which returned to the village Magurë, near Lipjan. The son of the family returned couple months before

the rest of the family and managed to rebuild their house of the ruins. He received additional assistance from an Austrian NGO operating in this area. The family had all the needed information regarding the situation in Kosovo already before the son's return and thus they were able to make a comprehensive reintegration plans. The assistance received in Finland was mainly used for the purchase of the household appliances and building material. The family is happy in Kosovo and did not plan to return to Finland.

Experiences with DRITA III²⁷

This return programme also had components to support the returnees' re-integration, including monitoring activities:

Support of employment schemes in Kosovo:

To enable a proper occupational re-integration the project developed business grants and employment assistance grants for Kosovars planning to return to Kosovo. The grants were a concrete follow-up measure of the business training courses carried out earlier within the project. Related application forms including model business plans had been designed in cooperation with the Centre for establishing companies in Uusimaa. Both types of grants represented approx. 2,270 Euros/each, paid in Kosovo. IOM Helsinki based on an application and following an assessment/interview with the applicant approved the grants. IOM Kosovo carried out this assessment. IOM Kosovo also monitored the development of the initiative through a site-visit. The approval of a Business grant required that a business plan form had been properly filled in, whereas the employment assistance grant required that an employer guaranteed to recruit a person for at least one year with a salary equivalent to at least a one-year minimum salary in Kosovo. The project approved 1 Business grant (establishment of a consultancy) and 2 employment assistance grants (one year contracts as guardian and cleaner at an international institution).

Support in social reintegration:

To prepare for social re-integration in Kosovo the project provided a mental training course for potential returnees **prior to departure**. The aim of the two-day course (7-8 June 2001) was to prepare persons mentally for return and to teach them skills for self-motivation and self-encouragement. 17 persons participated in the training, which included group exercises, lectures and personal coaching. The course included: strengthening of self-estimation; development of capacity for concentration; conflict resolution models; processing of nightmares; stress prevention and management and relaxation exercises. Following the return to Kosovo the returnee was assisted by staff at IOM Kosovo. Re-integration and resettlement posed several challenges including in relation to obtaining health services and a job. In view of this IOM Kosovo produced and disseminated info sheets including information on humanitarian services for returnees, in different provinces of Kosovo. To monitor the success of the social reintegration a questionnaire on return for returnees was designed and visits to returnees were carried out. During the visits the questionnaires were used to carry out in-depth interviews with returnees on their return experience.

Finland has no bilateral return agreements or multilateral re-integration programmes at the moment, but as already mentioned, the Ministry of Interior's report to the government in the spring 2009 suggests that such agreements be drafted with Afghanistan and Iraq. There are no measures in place to prevent the re-entry of a migrant who has previously benefitted from Assisted Return.

²⁷ Return and occupational reintegration of Kosovo Albanian Refugees from Finland (DRITA III), 1 January 2001 – 15 March 2002, Final Report

6. CONCLUSIONS

The dispersion of responsibility for different categories of returnees amongst the Finnish Police, municipalities, and reception centres according to the legal status of the person, has brought about it that the benefits of AVR to both authorities and migrants have not been systematically developed or promoted in Finland; this because no authority or organization has had the formal, leading role in developing return management. These sentiments are clearly supported by the Ministry of the Interior's report from 2003. Depending on the transposition of the Return Directive to national Finnish legislation, the need for updated information can become even more apparent in the near future.

The government commissioned reports by the Ministry of Interior from the years 2003 and 2009 contain viable suggestions for legal reform and administrative streamlining to facilitate the development of a national level framework for AVR. IOM has voiced the motivation and need for such framework and is willing to co-operate with the government and other actors in developing efficient and sustainable procedures respecting the dignity and human rights of the returnees. The administrative reorganisation of the immigration affairs in 2008 and the suggested reorganisation of the budget-units for the year 2010 state allocation for various migration matters also facilitate a smoother running of AVR on a national scale. Lessons from the voluntary return projects of previous years are being collected together by the end of the year 2009 in a comprehensive manner in connection with the first stage of the current return project: *'Positive discrimination measures for vulnerable groups in the return process.'* Thus, even through the ad hoc approach adapted over the past years, much experience has been gained, lesson have been learned partly through trial and error, and efforts have been made by the government authorities in form of suggestions for a unified national effort that also takes into consideration the European developments in this field. The initial steps have been taken to set the stage for the launching of a national level AVR approach. The next steps depend on the political decision makers.

In the 2002 "Migrants in Europe Survey" compilation by the European Reintegration Networking,²⁸ the Finnish League for Human Rights has gathered together the following information dealing with return:

Good Practices

The IOM Helsinki office gave us the following examples of good practices:

- Employing the return migrant in the country of return. This is important in terms of re-integration.
- Preparatory measures. The planning of projects is made easier when the numbers and needs of returnees has been surveyed.
- Cooperation between IOM-Helsinki and the local IOM office in the country or area of return. Finding an NGO partner in the country of return is important as well.
- Creating networks around the return migrant, consisting of different kinds of organisations.
- Temporary return migration, which seeks to advance the re-building process such as the Return of Qualified Afghans. In Africa, a new project is starting, which takes a step further: it engages the potential of highly educated refugees without physical return migration.

²⁸ http://www.reintegration.net/finland/summary_finland.htm

In the DRITA-project, several recommendations or good practices were found (based on Keskinen 1999). Firstly, *refugees who are planning to re-migrate should receive proper information concerning the conditions in the country of return, from several different sources*. Secondly, those who returned to Kosovo were very interested in the life and conditions of those who still were in Finland. *Refugees form trans-national communities, which makes it important to support the flow of information both ways, from the country of return to the refugee host country (Finland in this case), and vice versa*. This supports the social, psychological, and even economical well-being and life management of both those in the country of return, and those in the host country.

Problems and recommendations

The European Commission against Racism and Intolerance (ECRI) published its' latest report on Finland on the 23rd of July 2002. It mentioned two special concerns, of which the one that is relevant here, concerned the asylum application system. Report of ECRI (2002) speaks for itself:

[...] ECRI notes that *serious concerns have been voiced as to whether the Aliens Act as amended is in compliance with the requirements of an effective remedy as required by Article 13 of the European Convention on Human Rights*. Moreover, concerns have been expressed that *the safe country of origin concept has in practice led to "group decisions" being taken on asylum applications rather than individual decisions based on the specific circumstances and experiences of each asylum seeker*. [...] It has also been commented that *four out of five asylum applications are now submitted to the accelerated procedure* [...] Generally, it has been commented that the new system represents a weakening of the rights and position of asylum seekers in Finland. [...] As regards the amendments as such, *ECRI stresses the need to ensure that the right of asylum seekers to lodge an appeal against a negative decision on their application before removal from the country, and to remain in the country pending the outcome of the appeal, should be respected in both legislation and practice*. Furthermore, ECRI stresses [...] the principle that *each asylum application should be judged on an individual basis and not on the basis of assumptions about the situation of groups of persons in a given country. This is particularly pertinent in relation to the situation of Roma/Gypsies, given the well-documented cases of racism and violence suffered by members of the Roma/Gypsy community in a number of European countries*.

In December 2002, the Nordic Head of the United Nations refugee agency (UNHCR) expressed his concern on the wide use of the concept of “safe country of origin”, and on the nature and scope of the use of accelerated asylum decisions in Finland (reported in *Helsingin Sanomat*, the daily newspaper with the widest circulation in Finland, in an article dated 16 December 2002). His special concern was, that according to the Government’s Proposal in December 2002 for the New Aliens’ Act, these policies are to be made permanent.

Common European rules should be negotiated on proper conduct in these situations, and what rights asylum seekers have. The interests of the administration may, in this case, contrast with the interests of the individuals seeking asylum. From our perspective, the protection of law should be a priority, even when this may lead to other problems, such as possible cheating etc. In addition, these types of situations would be helpful in supporting the integration of the Roma in their home countries, which would also follow the policy of the government in Finland.

At present, the return migration of refugees and asylum seekers from Finland is often organised in cooperation with municipalities, reception centres, and IOM Helsinki. In the municipalities, the responsible officers are social workers, who are not specialized. The action is based mostly on limited projects and on a group level. The special measures developed and used in projects are not available for individual returnees.

This policy may be lacking because return migration from Finland has so far been very rare. However, if these things would clearly be stated and financed, it would be possible to construct a comprehensive, individual system, and via networking, a new, more specialized division of labour. The latter would mean in practice, that the work now done by social workers in municipalities would be externalized to specialized bodies such as the International Organisation for Migration, and Crisis prevention Centre for Foreigners. In this situation, the individual background, education and other individual factors could be better taken into consideration.

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