

European Migration Network (EMN)

Common Template EMN Focussed Study 2014

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Good Practices in the return and reintegration of irregular migrants: Member States' entry bans policy & use of readmission agreements between Member States and third countries

Top-line 'factsheet'/Executive summary

National contribution of Finland

The purpose of this study by the Finnish National Contact Point of the European Migration Network (EMN) is to assess the significance of entry bans and readmission agreements in the implementation of an effective return process. The study also examines whether entry bans and readmission agreements have an effect on granting reintegration assistance.

An entry ban can be imposed on a third-country national in conjunction with a removal decision. According to Finnish national legislation, an entry ban is generally ordered if no time limit has been set out for voluntary return, or if the alien has not left the country voluntarily within the fixed time limit. In practice, this means that an entry ban is imposed in conjunction with a removal decision: if there is a risk of absconding, if the person is considered to present a danger to public order or security, if the residence permit application has been refused on the basis of an evasion of provisions on entry, or if the case comes down to dismissing an application for international protection or applying an accelerated procedure. However, the authorities may choose to not impose an entry ban subject to an overall consideration of factors including the best interest of children, the protection of family life and the alien's ties to Finland and country of origin.

A third-country national can either return voluntarily or be removed from the country by the police. Pursuant to the EU Return Directive, voluntary return is the first priority. In Finland, voluntary returns are currently coordinated by the IOM with project funding from the European Return Fund. The IOM also grants reintegration assistance after consulting the police. Finnish national legislation is intended to be amended in order to establish a voluntary return system.

Under the EU Return Directive, Member States have the opportunity to withdraw an entry ban imposed on a third-country national that returns voluntarily. The withdrawal of entry bans is not, however, used in Finland as an incentive for voluntary returns. Voluntary return through the IOM return programme is therefore not considered grounds for the withdrawal of an entry ban, but at the same time, entry bans are not taken into account in considering the granting of reintegration assistance. An entry ban may be withdrawn on the basis of a change in circumstances or for important personal reasons, or if the person can demonstrate that he or she has left the country in full compliance with the return decision. Only the

Finnish Immigration Service may decide on the withdrawal of an entry ban.

Entry bans are imposed for the Schengen area as a whole and entered into the SIS, with the exception of cases where the third-country national has a residence permit granted by another Member State that is not cancelled. When issuing residence permits, the Finnish authorities always check whether the applicant is subject to a valid Schengen entry ban. Other Member States are consulted as necessary with regard to the withdrawal of entry bans in accordance with the Schengen Agreement.

The numbers of entry bans imposed by the Finnish Immigration Service, the police and the Finnish Border Guard are as follows: 1,070 in 2009; 1,398 in 2010; 1,916 in 2011; 2,385 in 2012; 2,757 in 2013. The effectiveness of entry bans has not been specifically evaluated in Finland. In practice, the monitoring of entry bans is made difficult by the lack of border checks at the internal borders in the Schengen area, and the fact that a foreign national may have several different identities.

Where voluntary return is out of the question, or the third-country national fails to return voluntarily within the specified time period, Member States must take action to remove the person from the country. Returns are facilitated by readmission agreements between the EU and third countries, as well as bilateral readmission agreements between Member States and third countries.

In Finland, submitting readmission applications pursuant to readmission agreements is, in practice, the responsibility of the police. In 2012, a total of 77 readmission applications were made pursuant to EU readmission agreements. In 2013, the corresponding figure was 128. The agreement between the EU and Russia was the basis for the largest number of applications: 20 in 2012 and 71 in 2013. Finland has signed a bilateral readmission agreement with Kosovo concerning forced returns. The agreement entered into force in June 2013, and a total of 48 readmission applications were made pursuant to the agreement in that year.

The effectiveness of readmission agreements has not been formally evaluated, but they have proved useful in practice: countries of origin are cooperative and comply with deadlines. However, many countries request payment for documents that should be free of charge pursuant to the agreements, and some countries require that their own forms are used instead of the template forms included as appendices to the readmission agreements.

With the exception of Serbia, readmission agreements are only utilised in cases involving forced return enforced by the police. Granting reintegration support to forced returnees in the destination country is currently not possible.

Section 3 Entry bans

SECTION 3.1 NATIONAL LEGAL FRAMEWORK ON ENTRY BANS: GROUNDS FOR IMPOSITION OF ENTRY BANS AND CATEGORIES OF THIRD-COUNTRY NATIONAL SUBJECT TO ENTRY BANS

Q1. In your Member State, which scenario applies to the imposition of entry bans?

- a) Entry bans are automatically imposed in case the return obligation has not been complied with OR no period of voluntary departure has been granted

(**Yes**/No)

Pursuant to Section 150 of the Finnish Aliens Act, a prohibition of entry is ordered, if no time limit has been set out for voluntary return under Section 147a, Subsection 2, or if the alien has not left the country voluntarily within the fixed time limit, unless otherwise provided in Section 146 [overall consideration]. An alien who has been issued with a residence permit under Section 52a [victims of trafficking in human beings] is not prohibited from entering the country, if he or she has not been issued with a new residence permit or his or her residence permit has been cancelled, unless he or she has refused compliance with the obligation to return or he or she is a danger to public order or security.

b) Entry-bans are automatically imposed on all return decisions other than under a)

(Yes/**No**)

c) Entry bans are issued on a case by case basis on all return decisions other than a)

(Yes / **No**)

Q2a. What are according to national legislation in your Member State the grounds for imposing entry bans? Please answer this question by indicating whether the grounds defined in national law include the following listed in the table 3.1 below. In the final column, please add more detailed information on the criteria/indicators used to decide whether particular grounds apply in individual cases:

Entry bans are generally imposed in conjunction with the removal decision. The Finnish Aliens Act does not directly define the grounds for imposing entry bans. However, Section 150 of the Aliens Act states that the prohibition of entry is ordered if no time limit has been set out for voluntary return under Section 147a, Subsection 2. Pursuant to the provision in question, no time limit is set for voluntary return, if there is a risk of absconding, if the person is considered to present a danger to public order or security, if the residence permit application has been refused on the basis of an evasion of provisions on entry, or if the case comes down to dismissing an application for international protection or applying an accelerated procedure under Section 103.

Table 3.1: Grounds for imposing entry bans

Grounds for imposing entry bans	Yes/No	Please provide information on the criteria/indicators used to decide whether particular grounds apply in individual cases
Risk of absconding ¹	Yes	<p>No time limit is set for voluntary return if there is a risk of absconding (Aliens Act, Section 147a, Subsection 2). Section 121a of the Aliens Act sets out provisions on assessing the risk of absconding.</p> <p>A central aspect in assessing the risk of absconding is taking the person's overall situation into consideration.</p> <p>A risk of absconding may apply if the interim measures used have proved to be insufficient. The interim measures include:</p> <ul style="list-style-type: none"> • the obligation to report at regular intervals to police or border control authorities; • requiring the alien to hand over his or her travel document and travel ticket to police or border control authorities or to give them the address where he or she may be reached; and • the obligation to give a security to the State for the expenses related to his or her residence and

¹ As stipulated in the Return Directive Article 11 (1) (a) in combination with Article 7(4).

		<p>return.</p> <p>Pursuant to the Aliens Act, an alien is required to notify the authorities of his or her contact details and any changes thereto. The risk of absconding may apply if an alien has moved to a different place of residence without notifying the authorities of the new contact details.</p> <p>In practice, the following situations are generally observed: the person has refused to depart the country voluntarily; the person has not departed the country within the period granted for voluntary return; the person fails to cooperate with the police and refuses to cooperate with the diplomatic mission of his or her country of origin; the person has provided false personal data; the person has been returned to Finland as a Dublin returnee; the person has gone missing and there is a warrant for his or her arrest.</p>
<p>The third-country national concerned poses a risk to public policy, public security or national security².</p>	<p>Yes</p>	<p>No time limit is set for voluntary return if the alien is refused entry or deported because he or she is subject to a criminal penalty (Aliens Act, Section 147a, Subsection 1). An entry ban is also imposed in conjunction with the removal decision in such cases.</p> <p>Imposing an entry ban always involves a removal decision and, potentially, the refusal of a residence permit application or the cancellation of a residence permit or visa. An entry ban is imposed, for example, when deporting an alien who has resided in Finland under a residence permit and is found guilty of an offence carrying a maximum sentence of imprisonment for a year or more, or if he or she is found guilty of repeated offences (Aliens Act, Section 149, Subsection 1, Paragraph 2). An entry ban is imposed, for example, when an alien is refused entry on the basis of an earlier prison sentence or for other reasons, there are grounds to suspect that he or she may commit an offence which is punishable by</p>

² As stipulated in the Return Directive Article 11 (1) (a) in combination with Article 7(4).

		imprisonment in Finland, or commit repeated offences (Aliens Act, Section 148, Subsection 1, Paragraph 8).
The application for legal stay was dismissed as manifestly unfounded or fraudulent ³	Yes	<p>An entry ban is imposed in conjunction with a removal decision on a case-by-case basis if residence permit may be refused if the alien is suspected of evading the provisions on entry into or residence in the country (Aliens Act, Section 36, Subsection 2). For example, in cases involving a marriage of convenience, an entry ban of two years is generally imposed under the guidelines of the Finnish Immigration Service.</p> <p>No time limit is set for voluntary return if the application for international protection is considered manifestly unfounded or processed in an accelerated procedure (Aliens Act, Section 147a, Subsection 2). If no time limit has been set out for voluntary return, an entry ban is ordered (Aliens Act, Section 150). An entry ban is similarly imposed in cases involving a subsequent application for international protection.</p>
The obligation to return has not been complied with ⁴	Yes	
Other (e.g. please indicate and add rows as appropriate)		

Q2b. What are the national grounds based upon which your Member State can decide **not** to issue an entry ban? Please answer this question by indicating whether the grounds defined in national law include the following listed in the table 3.2 below. In the final column, please add more detailed information on the criteria/indicators used to decide whether particular grounds apply in individual cases:

Pursuant to Section 150 of the Aliens Act, an alien who has been issued with a residence permit under Section 52a [victims of trafficking in human beings] is not prohibited from entering the country, if he or she has not been issued with a new residence permit or his or her residence permit has been cancelled, unless he or she has refused compliance with the obligation to return or he or she is a danger to public order or security.

Section 146 of the Aliens Act contains provisions on overall consideration, which apply in all cases of imposing an entry ban and, as a consequence of which, practically all of the grounds mentioned in the table below are taken into consideration. Pursuant to this legislative provision, when considering prohibition of entry, account

³ As stipulated in the Return Directive in Article 11(1)(a) in combination with Article 7(4).

⁴ As stipulated in the Return Directive Article 11(1)(b).

must be taken of the facts on which the decision is based and the facts and circumstances otherwise affecting the matter as a whole. When considering the matter, particular attention must be paid to the best interest of the children and the protection of family life. Other facts to be considered must include the duration and purpose of the alien's residence in Finland, the nature of the residence permit issued to him or her, the alien's ties to Finland and the cultural and social ties to the home country of his or her family. Should the prohibition of entry be based on the criminal activity of the alien, account must be taken of the seriousness of the act and the detriment, damage or danger caused to public or private security. When considering prohibition of entry, account shall also be taken of whether the alien has any such family or work ties to Finland or to another Schengen State that would suffer unreasonably from prohibition of entry. When considering prohibition of entry for an alien whose application for international protection has been dismissed or rejected, the facts on which the dismissal or rejection was based and whether the alien has, by his or her own actions, hampered the processing of his or her application for asylum may also be taken into account.

The imposition of entry bans is also subject to the proportionality principle stipulated by Section 5 of the Aliens Act, pursuant to which an aliens' rights shall not be restricted any more than necessary.

Table 3.2: Grounds for not imposing entry bans

Grounds for not imposing entry bans	Yes/No	Please provide information on the criteria/indicators used to decide whether particular grounds apply in individual cases
Humanitarian reasons	Yes	Humanitarian reasons are taken into account as part of the overall consideration pursuant to Section 146 of the Aliens Act. The Aliens Act also includes the principle of non-refoulement, pursuant to which no one may be refused entry, deported, or as a consequence of refusing entry be returned to an area where he or she could be subject to the death penalty, torture, persecution or other treatment violating human dignity or from where he or she could be sent to such an area (Aliens Act, Section 147).
Right to family life (Article 8 ECHR)	Yes	In the overall consideration stipulated by Section 146 of the Aliens Act, particular attention must be paid to the best interest of the children and the protection of family life. In addition, Section 6 of the Aliens Act (Applying the Act to minors) states that, in any decisions issued under the Act that concern a child, special attention shall be paid to

		the best interest of the child.
Health reasons	Yes	Health reasons are taken into account in the overall consideration stipulated by Section 146 of the Aliens Act.

Q3. Please provide a short overview of the categories of third-country national that can be issued an entry ban by completing the table 3.3 below:

Table 3.3: Categories of third-country national who can be issued an entry ban

Categories of third-country national who can be issued an entry ban⁵	Who comply voluntarily with return decision (Y/N)	Who do not cooperate with return decision (Y/N)
Third-country nationals staying illegally on the territory of a Member State (including residence/visa over-stayers, rejected applicants for international protection, third-country nationals who entered the territory illegally)	No	Yes
Third-country nationals who are subject to a refusal of entry in accordance with Article 13 of the Schengen Borders Code	Does not apply to Finland, as no time limit is set for voluntary return in such cases. According to the Finnish Aliens Act, an entry ban is generally ordered if no time limit has been set out for voluntary return.	Does not apply to Finland, as no time limit is set for voluntary return in such cases. According to the Finnish Aliens Act, an entry ban is generally ordered if no time limit has been set out for voluntary return.
Third-country nationals who are apprehended or intercepted by the competent authorities in connection with the irregular crossing by land, sea or air of the external border of a Member State and who have not subsequently obtained an authorisation or a right to stay in that Member State	No	Yes
Third-country nationals who are subject to return as a criminal law sanction or as a consequence of a	Does not apply to Finland, as no time limit	Does not apply to Finland, as no time limit is set for

⁵ Based on Article 2 Return Directive

criminal law sanction	is set for voluntary return in such cases. According to the Finnish Aliens Act, an entry ban is generally ordered if no time limit has been set out for voluntary return.	voluntary return in such cases. According to the Finnish Aliens Act, an entry ban is generally ordered if no time limit has been set out for voluntary return.
Other (please indicate and add rows as appropriate)		

Q4. Specify the territorial scope of entry bans that are imposed by your Member State, i.e. do they apply to the entire EU territory or do they only cover the national territory of the Member State? If both types of entry bans can be imposed, please indicate that this is the case.

Entry bans imposed by the Finnish authorities generally apply to the entire Schengen area. An entry ban is restricted to Finland if the alien has a residence permit in another Schengen State, and the permit is not cancelled (Aliens Act, Section 150, Subsection 3). An entry ban is also restricted to Finland in cases where the alien is returned to another Schengen State pursuant to the Dublin Regulation.

Q5. Which institution(s) in your Member State decides whether or not to issue an entry ban on third-country nationals who are the subject of a return decision? Please specify whether this concerns for example the police, border police, immigration service, asylum agency etc.

The police or border control authorities may impose an entry ban on an alien for a maximum of two years when refusing entry on the grounds of Article 5, Paragraph 1, Point e of the Schengen Borders Code, or when refusing entry on the basis of Section 148, Subsection 1, Paragraphs 5–8 of the Aliens Act, or if the alien has not left the country within the time limit set out for voluntary return as referred to in Section 147a of the Aliens Act. The police or border control authorities shall submit a proposal to the Finnish Immigration Service to the effect that the alien be refused entry if they are not competent to refuse entry or if they consider that the alien should be prohibited from entering the country for more than two years. (Aliens Act, Section 151)

The Finnish Immigration Service may prohibit entry of aliens for a fixed term or until further notice. The Finnish Immigration Service also decides on abolishing a prohibition of entry. (Aliens Act, Section 152)

SECTION 3.2 PRACTICAL APPLICATION OF ENTRY BANS

Q6. Who informs third-country nationals of the imposition of the entry ban and what procedure is used to convey this information? Please specify

Entry bans are imposed in conjunction with removal decisions. The police or the Finnish Border Guard are responsible for informing the alien of the decision.

In practice, the police or the Finnish Border Guard notify the alien of the entry ban in conjunction with informing him or her of the removal decision. The alien is explained what the entry ban means. The information is provided in person. The person concerned has the right to be notified of a decision concerning him or her in his or her mother tongue or in a language which, on reasonable grounds, he or she can be expected to understand (Aliens Act, Section 203). An interpreter is used if necessary. The alien is also provided with instructions on how to appeal the decision.

In cases in which the alien does not leave the country within the time limit set out for voluntary return, the police or Finnish Border Guard may impose an entry ban.

Q7. Do third-country nationals who have been imposed an entry ban have the possibility to appeal the decision? (**Yes/No**) Specify whether this is laid down in national law (make reference to the national legislation and the provision) and specify the concerned court of appeal

Yes – decisions on entry bans can be appealed. A decision of the Finnish Immigration Service, the police or a border control authority may be appealed to an administrative court as provided in the Administrative Judicial Procedure Act. (Aliens Act, Section 190)

Section 192 of the Aliens Act contains provisions on competent administrative courts:

An administrative court is competent to hear an appeal referred to in Section 190 if the operating area or office of the decision-making authority is in the judicial district of that court. If the operating area of the decision-making authority covers the entire country, the competent administrative court is the one in whose judicial district the person concerned lives.

In a matter related to issuing a residence permit on the basis of family ties, the competent administrative court is the one in whose judicial district the family member lodging the appeal, or the family member to be otherwise heard in the matter, lives. If such family members live in several judicial districts in Finland, the Administrative Court of Helsinki is the competent administrative court.

In matters related to residence permits of employed or self-employed persons, the competent administrative court is the one in whose judicial district the applicant lives. If the applicant does not live in Finland, the competent administrative court in matters pertaining to residence permits for self-employed persons is the Administrative Court of Helsinki, and in matters pertaining to residence permits for employed persons the administrative court in whose judicial district the office of the employer referred to in the application is located.

The Administrative Court of Helsinki is competent to hear an appeal submitted by a person residing abroad if the case does not involve a person or employer residing in Finland referred to in Subsection 2 or 3.

For example, pursuant to Section 192, Subsection 1 of the Aliens Act, decisions on entry bans by an administrative unit of the Finnish Border Guard (border and coast guard units) are appealed to the administrative court in whose judicial district the border or coast guard unit is located.

A decision by the Finnish Immigration Service on imposing an entry ban is appealed to the Administrative Court of Helsinki if the decision pertains to the rejection of an application for asylum or temporary protection. (Aliens Act, Section 193)

Q8. Please indicate whether entry bans can be withdrawn or suspended in your Member State, specifying the categories of third country national who may be withdrawn/suspended from an entry ban, and explain the circumstances or reasons for this by filling out the table 3.4 below:

Pursuant to Section 150, Subsection 4 of the Aliens Act, a prohibition of entry may be revoked on the basis of a change in circumstances or for important personal reasons. The withdrawal of the entry ban must also be considered when an alien upon whom an entry ban has been imposed on grounds other than that of no time limit having been set out for voluntary return, or the obligation to return not having been complied with, can demonstrate that he or she has left the country in full compliance with the return decision.

As such, entry bans are not withdrawn categorically for certain vulnerable groups (such as minors, pregnant women or persons with serious illness), but instead a case-by-case consideration applies.

Finland does not encourage voluntary return by withdrawing the entry ban of persons who return voluntarily through the IOM return programme.

In Finland, the suspension of entry bans is not possible with respect to third-country nationals.

Table 3.4: withdrawal and suspension of entry bans

Categories of third-country national who can be exempted from an entry ban	Entry ban can be withdrawn or suspended (Y/N)	If yes, please provide information on the criteria/indicators used
Third-country nationals who can demonstrate that they have left the territory of the member State in full compliance with a return decision	Yes	The withdrawal of the entry ban must also be considered when an alien upon whom an entry ban has been imposed on grounds other than that of no time limit having been set out for voluntary return, or the obligation to return not having been complied with, can demonstrate that he or she has left the country in full compliance with the return decision. (Aliens Act, Section 150, Subsection 4)
Victims of trafficking in human beings who have been granted a residence permit pursuant to Council Directive 2004/81/EC (provided they do not represent a threat to public policy, public security or national security)	Withdrawing the entry ban does not apply, as an entry ban is not imposed in such cases. (Pursuant to Section 150 of the Aliens Act, an alien who has been issued with a residence permit under section 52a [victims of trafficking in human beings] is not prohibited from entering the country, if he or she has not been issued with a new residence permit or his or her residence permit has been cancelled, unless he or she has refused compliance with the obligation to return or he or she is a danger to public order or security.)	-
Minors	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).

Unaccompanied Minors	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).
Disabled people	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).
Elderly people	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).
Pregnant women	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).
Single parents with minor children	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).

Persons with serious illness	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).
Persons with mental disorders	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).
Persons who have been subjected to torture, rape, or other serious forms of psychological, physical or sexual violence (e.g. victims of female genital mutilation)	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).
Other humanitarian reasons, (please indicate and add rows as appropriate)	Yes	An entry ban can be withdrawn on a case-by-case basis provided that the criteria set out in Section 150, Subsection 4 of the Aliens Act are met (change in circumstances or important personal reasons).
Other individual cases or certain categories of cases for other reasons (please indicate and add rows as appropriate)	Yes	The grounds for withdrawing an entry ban can include <ul style="list-style-type: none"> • the protection of family life • a change in circumstances • important personal reasons

Q9. Is the institution responsible for the imposition of the entry ban the same as the authority that is competent to decide on withdrawal/suspension? **Yes/ No**. If not, or in case other actors are involved, please specify which ones and comment on the cooperation between the two actors.

Yes and no. Entry bans are imposed by either the Finnish Immigration Service, the police or the border control authorities, depending on the case. Only the Finnish Immigration Service may decide on the withdrawal of an entry ban. (See also Q 5)

SECTION 3.3 COOPERATION BETWEEN MEMBER STATES

Q10. Does your Member State enter an alert into the SIS when an entry ban has been imposed on a third-country national? (e.g. see Article 24 (3) of Regulation No 1987/2006 – SIS)? (**Yes**/No)

Please specify whether;

- a) Alerts are entered into the SIS as standard practice
- b) Alerts are entered into the SIS on a regular basis
- c) Alerts are entered into the SIS on a case-by-case basis

a) Alerts are entered into the SIS as standard practice.

A report (notification) pursuant to Article 96 of the Schengen Agreement is always made in the Register of Aliens, from where the information is entered into the SIS through the Finnish SIRENE (Supplementary Information Request at the National Entry) Bureau located at the National Bureau of Investigation.

Entry bans restricted to the national territory of Finland are not entered into the SIS.

Q11a. Does your Member State share information on the use of entry bans with other Member States? (**Yes**/No)

- | | |
|--|-----------------|
| a) Your Member State exchanges information as a standard practice | Yes / No |
| b) Your Member State exchanges information on a regular basis | Yes / No |
| c) Your Member State exchanges information on a case-by-case basis | Yes / No |

In concrete consultations, information is shared on a case-by-case basis, i.e. if Finland is in the process of imposing a Schengen entry ban on a person who has right of residence granted by another state, or if Finland is in the process of granting the right of residence to a person who is subject to a Schengen entry ban imposed by another state. In such consultations, the other Member State may be provided with personal data, information on the grounds on which the residence permit is granted or the entry ban is imposed, and other information relevant to the situation concerned to the extent that the disclosure of information is not prevented by legal provisions on confidentiality.

Q11b. What type of information is shared with other Member States? Please indicate whether any or all of the following types of information are shared:

- a) Number of entry bans imposed (**Yes**/No)
- b) Identity of the individuals who have been imposed an entry bans (**Yes**/No)
- c) Reasons for imposing the entry bans (**Yes**/No)
- d) Decision to withdraw an entry ban and reasons for this (**Yes**/No)
- e) Decision to suspend an entry ban and reasons for this (Yes/**No**)
- f) Any other information (please specify)

a) Statistical data is public.

b) - d) This information is shared on a case-by-case basis, provided that another Member State requests the information via a Schengen consultation.

e) Does not apply to Finland, as the suspension of entry bans is not possible.

Q11c. How is information shared with other Member States? Please provide an overview of the existing mechanisms to share information (e.g. via the Schengen Information System, bilateral exchange of information either face-to-face, over the telephone, via e-mail, other?)

Using the Schengen consultation process (see Q12 a).

Q12a. Article 11 (4) stipulates that "where a Member State is considering issuing a residence permit or other authorisation offering a right to stay to a third-country national who is the subject of an entry ban issued by another Member State, it shall first consult the Member State having issued the entry ban and shall take account of its interests in accordance with Article 25 of the Convention implementing the Schengen Agreement". Please describe the processes how these consultations take place; indicate which authorities are involved as well as the method of consultation.

Consultations are carried out in accordance with Article 25 of the Schengen Agreement.

The Finnish Immigration Service submits an English-language request for consultation or information by email to the SIRENE (Supplementary Information Request at the National Entry) Bureau located at the National Bureau of Investigation, which acts as an intermediary for requests and responses to other Member States.

According to the SIRENE manual, forms are used as follows:

- The G form (hit form) is used to report a hit. The form can also be used to request additional information, such as the grounds for an entry ban, in conjunction with reporting a hit.
- After submitting the G form, the M form can be used for additional enquiries/responses.
- Consultations are carried out using the N or O form. The N form is used if issuing a residence permit is under consideration, and the O form is used if the person already has a residence permit.

If necessary, the identity of the person concerned must be determined before the hit report (G form). In this case, the Finnish Immigration Service requests, for example by means of a free-form request or the M form via SIRENE, the reporting state to provide the concerned person's fingerprints or photograph for the purpose of identity verification. In conjunction with this, the National Bureau of Investigation is requested to compare the fingerprints to confirm whether the person concerned is the same person. A comparison of photographs can also be carried out at the Finnish Immigration Service, or assistance from SIRENE may be requested.

Consultations pursuant to the Schengen Agreement must always be carried out without delay.

Q12b. Has your Member State ever issued a residence permit or any other authorisation offering a right to stay to a third-country national who is the subject of an entry ban imposed by another Member State? (Yes/No); If yes, please indicate the number of residence permits issued to third-country nationals in these circumstances.

Statistics are not available. However, according to experts, Finland does not generally issue residence permits to foreign nationals who have been imposed a Schengen entry ban by another Member State. If necessary, consultations pursuant to the Schengen Agreement are initiated to withdraw the entry ban or change it into a national entry ban.

Q12c. In case your Member State has issued a residence permit or any other authorisation offering a right to stay to a third-country national who is the subject of an entry ban imposed by another Member State, please specify the circumstances based on which such decisions were taken.

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SECTION 3.4 EFFECTIVENESS OF ENTRY BANS

Q13. Has your Member State conducted any evaluations of the effectiveness of entry bans? (Yes/**No**) If yes, please provide any results pertaining to the issues listed in the table 3.5 below. The full bibliographical references of the evaluations can be included in an Annex to the national report.

The effectiveness of entry bans has not been evaluated per se in Finland.

3.5: Entry ban's effectiveness

Aspects of the effectiveness of entry bans	Explored in national evaluations (Y/N)	Main findings
Contribute to preventing re-entry	No	
Contribute to ensuring compliance with voluntary return ⁶	No	
Cost-effectiveness of entry bans	No	
Other aspects of effectiveness (please specify)	No	

Q14. The following indicators have been developed in order to measure the effectiveness of entry bans as a means for enhancing the ability of (Member) States to carry out sustainable returns, or provide proxy measures of their effectiveness. If your Member State collects any statistics that would permit the population of these indicators, please indicate this is the case and provide the statistics for the last 5 years. The statistics should be provided as a total number from January 1st until December 31st of each year.

Table 3.6: National statistics on entry bans

Indicators (refer to 12 month period, if possible data should be disaggregated by category of third-country national)	Y/N	2009	2010	2011	2012	2013

⁶ i.e. to what extent does the graduated approach (withdrawal or suspension of the entry ban) contribute to encouraging third-country nationals to return voluntarily?

Number of entry bans imposed ⁷	Yes	1,070	1,398	1,916	2,385	2,757
Number of decisions to withdraw an entry ban ⁸	Yes	15	15	13	36	77
Number of decisions to suspend an entry ban ⁹	No					
Number of persons who are the subject of an entry ban who have been re-apprehended inside the territory (not at the border) ¹⁰	No	N/A	N/A	N/A	N/A	N/A
Proportion of persons issued an entry ban who have returned voluntarily – out of the total number of persons that were issued an entry ban	No	N/A	N/A	N/A	N/A	N/A
Proportion of persons who were not issued an entry ban who have returned voluntarily – out of the total number of persons that were imposed a return decision	No	N/A	N/A	N/A	N/A	N/A

Q15. Please indicate whether your Member State has encountered any of the following challenges in the implementation of entry bans and briefly explain how they affect the ability of entry bans to contribute to effective returns.

Table 3.7: Practical challenges for the implementation of entry bans

Challenges associated with entry bans	Y/N	Reasons
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⁷ Source: Finnish Immigration Service, UMA register

⁸ Source: Finnish Immigration Service, UMA register.

An entry ban can also be partially withdrawn, meaning that it is changed to a national entry ban or its duration is shortened. The figures for such decisions are as follows: 2009: 0; 2010: 1; 2011: 6, 2012: 1; 2013: 11.

⁹ Does not apply to Finland.

¹⁰ There are no official statistics on foreign nationals who are the subject of an entry ban and who have been found inside the territory. However, the majority of such persons are EU citizens and therefore not within the scope of this study. Entry bans imposed on EU citizens are generally national entry bans imposed on the grounds of criminal activity, and they are not entered in the Schengen Information System. In 2013 alone, the number of EU citizens subject to entry bans found in Finland was in the hundreds. Many of them entered Finland weekly to work and/or continue their criminal activities despite being subject to an entry ban.

It is difficult to ensure compliance with entry bans on the part of the third-country national concerned	Yes	<p>A third-country national may use several different identities.</p> <p>Persons moving within the Schengen area are generally not subject to border checks. As such, third-country nationals subject to an entry ban also move freely in the Schengen area (unless they have left/unless they have been removed from the area after the imposition of the entry ban).</p>
It is difficult to monitor compliance with entry bans	No	<p>The requirements for entry are examined in border checks. Entry bans are displayed via registers. Third-country nationals are subject to a comprehensive check at the external border, meaning that all registers are automatically checked during border checks.</p> <p>Monitoring compliance with Schengen entry bans is not difficult if the entry bans are appropriately entered in the SIS (including biometric data).</p> <p>National entry bans, however, are not displayed on the SIS, but instead they are displayed on UMA (the Finnish national electronic case management system for the immigration administration).</p> <p>Some persons subject to a national entry ban have been found in connection with the monitoring of aliens.</p>
It is difficult to secure the cooperation of other MS in the implementation of entry bans ¹¹	Yes	<p>There have been some cases involving a Member State issuing a residence permit to a third-country national in spite of the person being subject to a valid Schengen entry ban imposed by another Member State.</p>
It is difficult to secure the cooperation of the country of origin in the implementation of entry bans	No	
Other challenges (please specify and		

¹¹ This could for example relate to problems in the use of the Schengen Information System, and/or the lack of a common system.

add rows as necessary)		
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Q16. Please describe any examples of good practice in your (Member) State's implementation of entry bans, identifying as far as possible the reasons why the practice in question is considered successful. *In the synthesis report, these good practices will be compared and those which appear most transferrable to other Member States will be highlighted.*

There are no particular best practices with regard to imposing entry bans.

The duration of entry bans is determined in accordance with the proportionality principle. The Finnish Immigration Service's guidelines on removal from the country (MIGDno/2012/575) include indications on the durations of entry bans in different situations. The guidelines support the consistent application of the law.

Section 4. Readmission agreements¹²

SECTION 4.1 INSTITUTIONAL SET-UP

Q17. Which authority is responsible for making applications for readmission to third countries in individual cases of forced and or voluntary return?

The protocol between Finland and Russia specifies the competent authorities. For Finland, the competent authorities for submitting readmission applications are the Finnish Immigration Service, the Finnish Border Guard¹³ and the police.

No protocol has been prepared with other countries, but in practice, the police has been the authority responsible for submitting readmission applications.¹⁴

The responsibility for voluntary returns currently lies with the International Organization for Migration (IOM). With regard to voluntary return, submitting readmission applications has, in practice, only been necessary with respect to Serbian nationals, and the applications have been submitted by the police upon the IOM's request.

SECTION 4.2 EU READMISSION AGREEMENTS

Q18. Please provide any available statistics on the number of readmission applications that your Member State has submitted on the basis of **EU readmission agreements**. In Table 4.1 you are required to provide statistics on the total number of all readmission applications made based on EURAs. In table 4.2, 4.3 and 4.4 you are required to only provide statistics for the three third countries to which most readmission applications are made. These statistics are to be provided separately for each third country by filling out table 4.1, 4.2 and 4.3 below. Please distinguish, if possible, between own nationals and third-country nationals or stateless persons.

Table 4.1: National Statistics on the total number of readmission applications under EU Readmission Agreements

	Total number of readmission applications made based on EURAs				How many have concerned voluntary return?			
	2010	2011	2012	2013	2010	2011	2012	2013
Total numbers	N/A	N/A	77	128	N/A	N/A	16	16
Own nationals	N/A	N/A	76	127	N/A	N/A	16	16
Third-country nationals (including stateless persons)	N/A	N/A	1	1	N/A	N/A	-	-

¹² Please note that this Section only concerns readmission agreements with third countries and that any other readmission agreements with EEA countries are outside the scope.

¹³ On 10 December 2013, the Finnish Border Guard issued guidelines (Finnish Border Guard Dno/2011/5862) on the readmission procedure pursuant to the readmission agreement between EU and Russia (and the national protocol).

¹⁴ The statistics on readmission requests presented in Chapter 4 are primarily based on unofficial data collected by the Helsinki Police Department from the beginning of 2012 as the authority responsible for enforcement. However, for Serbia and Georgia, information has been collected at police department level. The collection of statistics has been developed at the Helsinki Police Department as part of a project (Posid) to increase the efficiency of identifying persons to be removed from the country, supported by the European Return Fund.

Table 4.2: National Statistics on the number of readmission applications made under EU Readmission Agreement to third country 1 (the Russian Federation)

	Number of readmission applications made to third country 1 based on EURAs				How many have concerned voluntary return?			
	2010	2011	2012	2013	2010	2011	2012	2013
Total numbers	N/A	N/A	20	71	-	-	-	-
Own nationals	N/A	N/A	19	71	-	-	-	-
Third-country nationals (including stateless persons)	N/A	N/A	1	-	-	-	-	-

With the exception of Serbia, all cases in which the police submits a readmission application involve forced return.

Table 4.3: National Statistics on the number of readmission applications made under EU Readmission Agreement to third country 2 (Sri Lanka)

	Number of readmission applications made to third country 2 based on EURAs				How many have concerned voluntary return?			
	2010	2011	2012	2013	2010	2011	2012	2013
Total numbers	N/A	N/A	10	5	-	-	-	-
Own nationals	N/A	N/A	10	5	-	-	-	-
Third-country nationals (including stateless persons)	N/A	N/A	-	-	-	-	-	-

With the exception of Serbia, all cases in which the police submits a readmission application involve forced return.

Table 4.4: National Statistics on the number of returns under EU Readmission Agreement to third country 3 (the Republic of Serbia)

	Number of readmission applications made to third country 3 based on EURAs				How many have concerned voluntary return?			
	2010	2011	2012	2013	2010	2011	2012	2013
Total numbers	N/A	N/A	19	21	N/A	-	16	16
Own nationals	N/A	N/A	19	21	N/A	-	16	16
Third-country nationals (including stateless persons)	N/A	N/A	-	-	N/A	-	-	-

Q19. Has your (Member) State experienced any practical obstacles when implementing EU Readmission Agreements? Please answer this question by filling in the table below. Please specify in your answer whether problems are of a general nature and/or only experienced in relation to certain third countries. In case particular problems are experienced only in relation to specific third countries, please indicate which third countries these are (the latter is optional).

Table 4.4 Practical obstacles for the implementation of EU Readmission Agreements

Practical obstacles associated with EU readmission agreements	Yes/No	If yes, please specify whether only in relation to a specific third country, or more of general nature. Also illustrate the obstacle with an example in this column
Countries of origin do not cooperate in general	No	In general, EU readmission agreements are effective and the countries of origin are cooperative.
Countries do not respect the deadlines	Yes	Deadlines are generally respected. However, there have been two cases involving Pakistan where the 25-day deadline was not respected and responding to the readmission application took more than two years.
Countries do not cooperate in relation to readmission applications of third-country nationals (as opposed to own nationals)	Yes	For example, cooperation between Finland and Russia has been effective with the exception of one case involving a readmission application pertaining to a third-country national.
Countries do not cooperate in relation to readmission applications of stateless persons (as opposed to own nationals)	No	
Countries do not issue travel document to enable readmission/return	No	

Gaps in own (Member) State's administrative capacity to implement readmission agreement	No	
Other obstacles (please add columns as necessary)	Yes	Several countries request fees for documents, when they should be free of charge according to readmission agreements. Pakistan, Sri Lanka and Ukraine require that their own forms are used instead of the template forms included as appendices to readmission agreements, which poses certain practical obstacles.

Q20. Has your (Member) State conducted any evaluations of the effectiveness of EU and/or its bilateral readmission agreements?

(Yes/**No**) If yes, what issues have the evaluations covered? Please provide any results pertaining to:

The effectiveness of readmission agreements has not been evaluated.

Table 4.5 Findings of the evaluations of EU Readmission Agreements carried out by your MS (if applicable)

Aspects of effectiveness	Covered in national evaluations (Y/N)	Main findings
Recognition rates of readmission applications	No	
Other (please indicate and add rows as necessary)	No	

Q21. The following indicators have been developed in order to provide (proxy) measures of the effectiveness of EU and bilateral readmission agreements. If your Member State collects any statistics that would permit the population of these indicators, please indicate this is the case and provide the statistics for the last 5 years

Table 4.6: Indicators measuring the effectiveness of EU Readmission Agreements

Indicators (refer to 12 month period, if possible data should be disaggregated by own nationals and third country nationals, including stateless persons)	2009	2010	2011	2012	2013
Number of readmission applications sent	N/A	N/A	N/A	61	112
Number of readmission applications that received a positive reply	N/A	N/A	N/A	55	98

Number of requests for travel documents in the context of a readmission application	N/A	N/A	N/A	55	98
Number of travel documents issued by third country after the positive reply	N/A	N/A	N/A	55	98
Number of persons who were effectively returned ¹⁵	N/A	N/A	N/A	47	90

Q22. Please provide an assessment of the added value of the EU Readmission Agreements in facilitating the effective returns in comparison with the period before the EU Readmission Agreements were concluded.

EU readmission agreements have proved to be useful instruments in facilitating the return of irregular migrants. Readmission agreements facilitate practical cooperation with the receiving country, as they define clear rules concerning the requirements and procedures for readmission. The activities are governed by clear deadlines, which the contracting countries can be expected to comply with.

Concluding bilateral readmission agreements would not necessarily be feasible for Finland due to the small number of persons removed from the country.

SECTION 4.3 SEPARATE BILATERAL READMISSION AGREEMENTS

Q23. Does your Member State have any separate bilateral readmission agreements in place with third countries? (**Yes/No**) If yes, please indicate the number of agreements, the third countries concerned, the date of the agreement, and the date of its entry into force

Finland concluded a bilateral readmission agreement with Kosovo on 29 November 2011. The agreement entered into force on 28 June 2013.¹⁶

The Finnish Immigration Service and the competent ministry in Somaliland (The Ministry of Rehabilitation, Resettlement and Reintegration, MRR&R) signed a Memorandum of Understanding on the voluntary return of persons originating from Somaliland on 25 January 2012.

Negotiations have been held with Afghanistan regarding a Memorandum of Understanding concerning voluntary return.

Q24. Please provide any available statistics on the number of readmission applications that your Member State has submitted on the basis of separate **bilateral readmission agreements**. Please only provide such statistics for the three third countries to which most readmission applications are made. The statistics are to be provided separately for each third country by filling out tables 4.7, 4.8, and 4.9. Please distinguish, if possible, between own nationals and third-country nationals or stateless persons. If there have been any instances of voluntary return under the separate bilateral readmission agreements, please indicate this in the last column of the tables:

¹⁵ The success of returns is also affected by other factors, such as the appeal procedure.

¹⁶ For more information, see the agreement between the Republic of Finland and the Republic of Kosovo on the readmission of persons residing without authorisation (SopS 53-54/2013): <http://www.finlex.fi/fi/sopimukset/sopsteksti/2013/20130054>

Table 4.7: National Statistics on the number of readmission applications made under separate bilateral readmission agreements to third country 1 (Kosovo).

	Number of readmission applications made to third country 1 based on separate bilateral readmission agreements				How many have concerned voluntary return?			
	2010	2011	2012	2013	2010	2011	2012	2013
Total numbers	N/A	N/A	N/A	48	N/A	N/A	N/A	-
Own nationals	N/A	N/A	N/A	48	N/A	N/A	N/A	-
Third-country nationals (including stateless persons)	N/A	N/A	N/A	-	N/A	N/A	N/A	-

Q25. Please indicate the most common problems encountered in the implementation of separate bilateral readmission agreements by filling in the table 4.10 below. Please indicate whether problems are of general nature or whether these are only experienced in relation to specific third countries. In case particular problems are experienced only in relation to specific third countries, please indicate which third countries these are (the latter is optional).

Table 4.10: Practical obstacles experienced under separate bilateral readmission agreements

Practical obstacles associated with separate bilateral readmission agreements	Yes/No	If yes, please specify whether only in relation to a specific third country, or more of general nature. Also illustrate the obstacle with an example in this column
Countries of origin do not cooperate in general	No	Cooperation with Kosovo has been effective.
Countries do not respect the deadlines	No	
Countries do not cooperate in relation to readmission applications of third-country nationals (as opposed to own nationals)	No	No experience of practical application.
Countries do not cooperate in relation to readmission applications of stateless persons (as opposed to own nationals)	No	No experience of practical application.
Countries do not issue travel document to enable readmission/return	No	Readmission/return to Kosovo does not require a travel document. The approval of the Kosovar authorities is sufficient.
Gaps in own (Member) State's administrative capacity to implement readmission agreement	No	

Other obstacles (please add columns as necessary)	No	
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Q26. Do any of the separate bilateral readmission agreements signed by your (Member) State include an article encouraging both Parties to promote the use of voluntary return? If yes, please indicate with which countries these agreements have been signed. If no, please confirm whether the agreements focus exclusively on readmission cases involving forced returns.

No. The readmission agreement between Finland and Kosovo only applies to forced return.

Q27. Does your Member State prefer to use separate bilateral readmission agreements instead of EU Readmission agreements with particular third countries? (Yes/**No**) If yes, please indicate with which third countries and the reasons for this.

No.

Q28. Has your (Member) State conducted any evaluations of the effectiveness of separate bi-lateral readmission agreements?

(Yes/**No**) If yes, what issues have the evaluations covered? Please provide any results pertaining to:

The effectiveness of the readmission agreement between Finland and Kosovo has not been evaluated.

Table 4.11: Evaluations on separate bilateral readmission agreements

Aspects of effectiveness	Covered in national evaluations (Y/N)	Main findings
Recognition rates of readmission applications	No	
Other (please indicate and add rows as necessary)	No	

Q29. The following indicators have been developed in order to provide (proxy) measures of the effectiveness of separate bilateral readmission agreements. Please provide the statistics for the three third countries to which most readmission applications are made on the basis of such agreements – these should be provided in a separate table for each of the third countries concerned (third country 1 in table 4.12; third country 2 in table 4.13; and third country 3 in table 4.14). If your Member State collects any statistics that would permit the population of these indicators, please indicate this is the case and provide the statistics for the last 5 years.

Table 4.12: Indicators measuring the effectiveness of separate bilateral readmission agreement with third country 1 (Kosovo)

Indicators (Refer to 12 month period for readmission applications made to third country 1. If possible data should be disaggregated by own	2009	2010	2011	2012	2013

nationals and third country nationals, including stateless persons)					
Number of readmission applications sent	N/A	N/A	N/A	N/A	48
Number of readmission applications that received a positive reply	N/A	N/A	N/A	N/A	48
Number of requests for travel documents in the context of a readmission application ¹⁷	N/A	N/A	N/A	N/A	-
Number of travel documents issued by third country after the positive reply	N/A	N/A	N/A	N/A	-
Number of persons who were effectively returned	36	228	89	90	96

Q30. Please provide an assessment of the added value of the separate bilateral readmission agreements in facilitating effective returns in comparison with the period before the separate bilateral readmission agreements were concluded. Please only provide this assessment for the separate bilateral readmission agreements conducted with the three third countries to which most readmission applications are made.

Clear provisions and having an agreement as the foundation of cooperation facilitate practical activities. The Kosovar authorities can be expected to respond to readmission applications within the specified deadline. The effectiveness of the removal procedure is improved.

¹⁷ Travel documents are not requested because they are not required for readmission/return.

Section 5. Entry bans and readmission agreements: understanding the synergies with reintegration assistance

Q31. Do the authorities in charge of imposing an entry ban subsequently consult with and/or inform the authorities in the concerned third country to which the individual is to be returned? If yes, at which stage in the process of imposing an entry ban is the third country consulted/informed? And if yes, do third countries subsequently impose travel bans on third-country nationals who were imposed an entry ban?

The authority imposing the entry ban does not consult or inform the authorities in the third country to which the person is set to be returned. The police, the entity responsible for removal, informs third countries of the enforcement of removal decisions, but this communication does not specify whether an entry ban is imposed on the person. There is no information of any cases involving a third country imposing travel restrictions on its citizens as a result of Finland having imposed entry bans on them.

Q32. Is it possible in your (Member) State for returnees who have been the subject of an entry ban to apply for re-integration assistance? (**Yes/No**) If yes, please indicate in which circumstances.

Yes. At present, reintegration assistance is granted by the International Organization for Migration (IOM) after consulting the police and, if necessary, the Finnish Immigration Service. Such cases generally involve the person concerned having been refused asylum due to the application being considered manifestly unfounded. In such cases, no time limit for voluntary return is set to the returnee, and an entry ban is imposed. However, in practice, the police ask the person subject to the removal decision whether he or she wishes to leave the country voluntarily with support from the IOM. Entry bans are not taken into consideration in decisions to grant reintegration assistance.

Q33. (If answered yes to question 32), are the competent authorities involved in making decisions about the use of entry bans and granting of re-integration assistance the same? Yes/**No**.

Entry bans are imposed by the Finnish Immigration Service, the police or the border control authorities (see Sections 151 and 152 of the Aliens Act). In the case of a manifestly unfounded application for asylum, the entry ban is always imposed by the Finnish Immigration Service.

Reintegration assistance is currently granted by the IOM, which is responsible for voluntary return with the help of project funding from the European Return Fund (the VAPPS project¹⁸). The IOM consults the police and, if necessary, the Finnish Immigration Service. The Act on the Reception of Persons Seeking International Protection (746/2011) is pending amendments pursuant to which, going forward, the granting of government-funded reintegration assistance would be the responsibility of reception centres for asylum seekers.¹⁹

Q34. (If answered no to question 33), have any formal cooperation mechanisms been set up to facilitate coordination? (e.g. Protocols, contracts, conventions, working arrangements, etc.). Yes/**No**. If yes, please describe.

There are no formal cooperation mechanisms. However, a steering group for IOM projects pertaining to voluntary return has been operational since 2010. The steering group includes representation by the

¹⁸ The project "Voluntary Assisted Return and Reintegration Programme in Finland" (VARRP-FIN) was launched 1.1.2013 (the project is referred to as VAPPS in Finnish language). The project functions as a continuation of the previous project "Developing Assisted Voluntary Return in Finland (DAVRiF)". The VARRP-FIN project is implemented by IOM Helsinki, with funding from the European Return Fund and the Finnish Immigration Service. The project provides AVRR support and counselling on return and reintegration.

¹⁹ This Government Proposal is yet to be submitted to the Finnish Government for approval.

police, the Finnish Border Guard, the Finnish Immigration Service, the EMN Finnish National Contact Point, reception centres and the IOM. The steering group has discussed policies and guidelines.

Finnish national legislation is intended to be amended in order to establish the voluntary return system as a regulated activity coordinated by a public authority. Decisions on financial assistance to support return would be made by reception centres, and the activities would be coordinated by the Finnish Immigration Service. The Finnish Immigration Service would also be responsible for competitive tendering where services required for voluntary return would be purchased from an external service provider.

In relation to these legislative developments, the Finnish Immigration Service launched a project in 2014 to establish voluntary return. The members of the project include representatives from the Finnish Immigration Service, reception centres, the police and the Ministry of the Interior's Migration Department and Border Guard Department. The project is aimed at studying and planning practices and procedures related to voluntary return.

Q35. (If answered no to question 34), do the competent authorities consult with each other when making decisions? If yes, do these consultations take place on a regular basis as a standard practice, or are consultations only made on very few / exceptional occasions?

The IOM (which is not a public authority) always consults the police and, if necessary, the Finnish Immigration Service when granting reintegration assistance. However, this consultation is not related to entry bans, but rather the prevention of the abuse of the system. The IOM consults the police on whether voluntary return is feasible for the person concerned. There is no consultation between the police and the Finnish Immigration Service in this context.

Q36. Does your (Member) State offer re-integration assistance to returnees who have been removed on the basis of a readmission agreement? Yes/**No**. If yes, please indicate in which circumstances.

Forced returnees (returned by the police) are currently not offered reintegration assistance in the destination country.

As returns are implemented on a voluntary basis through the IOM's VAPPS project, readmission applications are only submitted for Serbian nationals who do not have a valid travel document. Persons returning voluntarily to Serbia are generally given EUR 200 in reintegration assistance at the airport upon departure (the amount may be higher in some cases).

The Finnish Immigration Service and the competent ministry in Somaliland (MRR&R) have signed a Memorandum of Understanding, pursuant to which voluntary returnees are granted reintegration assistance.

Q37. (If answered yes to question 36), are the competent authorities involved in making readmission applications and granting re-integration assistance the same? Yes/**No**.

In practice, readmission applications are submitted by the police, which is the authority responsible for enforcing removal decisions. The IOM is currently responsible for the assistance given to returnees in the destination countries, which is intended to promote reintegration. These are not, however, cases of forced return.

Q38. (If answered no to question 37), have any formal cooperation mechanisms been set up to facilitate coordination? (e.g. Protocols, contracts, conventions, working arrangements, etc.). Yes/**No**. If yes, please describe.

There are no formal cooperation mechanisms.

Q.39 (If answered no to question 38), do the competent authorities consult with each other when making decisions? If yes, do these consultations take place on a regular basis as a standard practice, or are consultations only made on very few / exceptional occasions?

There is no official consultation, but the IOM consults the police and the Finnish Immigration Service informally and on a case-by-case basis in coordinating voluntary returns (of Serbians).

Section 6. Statistics

Contextual statistics on number of returns, etc. may be added to this section (besides the specific statistics requested in the body of the report to populate the effectiveness indicators). The statistics working group will also be consulted about this possibility.

Section 7. Key findings/conclusions

The Synthesis Report will outline the main findings of the Study and present conclusions relevant for policymakers at national and EU level.
