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Data management in the asylum procedure

National Report of Finland



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Data management in the asylum procedure - National Report of Finland

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Definitions

The following key terms are used in the Common Template of the study. The definitions are taken from the EMN Glossary v6.0¹

'Application for international protection' is defined as a request made by a third-country national or a stateless person for protection from a Member State, who can be understood to seek refugee status or subsidiary protection status, and who does not explicitly request another kind of protection, outside the scope of Directive 2011/95/EU (Recast Qualification Directive), that can be applied for separately.

'Asylum procedure': see definition for 'Procedure for international protection'.

'Beneficiary of international protection' is defined as a person who has been granted refugee status or subsidiary protection status.

'Channelling' of the asylum procedure (also 'triaging'): "The core premise of accelerated and simplified procedures is the differentiation between caseloads for their channelling into distinct case processing modalities. The triaging process is therefore the central tenet of the process. [...] Depending on the results of the analysis, claims will be channelled into appropriate case processing modalities, or as is already done in several Members States [...] into different streams or 'tracks'. Groups, as well as any specific profiles, with high and very low protection rates would be channelled into accelerated and/or simplified procedures, while other cases would be adjudicated under the regular procedure."

'Country of origin' is the country or countries of nationality or, for stateless persons, of former habitual residence.

'Data management' is understood as the administrative process that includes all operations that are performed on data or on sets of data, through automated or other means, such as collection, recording, storage, retrieval, use, disclosure by transmission, dissemination or erasure.

'Examination of an asylum application': see definition for 'Examination of an application for international protection'.

'Examination of an application for international protection': Any examination of, or decision or ruling concerning, an application for international protection by the competent authorities in accordance with Directive 2013/32/EU (Recast Asylum Procedures Directive) and Directive 2011/95/EU (Recast Qualification Directive) except for procedures for determining the EU Member State responsible in accordance with Regulation (EU) No 604/2013 (Dublin III Regulation).

'Lodging an asylum application': An application for international protection shall be deemed to have been lodged once a form submitted by the applicant or, where provided for in national law, an official report, has reached the competent authorities of the Member State concerned. Member States may require that applications for international protection be lodged in person and/or at a designated place.

'Making an asylum application': see definition for "Making application for international protection".

'Making an application for international protection': The expression of intent to apply for international protection.

¹ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/docs/interactive_glossary_6.0_final_version.pdf

'Refugee status' is defined as the recognition by a Member State of a third-country national or a stateless person as a refugee.

'Registering an asylum application': Record the applicant's intention to seek protection. When a person makes an application for international protection to an authority competent under national law for registering such applications, the registration shall take place no later than three working days after the application is made. If the application for international protection is made to other authorities which are likely to receive such applications, but not competent for the registration under national law, Member States shall ensure that the registration shall take place no later than six working days after the application is made.

'Procedure for international protection': Set of measures described in the Directive 2013/32/EU (Recast Asylum Procedures Directive) which encompasses all necessary steps for granting and withdrawing international protection starting with making an application for international protection to the final decision in appeals procedures.

Summary

This EMN study focuses on the data collected by various actors involved in the asylum procedure in Finland. It also looks into data protection, information given to applicants in the process, as well as the applicants' access to data. The study covers the years 2015 to 2020, pointing out the reforms and challenges in data management during this period.

The study covers different phases of the asylum procedure, beginning from the moment a person makes his or her asylum application until the first instance decision is made. In Finland, the asylum procedure is regulated by the Finnish Aliens Act (301/2004). According to the Act, an asylum application must be filed in person with the police or the border control authority. Information related to the asylum application is recorded in the Register of Aliens, which is used via the case management system for immigration affairs (UMA). An application for international protection is considered as filed when the application has been lodged at the competent authority and registered in the Register of Aliens. The European Asylum Support Office (EASO) divides the asylum procedure into four phases: making an application, registering an application, the formal lodging of the application and examining the application.¹ According to the Finnish Immigration Service's asylum guidelines, making an application refers to the applicant's first expression of their intent to apply for international protection. Lodging an asylum application refers to the application's formal lodging at the competent authority. Registering the application refers to the registration of the application in the Register of Aliens after the application has been lodged. In Finland, all these phases usually take place concurrently during a single day. In practice, the lodging and registration of the application happen simultaneously.

According to the Finnish Immigration Service's asylum guidelines, the police or the Finnish Border Guard records in the asylum application report the application's filing details as well as basic information about the applicant, such as personal data, language skills, travel document and identity document information. The authority filing the application also records basic information about the applicant's travel route and their visa and residence permit, information about family members applying for international protection at the same time and a brief description of the grounds of the asylum application. In connection with the lodging of the application, the applicant's personal data and fingerprints are cross-checked against national and international databases. The police or the Finnish Border Guard records the information related to the asylum application in the police information system (Patja), from which the data is transferred to the UMA system. Alternatively, the asylum application may be recorded directly in the UMA system. No paper forms are used in the asylum procedure; instead, information is recorded directly in information systems. The information about the asylum seeker and the asylum seeker's application in the UMA system is only visible to the authorities that are authorised to see it. Both UMA and the police information system guide the user to fill in certain information before the applications are channelled automatically to the right job queues in UMA on the basis of keywords.

The grounds of the asylum application are established in the Finnish Immigration Service's asylum examination, which includes an asylum interview and other investigation measures. The asylum interview is an oral hearing divided into two parts. In the first part, the applicant's identity, travel route and entry into the country are established. In this part of the interview it is also determined whether Finland or another Member State is responsible for examining the asylum application pursuant to the Dublin procedure and whether there are other grounds to not examine the application in Finland. If the decision is made to examine the application in Finland, the second part of the interview establishes the actual grounds for asylum.

The user who stores data in the Register of Aliens is responsible for the accuracy of the data they store as well as for the lawfulness of the storage and usage of the data in performing their job duties. The Finnish Immigration Service regularly conducts oversight of legality of the asylum process, including the inspection of register entries. The Finnish Immigration Service has a mechanism for data protection supervision and

¹ https://easo.europa.eu/sites/default/files/Guidance_on_asylum_procedure_operational_standards_and_indicators_EN.pdf

there are guidelines and training on data protection. Applicants have the right to receive a confirmation from the data controller that their personal data are processed as well as the right to access their personal data. Applicants also have the right to rectify or complement their data.

Along with the national project for the transfer of authority in asylum-related matters, the responsibility for establishing the identity, entry into the country, travel route and the criteria for admissibility was transferred from the police and the Finnish Border Guard to the Finnish Immigration Service in 2016. The police and the Finnish Border Guard are still responsible for receiving and registering the asylum application in the early phases of the process. The asylum process and data management have been developed considerably during the past five years. Significant changes were made in the electronic case management system for immigration affairs (UMA) in 2016 and 2017. The gradual deployment of the new user interface (UMA4) made it possible to develop and introduce new functionalities. The Flow project, partially funded by AMIF, made the early phases of the asylum procedure smoother and enabled the automatic pre-screening of asylum cases. With the aid of keywords, applications are channelled to the right processes and it has been possible to abandon manual pre-screening. Keywords also make it possible to identify vulnerable applicants early on in the process.

A challenge in data management in the asylum process is that data in different registers cannot be automatically cross-checked against each other. Challenges are also posed by the different writing systems used in the asylum seekers' countries of origin and their transliteration into the Latin alphabet. In addition, name conventions in different countries differ from the Finnish convention and applicants do not always give their name in the same manner. In 2015 and 2016, the high number of asylum seekers and the simultaneous immigration administration reforms created an asylum application backlog and lengthened the processing times. The automation of the processing and reforms related to the organisation of work have improved the situation. In line with the processing time requirement, an asylum application must be processed in six months' time.

The application of the General Data Protection Regulation (GDPR) started on 25 May 2018. The General Data Protection Regulation and the new national Data Protection Act introduced new procedures and legislative amendments. A Data Protection Officer was appointed in the Finnish Immigration Service in 2018. The General Data Protection Regulation led to amendments to the administrative sector's key acts on the processing of personal data. An act that especially influences the Finnish Immigration Service's operations is the Act on the Processing of Personal Data in Immigration Administration, which came into force in September 2020. Previously, provisions concerning the processing of personal data were divided into several different acts. The harmonisation of national legislation with the GDPR was delayed with regard to some acts. It has also been challenging to find sufficient resources for carrying out the required reforms. The Personal Data Act in Immigration Administration brought together regulations from various sources and clarifies data management and data protection in the asylum process. The Finnish Immigration Service's website was updated accordingly with regard to processing of personal data and data protection in the end of 2020.

The COVID-19 pandemic, which began in the spring of 2020 also brought along some changes. The authorities receiving asylum applications and the Finnish Immigration Service, which conducts asylum interviews, had to take some practical measures to protect their employees and clients.

Section 1: The asylum procedure

1.1 Overview of the asylum procedure

1. Does your (Member) State clearly distinguish in national legislation among the abovementioned phases of making, registering and lodging of an application?

Yes / No = Yes and no

The asylum procedure is regulated by the Finnish Aliens Act. The terms used in the Act are the lodging and registering of asylum applications. The asylum procedure is regulated by Section 94 of the Aliens Act. An application based on a need for international protection which is lodged with the authorities at the Finnish border or on Finnish territory is processed in the asylum procedure. The lodging of an application for international protection is regulated by Section 95 of the Aliens Act. An application for international protection shall be lodged with police or border control authorities upon entry into the country or as soon as possible after the entry. The police or the border control authority shall register the application without delay. Making an application is mentioned Section 95 but not defined. According to Section 95, if an application for international protection is made to personnel of the Finnish Immigration Service, a reception centre, detention unit or Customs, the applicant shall be directed to lodge the application to the police or border control authority and the application shall be registered within six weekdays of it being made.

2. a) Does your (Member) State clearly distinguish in practice among the abovementioned phases of making, registering and lodging of an application?

Yes / No = Yes and no

According to the Finnish Immigration Service's asylum guidelines,

- making an application refers to the applicant's first expression of their intent to apply for international protection,
- lodging an asylum application refers to the application's formal lodging at the competent authority and
- registering the application refers to the registration of the application in the Register of Aliens after the application has been lodged.

As the application can be lodged in Finland at all police departments and the Finnish Border Guard's offices, applicants mainly lodge their application for international protection formally at the same time when they first express their intent to apply for protection.² In practice, the lodging and registration of the application happen simultaneously. An application for international protection is considered as filed when the application has been lodged at the competent authority and registered in the Register of Aliens. In connection with the lodging of the application, the police or Border Guard cross-check the applicant's personal data and fingerprints against national and international databases.

The authority that receives the asylum application records the related S report³ (asylum application report) in the police information system (Patja). In addition to the applicant's personal data, the report created in the Patja system contains brief details about the event and actions taken. The asylum application report is transferred automatically from Patja to the UMA system. The personal data and application data recorded on the asylum application report is transferred directly to the UMA system and open an

² Finnish Immigration Service's asylum guidelines, 28 May 2019

³ An S report (sekalaisilmoitus, or miscellaneous report) is recorded about a case that is not a criminal offence. Approach where EU-level organisations, such as EASO and Frontex, work on the ground with the authorities in the EU Member States which are facing disproportionate migratory pressures at the external EU borders.

asylum case there. The filing of the asylum case is complemented and confirmed in the UMA system. Alternatively, the police or the Finnish Border Guard can initiate the asylum case by opening the case directly in the UMA system. If the case is launched in the UMA system, the asylum application report must be recorded in the Patja system. In connection with the reception of the asylum application, the applicant's photograph and personal identifying characteristics are stored in the foreign nationals' personal identifying characteristics register (RETU).

According to the Asylum Unit of the Finnish Immigration Service, responsible for asylum examination, in the majority of cases, the making of the application and its formal lodging and registration take place during a single day. In exceptional cases, the application cannot be received when the applicant expresses their intent to apply for asylum because there is no interpreter available, for instance. In this case, the application is received and registered as soon as an interpreter is available.

The Helsinki Police Department confirms that asylum applications are usually made and registered during a single day. The lodging and registration of the application happen simultaneously. The Helsinki Police Department accepts asylum applications seven days a week. When an asylum seeker arrives at the police department and announces that they are seeking asylum, the application is registered immediately. If a person declares their intent to seek asylum outside on-call hours, to a police patrol in the nighttime, for instance, the police fill in the U2 form (the notification of an asylum application) and the applicant is taken to a reception centre. The asylum application is lodged and registered on the following day.

Also in the Finnish Border Guard's offices, the lodging and registration of the application happen in practice simultaneously. The application is usually received and registered concurrently when the applicant reports to the Finnish Border Guard as an asylum seeker. As a rule, this part of the process is handled within 24 hours of the applicant reporting to the police or the Finnish Border Guard.

b) in practice, are there any differences in the division of the phases based on the different types of entry routes (i.e. land, sea, air)? For Member States implementing the hotspot approach, does this distinction hold in the hotspots?

In Finland, the process of applying for international protection always happens in the same way regardless of the route the applicant has used when entering the country. There are no procedural differences in lodging and registering an asylum application depending on the border crossing point used. However, in practice, not all minor border crossing points have the equipment needed for the registration. In such cases, the asylum seeker is transported to another unit for registration, in practice within 24 hours of their reporting to the Finnish Border Guard. If necessary, the police's registration equipment can be used for registering the application if this makes the registration smoother. Nevertheless, the majority of asylum applications made with the Finnish Border Guard are lodged at the major border crossing points.

The actual hotspot procedure⁴ is not used in Finland. In 2015 and 2016, due to the large influx of migrants, asylum applications were received in the registration centre established in Tornio, where the procedure differed slightly from the normal. Section 133 of the Aliens Act regulates the registration of asylum seekers in the event of a mass influx of migrants. If the number of migrants entering the country is exceptionally high, which makes it impossible to establish that the requirements for entry are met and to register the migrants in the normal procedure, the Government may decide that persons whose requirements for entry or identity are unclear may be sent to a registration centre for the purposes of registration. A person who is accommodated in a registration centre is obliged to stay at the registration centre for the duration of the registration. Migrants reside in the registration centre only until their registration is completed and they have been arranged a place for follow-up accommodation in a reception centre or they can return or be returned to their regions of origin.

⁴ Approach where EU-level organisations, such as EASO and Frontex, work on the ground with the authorities in the EU Member States which are facing disproportionate migratory pressures at the external EU borders.

3. a) Does 'channelling' of specific caseloads take place in the asylum procedure of your (Member) State?

Yes

No

The screening of asylum applications has been automated. Applications are channelled automatically in UMA on the basis of keywords (or tags). The applications are transferred automatically to different job queues, or "baskets", some of which have been defined as urgent. For first applications, there is no manual screening, while there is some for subsequent applications. A keyword (tag) can be created in two ways: either the UMA system generates the keyword automatically on the basis of separately defined rules or a user adds it manually. Keywords are information pertaining to case management and not visible in the UMA system to others than the Finnish Immigration Service users.⁵

The Asylum Unit of the Finnish Immigration Service has four locations in Finland that conduct asylum interviews: Helsinki, Raisio, Lappeenranta and Oulu. Asylum applications are channelled to a location's interview queue on the basis of the reception centre where the applicant is staying.

Asylum applications are divided into two groups: those that are taken into so-called substantive examination in Finland (in other words: the application is examined in Finland) and those that are not examined in Finland. The decision not to examine an asylum application (to consider the application inadmissible) means that the application will not be examined in Finland. However, the Finnish Immigration Service always performs a preliminary examination to determine whether the application provides grounds for continuing the examination. If there are grounds, the application is taken into examination. If there are no grounds, it may be decided to consider the application inadmissible. Pursuant to Section 103 of the Aliens Act, an application may be considered inadmissible if the applicant 1) has arrived from such a safe country of asylum or from a safe third country where he or she may be returned; 2) may be sent to another State which, under the Council Regulation on determining the State responsible for examining an asylum application, is responsible for processing the asylum application (the Dublin Regulation); 3) has been granted international protection in another EU Member State, to which he or she may be sent; or 4) has filed a subsequent application⁶.

Asylum applications taken into examination in Finland are divided into different baskets on the basis of various factors, such as whether the application should be processed urgently, whether the case involves matters related to public order and security or exclusion or whether there are a child's best interests to be considered.⁷ An application is processed with urgency when, for instance, the applicant is an unaccompanied minor, the applicant has been detained or it has become evident that the applicant has possibly committed a criminal offence or there are grounds to suspect they have committed a criminal offence in Finland.⁸

An application is also processed with urgency when it is examined in an accelerated procedure. Pursuant to Section 104 of the Aliens Act, an application for international protection may be examined in an accelerated procedure if the application is considered manifestly unfounded under Section 101. The application can be considered manifestly unfounded if, for instance, the applicant obviously intends to abuse the asylum procedure or if the applicant comes from a safe country of origin to which they may be returned.

b) Has your Member State introduced any changes to 'channelling' since 2014?

Before 2015, asylum applications were screened and channelled into job queues manually and there was no electronic archiving of applications yet. When the number of applicants increased steeply in 2015, the Finnish Immigration Service started to develop automation for channelling applications. Thanks to the

⁵ Finnish Immigration Service: UMA4 instructions, keywords in the asylum process, 15 May 2020

⁶ A subsequent application is an asylum application that a person can make after receiving a final decision on the previous application.

⁷ Finnish Immigration Service's asylum guidelines, 28 May 2019

⁸ Ibid.

new functionality, the applications registered in the Tornio registration centre were directly channelled to the right job queues and the Finnish Immigration Service's regional offices on the basis of the reception centre where the applicant was placed.

Automation and electronic processing of asylum applications was developed further in 2016. The electronic archiving of asylum applications was introduced. For all new asylum applications, the entire asylum process is electronic and all documents are scanned into to UMA system, meaning that there are no files to be manually transferred and archived. The Asylum Unit started using the automatic pre-screening of asylum cases in March 2016. In the automatic pre-screening, the system generates automatic keywords on the basis of the information entered in connection with the registration of the case. With the aid of these keywords, cases are directed to the right processes and it has been possible to abandon manual pre-screening. Automation channels applications to the right processing basket on the basis of keywords and automatic register checks (automatic checks in different databases). Automatic keywords also make it possible to identify vulnerable applicants early on in the process. In 2018, the Asylum Unit started using mainly basket and task functions in its decision-making, instead of the earlier job queues. After the interview, the applications are transferred into a basket on the basis of keywords to wait for the decision (applicants with the same profile into the same basket). The change allows the decision to be made in any regional office of the Asylum Unit, regardless of the location of the applicant's interview.⁹

4. a) Are there any national time frames/limits for each of the single phases (making, registering, lodging and examining a claim) in the context of Article 6 of the recast Asylum Procedures Directive?¹⁰

Yes
No

According to Section 95 of the Aliens Act, an application for international protection shall be lodged with police or border control authorities upon entry into the country or as soon as possible after the entry. The application can be lodged later, if the circumstances in the alien's home country or country of permanent residence have changed during his or her residence in Finland or if the alien has not been able to present evidence in support of his or her application until later or if there are other reasonable grounds for it.

In practice, the above time frames for lodging the asylum application are not met by all applicants. With some new applicants, the Helsinki Police Department has noticed that they have been in Finland for a longer period of time before seeking asylum and cannot present grounds defined in Section 95 of the Aliens Act for not seeking asylum immediately upon their entry into the country. Some of them have been in Finland for weeks, others even for several years. According to the police, in some cases, the person in question seeks asylum when the police come across that the person is staying in the country irregularly or the person is detained under suspicion of a criminal offence. The Finnish Border Guard has also noticed that in some cases, the asylum application is only lodged when the person is being returned or is suspected of a criminal offence.

Pursuant to Section 95 of the Aliens Act, the police or the border control authority shall register the application without delay. According to the police, the application is usually registered on the same day when asylum is sought. As a rule, the lodging and registration of the application at the border is handled within 24 hours of the applicant reporting to the Finnish Border Guard.

If an application for international protection is made to personnel of the Finnish Immigration Service, a reception centre, detention unit or Customs, the applicant shall be directed to lodge the application to the police or border control authority and the application shall be registered within six weekdays of it being made. If the number of applications has increased dramatically, the police or border control authority may

⁹ UMA instructions: Asylum Unit's joint decision-making baskets

¹⁰ Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32013L0032>

extend the registration time limit to ten weekdays. If the application is lodged at an exceptional time of the day or it is not technically possible to open an asylum case, only the U2 form (the notification of an asylum application) is filled in and the applicant is accommodated in a reception centre. After this, the application must be registered in UMA without delay, at the latest within three weekdays.

Pursuant to Section 98a of the Aliens Act, the asylum application processing time in the normal procedure is six months.¹¹ When using an accelerated procedure, the Finnish Immigration Service shall make a decision on the application within five months of its lodging. Pursuant to Section 6 of the Aliens Act, matters concerning minors shall be processed with urgency. The aim is to process the applications of unaccompanied minors as quickly as possible.

Decisions on considering the application inadmissible are also subject to the six-month processing time requirement but the aim is to process them with urgency. Applications included in the Dublin procedure are subject to certain time frames. Pursuant to the Dublin Regulation, the request to another state must be made within a time frame of 1–3 months of the lodging of the application, depending on the basis of the request. When the other Member State has accepted to take the person in question back, Finland has six months' time for transferring the person to the responsible state, unless a court suspends the transfer due to an appeal or the transfer period is extended due to the client's absconding or imprisonment. If the request or the transfer is not made within the defined time frame, the responsibility for examining the application remains with Finland.

b) Has your Member State introduced any changes to the national timeframes since 2014?

The Aliens Act was amended in 2015. The legislative amendment implemented the recast Directive of the European Parliament and of the Council on common procedures for granting and withdrawing international protection, or the so-called Asylum Procedures Directive.¹² Previously, Section 95 of the Aliens Act regulated the making of an application for international protection. In 2015, the section was amended into its current form, to apply to the lodging of the application. In addition, the time frames regarding the registration of the application were added to the section.

Before 2015, the Aliens Act had hardly any provisions regarding the time frames for processing an application for international protection. With regard to accelerated procedures, the only provision related to time frames was the time frame of seven days for making the decision on applications associated with safe countries of origin and safe countries of asylum. Section 104 on the accelerated procedure entered into force in the summer of 2015. When using an accelerated procedure, the Finnish Immigration Service shall make a decision on the application within five months of its lodging.

Section 98a of the Aliens Act, concerning the processing time requirement, entered into force on 20 July 2018.¹³ According to the new Act, the processing of asylum applications lodged on or after 20 July 2018 may take a maximum of six months. The Act also contains provisions on cases in which the processing may take longer (the decision must be made within 15 or 18 months).

5. a) In practice, how long does the procedure take from an asylum applicant making an application to lodging the application (average days)?¹⁴

According to the Helsinki Police Department, each year, there are only a few individual applicants whose application cannot be registered on the same day as they are made. The police do not compile statistics on such cases. According to the Finnish Border Guard, as a rule, all asylum applications made at the border are registered immediately. If the registration cannot be done at the border control station due to a technical problem, for instance, the person in question is asked to come for registration on the following day. Annually, there are only a few people whose application cannot be registered immediately.

¹¹ Decisions on applications for international protection shall be made within six months of the lodging of the application or, where the mechanism under the Council Regulation on determining the State responsible for examining an asylum application is applied, of the date when Finland was determined the State responsible for the processing and the applicant has arrived in the territory of Finland and the Finnish Immigration Service has taken over responsibility for the applicant.

¹² Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection

¹³ [Processing time of asylum applications limited to 6 months from 20 July onwards - Maahanmuuttovirasto \(migri.fi\)](#)

¹⁴ In case there is no information on the exact average duration, please include estimates about the average duration.

Table 1

Year	Average duration (days) from making to lodging a claim
2014	N/A
2015	N/A
2016	N/A
2017	N/A
2018	N/A
2019	N/A

b) In practice, how long does the procedure take from lodging the application until a first instance decision is made (average days)?

Table 2

Year	From lodging until first time decision				
	Average days (all applications examined in Finland) ¹⁵	Channel 1 (substantive examination) ¹⁶	Channel 2 (manifestly unfounded)	Channel 3 (please specify)	Channel 4 (please specify)
2014	210	226	91	-	-
2015	124	131	66	-	-
2016	272	277	75	-	-
2017	406	422	54	-	-
2018	326*	355*	84	-	-
2019	282*	294*	97	-	-

Source: The Finnish Immigration Service

* Processing time requirement of 6 months applies to applications submitted on or after 20 July 2018.

1.2 Authorities involved in the asylum procedure

6. Which authorities are involved in and responsible for the asylum procedure from making an application to first instance decision?

Table 3

Type of Authority	Name of authority	Authority involved in making an application	Legally competent for lodging and/or registering an asylum application	Legally competent for examining an asylum application
Border control authority	The Finnish Border Guard	Yes	Yes	No
Local Police	Police (of Finland)	Yes	Yes	No
(Branch) office for Refugees	N/A	-	-	-
Ministries (Interior, Justice, etc.)	N/A	-	-	-
Local Citizen's Office/ Mayor of a local city/ town	N/A	-	-	-
(Local) immigration office	The Finnish Immigration Service	Yes (a child born to an asylum applicant) ¹⁵	Yes (a child born to an asylum applicant)	Yes (all applicants)
Accommodation for refugees	N/A	-	-	-
EU Agency	N/A	-	-	-
International Organisation	N/A	-	-	-
Detention facility	N/A	-	-	-
Reception centre	N/A	-	-	-

¹⁵ Excluding applications not examined in Finland (i.e. Dublin cases).

¹⁶ Excluding applications not examined in Finland (i.e. Dublin cases) and applications considered manifestly unfounded.

1.3 Data collected during the asylum procedure

7. Which information is gathered during the asylum procedure at the different phases and by whom?

Table 4

1. Categories of data collected	2. In which phase(s) is this information collected? (including self-registration) - Registering (1) - self-registration (1.1) - lodging (2) - examination (3) <i>Please use the numbers provided for each phase to indicate the phase the data is collected. In case phases are combined in your state, please indicate it accordingly by using a dash (see example below).</i> <i>If data is re-used but not re-collected in a following phase, data is not collected in that phase. Therefore, if data is not collected in a specific phase but only re-used or not used at all, please do not add any number for that phase.</i> lodging/registering (1/2) In Finland, the lodging and registration of the application take place concurrently. examination (3) The asylum examination includes an asylum interview and other investigation measures. If some information has not been recorded in the early phases of the process or if some of the information provided by the applicant has changed, it is collected in the asylum examination reception: some information is collected by reception centres.	3. Which organization collects this information in each of the different phases? (whenever possible please refer to the authorities listed in section 1.2 <i>Example:</i> - EASO in hotspots (1) - Police in police HQ [MoI] (1, 2)	4. How is this particular category of data /biometric data collected? - online self-registration - written questionnaire (in paper) - oral (interview, face-to-face) - oral (interview via phone/ videocall) - open source (e.g. social media) - analysing documents analysing content of mobile devices (e.g. phones, laptops) - using automated or artificial intelligence for analysis of data - other: please specify (multiple answers possible) <i>If different data collection tools are used in the different phases, please specify it. If possible, please indicate if any specific technology is used in the process.</i> <i>Example - written questionnaire (1, 2)</i>	5. Where is this particular category of data /biometric data stored? - in an electronic file - in a database - on paper Example - in an electronic file (2) - in a database (2) - on paper (1)	6. If applicable, please specify the name of the database(s) Patja: police information system RETU: foreign nationals' personal identifying characteristics register UMA: Register of Aliens is used via the case management system for immigration affairs (UMA). UMAREK (reception customer register) and Mediatri (reception patient register) also include some data on the applicant.
Name					
<i>current name (including patronym)</i>	1/2 (lodging/registering)	local police/border guard (1/2)	oral (interview, face-to-face) (1/2) analysing documents (1/2) exceptionally: written questionnaire (in paper) (1/2) ¹⁷	- in a database (1/2)	UMA, Patja
<i>birth name</i>	-	-	-	-	
<i>previous name(s)</i>	3 (examination)	Finnish Immigration Service, Asylum Unit (3)	oral (interview, face-to-face) (3) analysing documents (3)	- in a database (3)	UMA
<i>pen name (alias)</i>	1/2, 3	local police/border guard (1/2) Asylum Unit (3)	aliases: analysing documents, other databases, open source (e.g. social media) (1/2) analysing documents, other databases (3)	- in a database (1/2) - in a database (3)	UMA, Patja
<i>religious names</i>	-	-	-	-	
<i>other names</i>	3	Asylum Unit (3)	analysing documents, other databases (3)	- in a database (3)	UMA
Sex	1/2	local police/border guard (1/2)	oral (interview, face-to-face) (1/2)	- in a database (1/2)	UMA, Patja

¹⁷ If a child is born to an asylum applicant before the first decision is made, the Finnish Immigration Service can lodge and register the child's asylum application.

Biometric data					
<i>photo</i>	1/2, 3 or reception The police or the Finnish Border Guard stores the applicant's photograph in the foreign nationals' personal identifying characteristics register. Both the UMA system and the UMAREK system have the same photograph of the applicant. The applicant brings their passport photograph to the asylum interview or the photograph is taken at the Finnish Immigration Service (or the reception centre stores the photograph).	local police/border guard (1/2) Finnish Immigration Service/ Asylum Unit (3) or reception centre	other: the applicant's photograph is stored in the foreign nationals' personal identifying characteristics register (1/2) other: the applicant is requested to bring their passport photograph to the asylum interview (3) other: the reception centre stores the photograph	- in a database (1/2) - in a database (3)	RETU (foreign nationals' personal identifying characteristics register), UMA UMAREK (reception customer register)
<i>fingerprints (which fingers, rolled or pressed fingerprints)</i>	1/2: Eurodac (14-year-old or older applicants). Fingerprints of all fingers are taken: first fingerprints for checking purposes by pressing and then the actual fingerprints by rolling. The police or the Finnish Border Guard stores the applicant's fingerprints as biometric identifiers in UMA. So-called biometric fingerprints of all fingers are taken by pressing. 3: biometric fingerprints from all applicants over the age of 6 for UMA (all fingers, by pressing).	local police/border guard (1/2) Finnish Immigration Service/ Asylum Unit (3)	other: fingerprints are first checked with the AFIS system's quick identification device (to check whether the applicant's fingerprints have already been stored in the national fingerprint register). Fingerprints are stored in Eurodac and UMA. In addition, the police or the Finnish Border Guard makes a fingerprint cross-check against the Visa Information System (VIS) (all fingers, by pressing) (1/2) other: biometric fingerprints from all applicants over the age of 6 for UMA if they have not been taken yet (3)	- in a database (1/2) - in a database (3)	Eurodac UMA. The result of the VIS fingerprint cross-check is also stored in the UMA system.
<i>iris scan</i>	-	-	-	-	-
<i>other (signature)</i>	3 or reception	Asylum Unit (3) or reception centre	written questionnaire (3): The applicant's signature is requested on a separate form. The reception centre may also store the signature.	- in a database (3)	UMA
Eye colour	1/2	local police/border guard (1/2)	other: the applicant's personal identifying characteristics are stored in the foreign nationals' personal identifying characteristics register (1/2)	- in a database (1/2)	Retu
Height	idem	idem	idem	idem	idem
Date of birth	1/2 (if there is a suspicion of whether an applicant claiming to be a minor actually is a minor, this is also recorded), 3 (if the age changes on the basis of a closer examination or an age assessment)	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face) (1/2, 3) analysing documents (1/2, 3) other databases (1/2, 3)	- in a database (1/2) - in a database (3)	UMA, Patja
Citizenship(s)	1/2	local police/border guard (1/2)	oral (interview, face-to-face) (1/2) analysing documents (1/2)	- in a database (1/2)	UMA, Patja
Country of origin	1/2	idem	idem	idem	UMA, Patja
Place of birth					
<i>town</i>	1/2, 3 (more specific)	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face) (1/2, 3) analysing documents (1/2, 3)	- in a database (1/2) - in a database (3)	UMA, Patja
<i>region</i>	3	Asylum Unit (3)	oral (interview, face-to-face, analysing documents (3)	- in a database (3)	UMA

¹⁸ In the Tornio registration centre, some applicants wrote their information themselves with the aid of an interpreter.

<i>country</i>	1/2	local police/border guard (1/2)	oral (interview, face-to-face, analysing documents (1/2))	- in a database (1/2)	UMA, Patja
<i>other</i>	-	-	-	-	-
Date of arrival in the (Member) State	1/2	local police/border guard (1/2)	oral (interview, face-to-face) (1/2)	- in a database (1/2)	UMA
Last place of residence in the country of origin	1/2 or 3	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face) (1/2, 3)	- in a database (1/2, 3)	UMA
Last place of residence before entry in the (Member) State	1/2 or 3	idem	idem	idem	UMA
Contact details					
<i>phone number</i>	1/2 or 3, reception	local police/border guard (1/2) Asylum Unit (3) reception centre	oral (interview, face-to-face)	idem	UMA, UMAREK, Patja
<i>email address</i>	1/2 or 3	local police/border guard (1/2) Asylum Unit (3)	idem	idem	UMA, Patja
<i>current address</i>	3	Asylum Unit (3)	idem	idem	UMA
<i>other (social media)</i>	3	idem	idem	idem	UMA
Civil status (+ children)	1/2 or 3	local police/border guard (1/2) Asylum Unit (3)	idem	idem	UMA, Patja
Accompanied by:					
<i>spouse or civil partner</i>	1/2 (information is recorded on the asylum application report, or in UMA), 3 (information in UMA if not recorded in the application phase)	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face)	- in a database (1/2, 3)	UMA
<i>children</i>	idem	idem	idem	idem	UMA
<i>parents</i>	1/2 (information is recorded on the asylum application report), 3 (UMA)	idem	idem	idem	UMA
<i>other relatives</i>	idem	idem	idem	idem	UMA
Family members in the (Member) State					
<i>name</i>	1/2 (information is recorded on the asylum application report, or in UMA), 3 (information in UMA if not recorded in the application phase)	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face) other: cross-checking national databases	- in a database (1/2, 3)	UMA
<i>residency</i>	3	Asylum Unit (3)	idem	- in a database (3)	UMA
<i>citizenship</i>	3	idem	idem	idem	UMA
<i>other</i>	3 (if necessary)	idem	idem	idem	UMA
Family members in another (Member) State	1/2 or 3	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face)	- in a database (1/2, 3)	UMA
Close relatives in the (Member) State	1/2 or 3	idem	idem	idem	UMA
Close relatives in another (Member) State	1/2 or 3	idem	idem	idem	UMA
Health status					
<i>specifics on health status</i>	1/2 (vulnerability), 3 (medical certificate)	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face) (1/2, 3) analysing documents (3): medical certificate	- in a database (1/2, 3)	UMA
<i>reference that a general health check has been carried out</i>	Reception	reception centres	other: asylum seekers' medical services and history collected	- in a database	Mediatri (reception patient register)
<i>other</i>	-	-	-	-	-
Education					
<i>school attendance</i>	3	Asylum Unit (3)	oral (interview, face-to-face), analysing documents (if available)	- in a database	UMA

<i>academic studies</i>	3	idem	idem	idem	UMA
<i>trainings</i>	3	idem	idem	idem	UMA
<i>apprenticeships</i>	3	idem	idem	idem	UMA
<i>non-formal work experience</i>	3	idem	idem	idem	UMA
<i>other</i>	-	-	-	-	-
Language skills	1/2 (native language and the language that can be used in interpretation)	local police/border guard (1/2)	oral (interview, face-to-face)	- in a database	UMA
Profession	1/2 or 3	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face)	idem	UMA
Criminal record	-	-	-	-	-
Financial resources	1/2 (information is needed at the reception centre, influences the amount of reception allowance), 3 (how the journey was financed)	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face)	- in a database	UMA
Supporting documents					
passport	1/2	local police/border guard (1/2)	analysing documents	- in a database	UMA
travel document	1/2	idem	idem	idem	UMA
other (e.g. ID card)	1/2	idem	idem	idem	UMA
Reasons for fleeing	1/2 (briefly), 3 (more thoroughly)	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face)	idem	UMA
Reasons for not wanting to be returned to the competent Member State as part of a Dublin procedure	1/2 (if it is known in the application-making phase from which Member State the applicant has come), 3	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face)	- in a database	UMA
Previous applications	1/2	local police/border guard (1/2)	oral (interview, face-to-face), other databases	idem	UMA
Information on the route taken	1/2, 3	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face), analysing documents (if available)	idem	UMA
Information on exclusion grounds	1/2 (involvement in armed activities), 3	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face)	idem	UMA
Religious affiliation	1/2 or 3	local police/border guard (1/2) Asylum Unit (3)	oral (interview, face-to-face)	idem	UMA
Vulnerabilities					
<i>Unaccompanied minor</i>	1/2	local police/border guard (1/2)	oral (interview, face-to-face)	- in a database	UMA
<i>Pregnant</i>	1/2	idem	idem	idem	UMA
<i>Disabilities (which?)</i>	1/2 (health status/vulnerability)	idem	idem	idem	UMA
<i>Elderly</i>	-	-	-	-	-
<i>Single parent with minor child(ren)</i>	1/2	local police/border guard (1/2)	oral (interview, face-to-face)	- in a database	UMA
<i>Victims of human trafficking</i>	1/2	idem	idem	idem	UMA
<i>Mental disorders</i>	1/2 (health status)	idem	idem	idem	UMA
<i>Victims of torture, physical or sexual violence (FGM)</i>	1/2 or 3	local police/border guard (1/2) Asylum Unit (3)	idem	idem	UMA
<i>other</i>	-	-	-	-	-
Other: - Dublin transfer (if the applicant is transferred from another MS) - border crossing point - information about the entry into the country (the country from where the applicant came, the flight number, etc.) ¹⁹	1/2	local police/border guard (1/2)	oral (interview, face-to-face) other databases	- in a database	UMA

8. Has your Member State identified any good practice in frontloading information collected by other authorities not directly connected to the asylum procedure?

Frontloading, or collecting information in the early phases of the asylum process is done by authorities responsible for registering the asylum application. The UMA system guides the police and the Finnish Border Guard to fill in certain obligatory information when filing the application. On the basis of the filing details, asylum applications are channelled to the correct job queue in the Asylum Unit of the Finnish Immigration Service. The application is also channelled to the right Asylum Unit office on the basis of the reception centre where the applicant is accommodated. This is a good practice as it makes the processing of asylum applications faster and smoother. Applications that should be processed with urgency as well as applications lodged by vulnerable applicants stand out from other applications.

The electronic UMAREK system used by reception centres contains a competence assessment function, which makes it possible to document information about asylum seekers' skills and competence. If the applicant is granted a residence permit, this information can be transferred to authorities responsible for integration measures. The client will also get this information for their own use.²⁰

¹⁹ The Finnish Border Guard

²⁰ OSAKA project (AMIF): the development of asylum seekers' work and study activities and competence assessment.

1.4 Data management during the asylum procedure

9. Databases where information is gathered during the asylum procedure

Table 5

Database	Overview/definition of the database	National authorities that have access to the databases or access to its data ²¹			Data shared with other Member States (apart from the data that (Member) States share through EU databases e.g. Eurostat, VIS, SIS)	
		Name of authority/organisation	In which phase of the asylum procedure	For what purpose	Type of data	For what purpose
Register of Aliens / UMA – electronic case and client management system for immigration affairs	The Register of Aliens is a national register of persons for the processing, decision-making and control of matters relating to the entry into and departure from Finland and residence of aliens in the country. The register is used via the centralised UMA information system.	Maintained by the Finnish Immigration Service, other authorities involved in the asylum process have access to database. ²²	All	UMA is used by all involved authorities to storage data on asylum seekers during asylum process.	Personal data	Unless this is a violation of confidentiality provisions, the Finnish Immigration Service discloses personal data to the common information systems of the European Union established under regulations issued by virtue of Title V, Chapter 2 of the Treaty on the Functioning of the European Union as provided in these regulations.. ²³
UMAREK	Reception customer register	Access to database: Finnish Immigration Service and reception centres.	Reception	Reception services for asylum seekers: Accommodation, social services including allowance, voluntary return, detention, representatives for unaccompanied minors, human trafficking victims' services, notes, customer cards, legal advisor contact information	N/A	-
Patja, police information system	Information system for performing the duties assigned to the police. The reports made to the police and the resulting actions are recorded in the system.	Maintained by the police, access to database by the police and Border Guard. Migri has access to data.	Lodging	The asylum seeker's personal data and the asylum application reports, related to the asylum case are recorded in the Patja system.	Personal data	Section 131 of the Aliens Act states that, notwithstanding secrecy provisions, the asylum seeker's personal data may be disclosed to foreign authorities for the identification of the alien with due regard to certain conditions. ²⁴

²¹ Access to database' is understood as a national authority being authorised to have direct access to a database without the need to request data to be transmitted to them via other authorities or intermediaries. 'Access to data' is reserved to cases where an authority has access to data contained to a database, through transmission or sharing by another authority.

²² The main controller of the Register of Aliens is the Finnish Immigration Service. The register is also maintained and used by the Ministry for Foreign Affairs, the police, the Finnish Border Guard, the Customs, the Ministry of Employment and the Economy, the Centres for Economic Development, Transport and the Environment, the Employment and Economic Development Offices, the Prison Administration Authority and the Non-Discrimination Ombudsman.

²³ <https://migri.fi/en/data-protection>

²⁴ With due regard to the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), the Act on the Processing of Personal Data in Criminal Matters and in Connection with Maintaining National Security (1054/2018) and the Act on Processing of Personal Data by the Police. (635/2019)

Retu, the police's personal identifying characteristics register	The police's personal identifying characteristics register has two separate parts: the personal identifying characteristics of criminal suspects and the personal identifying characteristics of foreign nationals.	Access to database: Police and Border Guard	Lodging	Asylum seekers' personal identifying characteristics are recorded for identification.		Section 131 of the Aliens Act states that, notwithstanding secrecy provisions, personal data may be disclosed to foreign authorities for the identification of the alien with due regard to certain conditions.
Schengen Information System	The Schengen Information System helps national law enforcement and administrative authorities better protect the Schengen area, prevent crime and locate missing persons.	Access to database: Police and Border Guard. Access to data: the Finnish Immigration Service	All	Contains information about persons who do not have the right to enter the Schengen area or reside there or who are being sought due to criminal activity. It also contains information about missing persons.	-	-
The Finnish Border Guard's operational information system (RVT)	Border Register	Maintained by the Finnish Border Guard. Access to data: Police and the Finnish Immigration Service	Lodging	Information about earlier border crossings to/ from Finland, if any (and other measures taken by the Finnish Border Guard)	Border crossing information (and other measures taken by the Border Guard)	The transfer of data must be based on an international treaty that is binding on Finland or other regulations that are in force as law in Finland.
Mediatri	Reception patient register	Access to database: Finnish Immigration Service and used in reception centres.	Reception	Asylum seekers' medical services and history	N/A	
Risk management database (Granite)	Risk management database	Access to database: Finnish Immigration Service and reception centres.	Reception	Risk management at reception services. Accidents and threat reporting.	N/A	

Section 2: Making an asylum application

2.1 Making an application to an authority not competent to register the asylum application

10. What information do authorities who are not competent to register an asylum application provide to the asylum applicants on where to go and what to do?

Section 95 of the Aliens Act regulates how certain other authorities must act if a person expresses their intent to seek asylum. If an application for international protection is made to personnel of the Finnish Immigration Service, a reception centre, detention unit or Customs, the applicant shall be directed to lodge the application to the police or border control authority and the application shall be registered within six weekdays of it being made.

If a person expresses their intent to seek asylum at the Finnish Immigration Service's service point or a reception centre, for instance, they shall be directed to lodge the application at a police department. No information about the person is stored and their identity is not established. If a detainee in a detention unit expresses their intent to seek asylum, the police will come to the unit to register the application. Detainees' personal data are collected when the police (or the Finnish Border Guard) place them in a detention unit.

11. Do the authorities who are not competent to register any asylum application collect any data on the asylum applicant?

Yes

No

(Apart from detention, see question 10.)

Section 3: Lodging an asylum application

3.1 Cross-checking of data collected at the lodging phase

12. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during the lodging phase cross-checked and what is the purpose of cross-checking?¹⁸

ii. national databases: UMA, Police Register (Patja), Population Information System.

- the asylum application is registered in the Finnish Immigration Service's electronic case management system UMA, as well as the Police register (Patja). Both registers are checked to establish if the person's data can already be found in the registers.

- When registering the asylum application, the police or Border Guard first check the applicant's fingerprints using AFIS (Automated Fingerprint Identification System) to see if the fingerprints are already registered in the national fingerprint database.²⁶

- The police or border control authorities take fingerprints and a photograph and record other personal descriptions of asylum seekers for the purposes of identification and registration. The personal descriptions are recorded in a register (Retu) maintained by the police.

- Aliens Act 131 §: For the purpose of identifying aliens or for processing, making decisions on and supervising matters concerning aliens' entry into and departure from the country and their residence and employment, and for protecting national security, the police or the border control authority may take fingerprints and a photograph and record other personal identifying characteristics of aliens who have applied for asylum or a residence permit on the basis of subsidiary protection or temporary protection. The personal identifying characteristics are recorded in a register maintained by the police. The information shall be kept separate from the personal identifying characteristics of criminal suspects and from the fingerprints collected for the purpose of residence permit applications, residence permit card applications or applications for residence cards of family members of Union citizens.

iii) European databases

- EURODAC system²⁷, the Visa Information System (VIS) and the Schengen Information System (SIS)

According to the Helsinki Police Department, register checks make it possible to find out if the person has already sought asylum in a Member State, has crossed the external EU border illegally, has a visa issued by a Member State, has committed a criminal offence or has been registered with other personal data in Finland or another Member State. The police's experience has shown that a fingerprint cross-check against the VIS register often yields the applicant's correct personal data.

In addition to the above-mentioned, the Border Guard check the border guard operations register for information about the person's earlier border crossings to/from Finland, if any (and other measures taken by the Finnish Border Guard). The border guard operations register (RVT) contains, for instance, basic personal data needed in the Finnish Border Guard's statutory duties, specifications, descriptions and categorisations related to the Finnish Border Guard's activities, measures or incidents and information referred to in Annex II of the Schengen Borders Code. The reception of the asylum application at the border also involves the examination of travel and/or identity documents and the first-instance

²⁵ Purpose of cross-checking: Previous asylum applications, Prior legal residence/stay, Illegal border crossing, Illegal stay (overstay), Criminal record, Security risks, Detect counterfeit identity/travel documents.

²⁶ Challenges and practices for establishing applicants' identity in the migration process – National Report of Finland 2017

²⁷ For Eurodac purposes, only the collection of fingerprints of applicants who are 14 years old or older.

authenticity assessment (examining the document for signs of forgery or counterfeit). The travel and/or identity documents presented in connection with the lodging of the application are examined and registered in UMA, always including the scanned copies of the personal data page and all pages containing entries as well as information about the preliminary authenticity assessment and further actions. Inquiries about the person in question and their travel documents are made in SIS and national databases.

13. Does systematic cross-checking against (a) VIS and (b) SIS take place?

Yes

No

(a) VIS: In connection with the lodging of an asylum application, the police or the Finnish Border Guard makes a fingerprint search for the applicant in the VIS system according to Chapter III of the VIS Regulation.²⁸

(b) SIS: In connection with the registration, the police and Border Guard cross-check the fingerprints of all asylum seekers against the SIS register. The police or Border Guard may also search for the applicant with name details in the SIS database.

14. What issues have you encountered in cross checking data collected at the lodging phase?

- Transliteration of the applicants' names, applicants' different ways of giving their name, provision of false information

Due to the reasons mentioned above, it may be difficult to establish the applicant's identity. The person's name may have been entered in different forms in different registers. The name conventions in different countries pose challenges (e.g. clan or tribe names, patronyms). A person may present someone else's passport as their own. Applicants may provide false information intentionally or complicate the cross-checking of fingerprints by abrading the skin on their fingertips.²⁹

- Lack of travel documents or identity documents

Often, the applicant's identity cannot be established with full certainty if the person has destroyed the travel documents and there are no other documents, such as invoices containing the person's name, in their luggage. Name details may also cause difficulties. For instance, in some cases, the last of the applicant's first names may have been recorded in some registers as their last name. The person may also have given different personal details in their first asylum application lodged in another country.³⁰

3.2. Information provided to asylum applicants at the lodging phase

15. Are asylum applicants provided with a processing/privacy notice³¹ about the personal data collected from them during the lodging phase? Please describe what information is provided.

Yes / No = Yes and no

Information on the processing of personal data

According to the General Data Protection Regulation (GDPR), each data subject has the right to be informed of the collection and processing of their personal data.³² The privacy statements of the registers used by the police in performing their duties are available on the police's website.³³ The privacy statement of the border guard operations register can be found on the Finnish Border Guard's website and is available to everyone in each administrative unit of the Border Guard.³⁴

²⁸ Finnish Immigration Service's asylum guidelines, 28 May 2019

²⁹ Helsinki Police Department

³⁰ Helsinki Border Control Department, Finnish Border Guard

³¹ [Right to obtain information on the processing of personal data - Tietosuojavaltuutetun toimisto](#)

³² [Privacy statements and forms - Police \(poliisi.fi\)](#) in Finnish, Swedish and English (accessed 27.1.2021)

Information on the processing and access to personal data at the Finnish Immigration Service and in reception services is available on the Service’s website (in Finnish, Swedish and English).³⁵

Other information provided to asylum applicants

Section 95a of the Aliens Act regulates the provision of information to persons applying for international protection. Persons applying for international protection are informed of the asylum procedure and of their rights and responsibilities throughout the procedure. The police or border control authorities shall provide such information to the applicant upon receipt of the application for international protection. This information may also be provided by the Finnish Immigration Service or the reception centre as soon as possible after the application has been submitted. The information is provided in the applicant’s native language or in a language which, on reasonable grounds, he or she can be expected to understand.

In connection with the lodging of the application, the asylum seeker is informed orally of the asylum process and of their rights and responsibilities throughout the process. The asylum seeker must also be informed of the concerned party’s right to obtain information and right to see the documents. The asylum seeker is given the brochure “Information for asylum seekers”, which explains that the authority registers them as an asylum seeker, records basic information in the Register of Aliens and stores their fingerprints, signature and photograph. Unaccompanied minors are provided with the dedicated brochures “Children asking for international protection. Information for unaccompanied children who are applying for international protection” and “Information for asylum seekers – Children without parents or guardians”.

All applicants must be informed of the Dublin procedure as required by the Council Regulation on determining the State responsible for examining an asylum application. In connection with the lodging of the application, the police or the Finnish Border Guard provides this information orally in a language which the applicant understands and in writing with brochures written for this purpose. The applicant gets the brochure “I have asked for asylum in the EU – which country will handle my claim?”, which explains that their fingerprints are stored in the Eurodac database. Applicants included in the Dublin procedure are given the brochure “I’m in the Dublin procedure – what does this mean?”.

If necessary, the applicant is also otherwise informed briefly of the application procedure and their rights and responsibilities during the procedure. The applicant must always be separately informed of their right to a counsel and an interpreter. Particular attention must be paid to counselling and informing unaccompanied minors because a representative is appointed for them only after the application is lodged.

16. a) Who provides the information mentioned above (under Q 15)?

The police or the Border Guard, and the Finnish Immigration Service.

b) How is this information provided (orally, digitally, in writing or all three)?

Processing/privacy notice: On the police and Border Guard websites, the Finnish Immigration Service’s website.

Other information: Orally and in writing (brochures by the Finnish Immigration Service, also available in a digital format).

c) Where information is provided orally, is interpretation available?

Yes

No

³³ [Privacy statements and forms - Police \(poliisi.fi\)](#) in Finnish, Swedish and English (accessed 27.1.2021)

³⁴ [Etusivu - Rajavartiolaitos](#)

³⁵ [Data protection - Maahanmuuttovirasto \(migri.fi\)](#)

If yes, who provides the interpretation services?

Other information: The police and the Finnish Border Guard use private interpretation services. The information is provided in the applicant's native language or in a language which, on reasonable grounds, he or she can be expected to understand.

d) Where information is provided digitally, is translation available?

Yes
No

Processing/privacy notice: On the police (FI, SV, EN) and Border Guard websites, the Finnish Immigration Service's website (in Finnish, Swedish and English).

Other information: Brochures and their language versions can be found on the Finnish Immigration Service's website.³⁶

e) Where information is provided in writing is translation available?

Yes
No

If yes, who provides the translation service?

Other information: The Finnish Immigration Service's brochures are available in many different languages. The applicant gets the brochure in a language which they understand. If the brochure is not available in any language that the applicant would understand or if the applicant is illiterate, information about the content of the brochure is provided orally with the aid of an interpreter. The information may also be provided orally for other reasons, to ensure that the applicant understands it.

17. Is any specific training or guidance provided for staff responsible for data management with regard to information collected at the lodging phase?

The Helsinki Police Department cooperates with Migri and this cooperation serves as a basis for developing operations and practices. Further training is offered regularly.

The Finnish Border Guard and the Finnish Immigration Service cooperate closely. The Finnish Border Guard officers involved in the asylum process receive internal training according to Migri's instructions. As a rule, asylum applications are processed by specifically trained officers (e.g. examination group). Further training is offered regularly.

³⁶ <https://migri.fi/en/brochures-and-publications#asylum> (accessed 28 December 2020)

Section 4: Examining an asylum application

4.1 Cross-checking of data collected at the examination phase

18. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during the examination phase cross-checked and what is the purpose of cross-checking?

ii. national: UMA, RVT (border guard operations register), Patja (police register), SUVI visa system (Finland's national visa application processing and decision-making system), ELVIS (Electronic Visa Processing)

iii. European: Eurodac, VIS, SIS

The Finnish Immigration Service checks the registers for the same reasons as the police and the Finnish Border Guard (Question 12). The Finnish Immigration Service examines the applicant's identity and travel route more closely, as well as the information on possible family members residing in Finland. The Finnish Immigration Service also performs a preliminary examination to determine whether the application provides grounds for continuing the examination in Finland (Question 3).

19. Does systematic cross-checking against (a) VIS and (b) SIS take place?

Yes

No

The UMA system automatically performs a check in the SIS system. The police and the Finnish Border Guard perform the VIS check on the basis of fingerprints in connection with the filing of the application. The Asylum Unit can perform the VIS check with the applicant's name details if the fingerprint cross-check has not been successful.

20. What issues has your (Member) State encountered in cross checking data collected at the examination phase?

When making searches in the police's databases, it may be difficult to find a certain applicant if the UMA client number has not been saved there. The person may appear with several different sets of personal details or their name may be stored in a different form. On the other hand, several different persons may be found with the same name and date of birth in databases. There may be conflicts and/or errors in the stored data. The UMA system does not have a so-called fuzzy search, in other words: the UMA search does not search for different forms of the name. The only option available is to truncate the name using an asterisk (*).³⁷

³⁷ Finnish Immigration Service, Asylum Unit

4.2 Information provided to asylum applicants at the examination phase

21. Are asylum applicants provided with a processing/privacy note³⁸ about the personal data collected from them during the examination phase? Please describe what information is provided.

Yes

No Yes and no

Information on the processing of personal data

The applicant's right of access to personal data in the personal data files of the Finnish Immigration Service and the purpose of storing data in the Register of Aliens and the reception centre information systems are explained on the Finnish Immigration Service's website.³⁹ In line with the General Data Protection Regulation, the following information is available on the website: the data controller and the data protection officer, the purposes of the processing of the personal data and its legal basis, the personal data to be processed, the sources of data, the recipients of the personal data, transfer of the data to third countries or international organisations, the storage period of the personal data, the right of access to the personal data, the right to rectify or complement the data and the right to restriction of processing.⁴⁰

In 2020, the asylum interview protocols of the Finnish Immigration Service were updated with regard to processing notice. The applicant is informed that his or her personal data and grounds for claiming asylum are stored in the Register of Aliens. The applicant is also advised that giving false personal data is a criminal offence.

Reception centres inform new asylum applicants on various issues during preliminary information sessions, including data processing and access to personal data in reception services. The Finnish Immigration Service's Reception Unit has developed a document informing applicants regarding processing and access to personal data in reception services. The document is translated to various languages to be given to asylum applicants.⁴¹

Other information provided to asylum applicants

At the beginning of the asylum interview, the asylum seeker is informed of their rights and responsibilities in the interview and it is ensured that the asylum seeker understands them. If the rights and responsibilities are explained to the asylum seeker in writing in connection with the interview invitation, it is ensured before the interview that the asylum seeker has understood them. The asylum seeker may ask for them to be repeated. The asylum seeker is informed of the interviewer and the fact that the interview will be recorded.

a) Who provides the information mentioned above (~~under Q 34) (public authorities, international organisations, CSO – civil society organisations)?~~

Processing/privacy notice: Finnish Immigration Service provides information on the applicant's right of access to personal data and the purpose of storing data in the Register of Aliens.

Reception centres inform new asylum applicants on data processing and access to personal data in reception services.

Other information: The Asylum Unit of the Finnish Immigration Service explains the asylum seeker's rights and responsibilities in the asylum interview.

³⁸ According to GDPR, applicants have the right to obtain information on the purpose for which their personal data is collected and how it is processed.

³⁹ [Data protection - Maahanmuuttovirasto \(migri.fi\)](#)

⁴⁰ Available in Finnish, Swedish and English.

⁴¹ [Suomi +Asiakasinfo Henkilötietojen+käsittely+vastaanottoimmnessa 1.2.pdf \(migri.fi\)](#) (in Finnish)

b) How is this information provided (orally, digitally, in writing or all three)?

'Processing/privacy notice: The applicant's right of access to personal data and the purpose of storing data in the Register of Aliens are explained on the Finnish Immigration Service's website. In the beginning of the asylum interview, the applicant is informed that his or her personal data and grounds for claiming asylum are stored in the Register of Aliens (orally and in writing).

Reception centres inform new asylum applicants on data processing and access to personal data in reception services orally and in writing. The Reception Unit has developed a notification document "Processing of personal data in reception services" to be given to asylum applicants.

Other information: The interviewer explains the asylum seeker's rights and responsibilities orally. The asylum seeker will be provided with a written record of the interview at the end of the interview.

c) Where information is provided orally, is interpretation available?

Yes

No

If yes, who provides the interpretation services (e.g. national authorities, NGOs etc)?

The Finnish Immigration Service uses private interpretation services in their asylum interviews. An interpreter is also used in the preliminary information sessions in reception centres, if necessary.

d) Where information is provided digitally, is translation available?

Yes

No

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

The applicant's right of access to personal data and the purpose of storing data are explained in Finnish, Swedish and English on the Finnish Immigration Service's website.⁴²

e) Where information is provided in writing is translation available?

Yes

No

If yes, who provides the translation service (e.g. national authorities, NGOs etc)?

The Reception Unit has translated their notification document into 12 languages.

22. Is any specific training or guidance provided for staff responsible for data management with regard to information collected at the examination phase?

The Asylum Unit offers internal training on data management.

⁴² [Data protection - Maahanmuuttovirasto \(migri.fi\)](#) (accessed 28 December 2020) ([Checking personal data - Police \(poliisi.fi\)](#))

Section 5: Data quality and safeguards

5.1 Data quality management

23. Is the quality of data collected during the asylum procedure assessed?

Yes

No

The data controller (i.e. user of the register) who stores data in the Register of Aliens is responsible for the accuracy of the data they store as well as for the lawfulness of the storage and usage of the data in performing their job duties.

The Finnish Immigration Service compiles an annual report on the oversight of legality. Oversight of legality is conducted as part of daily monitoring by supervisors, regular inspection of individual cases and the investigation of administrative complaints, for instance. Immediate supervisors monitor the performance of their subordinates and provide them with guidance. Supervisors intervene in any shortcomings they observe or in activities that violate law and guidelines.

The Asylum Unit conducts quality control and oversight of legality according to an annual plan. Each year, the Asylum Unit conducts inspections that assess the lawfulness of individual decisions. In this connection, the quality of decision-related register entries is also assessed. There is cooperation with the authorities responsible for the registering of applications and training on the UMA system is provided.

Oversight of legality of the police's databases is also conducted regularly. In connection with the registration of an asylum application, the supervisor (chief inspector) checks the asylum application report and signs all reports in Patja.

The Finnish Border Guard officers record the information related to an asylum seeker under the liability for acts in office. All asylum application reports in the Patja system are printed. The head of the investigation reads and confirms, with their signature, all archive copies before archiving. The Headquarters of the Finnish Border Guard and its Legal Division are responsible for the oversight of legality within the Finnish Border Guard.

If yes, please elaborate on some examples of data quality assessment and indicate:

a) In which phase(s) of the asylum procedure is the quality of data assessed (quality assessment)?

The quality of register entries is assessed when data is processed. Quality control is also performed retrospectively (see above).

b) How and by whom is the quality assessment carried out?

See above.

c) How is it ensured that the other actors get to know about data amendments and changes?

If new data, such as new personal data, is recorded for an applicant in the UMA system during the asylum process, this data is visible to all relevant parties that use UMA. If an applicant's key data is changed in the middle of the asylum process, the Asylum Unit sends an email notification about this to the police

department or the Finnish Border Guard's office that received the application and to the reception centre. If the applicant gives different personal details when registering in the Population Information System, the Digital and Population Data Services Agency makes a statement request to Migri or the Asylum Unit contacts the agency.

24. Do quality assessment measures only apply retroactively?

The quality of entries is assessed when data is processed.

25. Are any preventative measures in place to get the information right at the very beginning? Yes. If yes, which safeguards are in place?

The police first check the asylum seeker's fingerprints with a quick identification device to see whether their fingerprints have already been stored in the national fingerprint register. This helps in avoiding the creation of a new customer number for the person. The data systems used by the police and the Finnish Border Guard guide their users to store the obligatory details. In the UMA system and the police's Patja information system, certain mandatory fields must be filled in before the case can proceed. In UMA, automatic functions guide the case worker, which reduces the possibility of errors.

According to the Finnish Border Guard, the personal details are always stored in the data system exactly as provided by the applicant in question. The asylum seekers' fingerprint cross-check indicates whether information has already been stored about the person. According to the Border Guard, the information given by the person can also be cross-checked against the goods in their possession. For instance, the name given by the person can be cross-checked against an invoice in the luggage. If it is suspected that the person provides false information, they are re-interviewed. If the personal data given does not match with other accounts received, an entry "henkilöllisyys selvittämättä" (identity not established) is recorded in the system.

Asylum seekers are informed of the fact that giving false personal data is a criminal offence. The Finnish Immigration Service reports any suspicions of false personal data to the police.

5.2 Safeguards

26. Describe the supervision mechanism for data protection supervision of the personal data collected during the asylum procedure in your Member State.

The Finnish Immigration Service has a Data Protection Section and a Data Protection Officer. The Data Protection Section assists the management in the preparation of data protection matters, advises and supports the units, provides guidelines and training to the personnel, ensures that the rights of the data subject are realised in the Finnish Immigration Service's activities and supervises compliance with data protection legislation.

Data protection is supervised with technical and organisational measures. Information related to asylum seekers is stored in the UMA system. Organisational measures of data protection supervision include guidelines and training provided to the Finnish Immigration Service officers as well as the liability for acts in office associated with authorities' actions. Pursuant to the Constitution of Finland, a civil servant is responsible for the lawfulness of his or her official actions. An authority may not view such database data that is not associated with their work tasks. Any actions must have legal grounds. The Finnish Immigration Service oversees the legality of the use of the Register of Aliens regularly. It creates a plan for the oversight of legality annually, defining the number of decisions to be reviewed and the targeting of the review. Regular review consists of inspections and spot checks according to the annual plan. In

addition, log inspections in the UMA system are also conducted if there is reason to check if an asylum seeker's information has been viewed without appropriate grounds.

The Finnish Immigration Service does not give information about asylum cases in telephone customer service. Information about an application and its processing and the applicant may only be given to the applicant and a person authorised by the applicant and they must be identified with sufficient certainty. In telephone contacts, it is not necessarily possible to ascertain the identity of the person requesting the information, which restricts the possibility of providing telephone advice on individual asylum cases.

The use of the asylum seeker reception client register is also supervised. Messages containing information about asylum seekers are sent from reception centres to the Finnish Immigration Service over an encrypted connection. Everyone working in reception services has specified user roles and access rights to reception databases according to their work task. User rights are personal and are authorised by the Finnish Immigration Service. There are technical arrangements which prevent unauthorised access. The Reception Unit has the means and legal role to supervise, make log inspections, make guidelines, organise trainings and make user manuals to improve data processing.

The police and the Finnish Border Guard store information also in the Patja system. Data is transferred from Patja to UMA over a secure connection. In both Patja and UMA, users' access rights are restricted according to their work tasks. A user must have legal grounds to see or process information related to a case. For instance, information related to an asylum case is only visible to those authorities that have the required access rights on the basis of their work tasks. The use of the police information system and the border register is restricted. Asylum application reports are stamped as confidential and information is not disclosed to anyone but the parties concerned.

27. Have (national) data protection authorities or similar entities assessed any of the databases described above?

Yes
No

The Finnish Immigration Service conducts internal oversight of legality regularly. In 2020, the Office of the Data Protection Ombudsman has performed an inspection regarding the processing of personal data in the UMA system.

The police's databases are also subject to internal oversight of legality. The oversight of legality conducted by the National Police Board and police units under it is based on confirmed unit-specific plans. The inspection of database entries is also part of the Finnish Border Guard's internal practical oversight activities.

28. How are the rights of asylum applicants in relation to access, rectification and erasure of their data stored in the national systems exercised in practice?

Pursuant to the Aliens Act, matters related to asylum are confidential. Pursuant to the Act on the Openness of Government Activities (621/1999), the party concerned (i.e. the asylum seeker) has the right of access to documents pertaining to themselves unless there is a legal basis to restrict disclosure to parties concerned. The legal counsel of an asylum seeker or the representative of an asylum-seeking unaccompanied minor also have the right of access to documents pertaining to the asylum seekers. Access to an official document is given by explaining its contents orally to the requester, by giving the document to be studied or copied in the offices of the authority or by issuing a copy or a printout of the document.

A register checking request can be made for all police registers. A party concerned has the right of access

to information pertaining to them.⁴³ With regard to registers mentioned in the Act on the Processing of Personal Data by the Police, exercising the right of access requires a personal visit to the data controller or a police department. When exercising their right of access, the applicant must prove their identity. A printout can be provided of the information stored regarding the applicant. In some cases, the data subject's right of access to information pertaining to them may be subject to limitations. In connection with the lodging of the asylum application, the entries made about the applicant in the asylum application report can be read aloud to the applicant, if so requested, and they may request rectification. No data is erased on the applicant's request. Inaccurate details, if any, are marked as inaccurate.

According to the privacy statement of the border guard operations register, everyone has, notwithstanding secrecy provisions, the right to look for information and, after providing necessary details, to know what information has been stored about them in the register or that the register does not contain any information pertaining to them. The data subject's rights may be restricted if it is necessary and proportionate considering the data subject's rights. If only some of the information pertaining to the data subject is excluded from the scope of the right of access, as described above, the data subject has the right of access to other information pertaining to them. The data subject must be informed of the reasons for the restriction unless this jeopardises the purpose of the restriction. If the data subject does not have the right of access to information collected about them, the information referred to above must be given to the Data Protection Ombudsman on the data subject's request. When exercising their right of access, the data subject must submit the related request in person at the Headquarters of the Finnish Border Guard or the Coast Guard or with the data controller and prove their identity.⁴⁴ A dedicated form has been created to facilitate the exercising of the right of access. Using this form is not an absolute requirement for exercising the right of access: the request can be submitted in writing with another document, too. Information to be accessed is provided by the data controller or a person in charge of register-related matters, appointed by the data controller, who arranges a chance for the data subject to access their data. On request, information is provided in writing. Information and actions related to the exercising of the right of access are free of charge.

Similarly, everyone has the right to know what information has been stored about them in the Register of Aliens or that the register does not contain any information pertaining to them. The data subject has the right of access to personal data pertaining to them. The data subject has the right to see, on request, personal data that has been stored and are being processed by sending a request for information to the data controller indicated in the privacy statement. The applicant may be provided with a chance to see the document pertaining to them or a copy thereof, unless there are grounds for restricting their right of access. If the applicant wants to review information pertaining to them in the UMA system, they are provided with a printout, unless there are grounds for restricting the right of access. The applicant must submit the request personally. If the applicant has an acceptable identity document, an extract of the information can be sent to them as a registered letter. If the applicant does not have a document to prove their identity reliably, they must visit the Finnish Immigration Service's customer service point for identification. The identity is ascertained on the basis of the information and the photograph that are in the UMA system. On the applicant's request, the information can also be given to their legal counsel. The data controller must, without undue delay and on their own initiative or on the data subject's request, rectify, erase or complement the Register of Aliens' personal data that is inaccurate, unnecessary, deficient or outdated considering the purpose of the processing. The applicant may request the rectification of their data if the data is deficient or inaccurate. The applicant must indicate which data item is inaccurate and how it should be changed or complemented. If the applicant reports that data stored about them is inaccurate, they have the right to request that its processing is restricted until its accuracy has been confirmed. However, no data is automatically erased from the register on the applicant's request. Inaccurate details, including typos in the applicant's name or date of birth, must be retained and marked as inaccurate. As a result, inaccurate information, if any, in documents pertaining to the applicant can also be seen in the register. According to the Finnish Act on the Processing of Personal Data in Immigration Administration, inaccurate personal data can be retained along with the corrected data, if it is necessary

⁴³ [Checking personal data - Police \(poliisi.fi\)](#) (accessed 29 December 2020)

⁴⁴ [Tarkista omat tietosi - Rajavartiolaitos](#) (The privacy statement of the border guard operations register, in Finnish/Swedish)

to safeguard the rights of the registered person, other concerned party or the data controller. Inaccurate data must be erased once retaining it is not necessary for the purpose of safeguarding these rights.⁴⁵ All requests submitted by the applicant are recorded in UMA (or in Migri's electronic administrative case management system Acta if the case has already been archived). No statistics are compiled regarding the requests.

The applicant also has the right to file a complaint about the processing of their personal data. If the applicant wants to report a problem associated with the processing of personal data, the primary recourse is to contact the data controller's representative or Migri's Data Protection Officer. The applicant also has the right to file a complaint about data processing to the supervisory authority. In Finland, the Data Protection Ombudsman acts as the supervisory authority. The Data Protection Ombudsman can also be informed if Migri does not provide information requested by the applicant. The Data Protection Ombudsman has the right to request the information in question for review and assess if Migri's refusal was well-founded.

The Reception Unit also has a procedure to handle requests made by the asylum applicant in reception centres. The unit recently developed a notification document informing applicants regarding access to personal data stored in the reception information systems and translated it into various languages. The document will be made available to applicants in reception centres.

⁴⁵ Unofficial translation.

Section 6: Responding to challenges in data management: recent reforms to the asylum procedure

6.1 Challenges and changes/reforms in data management

29. Has your Member State experienced any of the following challenges related to data management in the past years (since 2014)?

Please elaborate **on each of the selected challenges**, mentioning: a) for whom it is a challenge (policy-maker, organisation, other stakeholders); b) why it is considered a challenge; and c) how was it identified as a challenge (e.g. surveys, evaluation reports, focus groups, experts' opinions etc).

Lack of human or financial resources

a) Migri b) Lack of human resources in the Data Protection Section has affected the amount of data protection training and guidance, for instance. c) Data Protection Section

a) Helsinki Police Department b) Not all police stations have sufficient equipment for taking fingerprints, for instance. Consequently, asylum applications burden especially the Helsinki Police Department. c) Helsinki Police Department

Self-registration

Legal obstacles

a) Finnish Immigration Service b) For immigration administration, it has been challenging that provisions concerning the processing of personal data have previously been divided into several different acts. The harmonisation of national legislation with the General Data Protection Regulation was delayed with regard to some acts. c) Data Protection Section

Cooperation between national authorities

Interoperability of databases:

a) Migri / Asylum Unit b) Information about a person that could potentially be found in different registers cannot be cross-checked if the person does not have a UMA client number or if the client number is not recorded in the register. For instance, third-country nationals who have entered Finland with a visa or on a visa-exempt basis do not have a client number. The UMA client number is not an obligatory data item in all registers. Finland does not give an identification number to everyone entering the country, which could allow cross-checking between different registers.

a) Police b) When registering an asylum application, the police have to take the applicant's fingerprints four times to be able to cross-check them against different registers. It would be better for both the authority and the client if the same set of fingerprints could be cross-checked against different registers and stored in them. Furthermore, stored fingerprints cannot be cross-checked between different countries' registers (excluding the fingerprints stored in the Eurodac system).

Technical limitations in data processing:

x Implementation of Eurodac and/or GDPR regulation

a) Finnish Immigration Service b) The harmonisation of national legislation with the General Data Protection Regulation was delayed with regard to some acts. For instance, questions related to access to data and data disclosure have been challenging as the enforcement of the Act on the Processing of Personal Data in Immigration Administration was delayed. c) Data Protection Section

x Lack of training/information

a) Finnish Immigration Service b) Not enough resources have been allocated to the arrangement of data protection training. c) Data Protection Section

x Transliteration (e.g. Arabic to Latin or other alphabets)

a) Police/Migri b) The transliteration of names in different languages is challenging. The clients' illiteracy, lack of documents and the availability of interpretation also pose challenges. c) Police/Migri

x Other (please specify):

a) Asylum Unit b) In 2015 and 2016, the high number of asylum seekers posed challenges. At the same time, many reforms were carried out in immigration administration. For instance, electronic archiving was introduced. The entire asylum examination process was transferred to the Finnish Immigration Service in 2016.⁴⁶ New personnel had to be recruited and oriented at short notice, while more experienced personnel was carrying out the reforms. The asylum application processing times became longer. c) Asylum Unit

30. Has your Member State introduced any major change(s)/reform(s) related to data management in the past years (since 2014)?

Yes

No

- The registration of asylum applications was developed in the autumn of 2015. Information systems were developed to accelerate the registration process. For instance, the asylum application registration process was updated and automatic functions were introduced into the UMA register in order to streamline registration activities.⁴⁷
- Along with the national project for the transfer of authority in asylum-related matters, the responsibility for establishing the identity, entry into the country, travel route and the criteria for admissibility was transferred from the police and the Finnish Border Guard to the Finnish Immigration Service in 2016. The police and the Finnish Border Guard are still responsible for receiving and registering the asylum application in the early phases of the process. In practice, the Finnish Immigration Service adopted the responsibility for all asylum examination as of 1 March 2016.⁴⁸
- Significant changes were made in the electronic case management system for immigration affairs (UMA) in 2016 and 2017. The gradual deployment of the new user interface (UMA4) made it possible to develop and introduce new functionalities. One of the new features enabled by UMA4 was to restrict what each authority sees in the system. New automatic functionalities were introduced. Automation guides the case worker and reduces errors.

⁴⁶ The changing influx of asylum seekers in 2014-2016: Member State responses - National Report of Finland.

⁴⁷ Ibid.

⁴⁸ Summary of the Flow project

- The early phases of the asylum process were developed in the Flow project, which was partially funded by AMIF and which ended on 31 July 2017. The goal of the project was to make the early phases of the asylum procedure smoother by developing cooperation among different authorities and ensuring a smoother process and information flow as well as to improve the capacity of the efficient establishment of the asylum seeker's identity, nationality and country of origin in the early phases of the investigation.
- The Asylum Unit started using the automatic pre-screening of asylum cases in a system that was introduced at the time of the transfer of authority from the police to the Asylum Unit on 1 March 2016. In the automatic pre-screening, the system generates automatic keywords on the basis of the information entered in connection with the registration of the case and with the aid of these keywords, cases are directed to the right processes and it has been possible to abandon manual pre-screening. Automatic keywords also make it possible to identify vulnerable applicants early on in the process, without manual screening.
- Flow2, the continuation of the Flow project, continues to focus on the utilisation and development of information systems to achieve a smoother asylum process.
- The EU's General Data Protection Regulation 2016/679 (GDPR) entered into force in 2018. The application of the General Data Protection Regulation started on 25 May 2018. The General Data Protection Regulation improved the rights of the data subject and introduced new procedures, such as the data breach notification process.
- Along with the General Data Protection Regulation, a Data Protection Officer was appointed in the Finnish Immigration Service in 2018.⁴⁹
- The Data Protection Act (1050/2018) entered into force at the beginning of 2019. It specifies and complements the EU's General Data Protection Regulation and its national application. The Act regulates, among other things, the appointment and organisation of the data protection supervisory authority and its powers.
- The Act on Information Management in Public Administration entered into force on 1 January 2020. The purpose of the Act is to harmonise information management in public administration and promote information security and digitalisation.
- The application of the General Data Protection Regulation led to amendments to the administrative sector's key acts on the processing of personal data. Of these, the most important one for the Finnish Immigration Service is the Act on the Processing of Personal Data in Immigration Administration, which came into force on 1 September 2020.⁵⁰ Personal data processing provisions from other acts concerning the administrative sector of migration were brought together in one act. The new act replaces the old Act on the Register of Aliens and complements the provisions of the EU Data Protection Regulation, the Finnish Data Protection Act, the Act on the Processing of Personal Data in Criminal Matters and in Connection with Maintaining National Security, and the Act on Information Management in Public Administration.

31. Have any of the abovementioned changes become standard operating procedure in your (Member) State?

Yes, all of them.

⁴⁹ Finnish Immigration Service's annual report and financial statements 2018.

⁵⁰ <https://valtioneuvosto.fi/en/-//1410869/new-act-on-migration-authorities-processing-of-personal-data-to-bring-clarity-and-underline-legal-protection> (accessed 29 December 2020)

32. Were any of these changes/reforms related to data management introduced due to the introduction of 'channelling'?

Yes
No

The automatic screening of applications on different grounds in the UMA system. Keywords and automatic functions were developed to channel applications to the right "baskets".

33. Did the reforms introduced achieve the intended results? Why?

Please elaborate and explain why the reform(s) achieved/did not achieve the intended results.

Processing in the first phases of the asylum process has become faster and smoother. The reforms have provided the Asylum Unit with more tools for organising its work. Automation and electronic processing of asylum applications have improved the quality and consistency of the asylum process. Automated channelling of asylum applications and other UMA functionalities help in screening the applications and in identifying urgent cases and vulnerable applicants early on in the process. Automation also guides the case worker and reduces errors. Despite the reforms, the target level has not been achieved in total processing times as the process is also influenced by human resources and interview scheduling (the availability of interpreters, etc.), for instance. The UMA4 authorisation management reform has made it possible to share information more specifically with different parties, among other things. The reform improved the technical capability to restrict which parties can see an asylum seeker's information, for instance.

The harmonisation of national legislation with the General Data Protection Regulation was somewhat delayed. The Act on the Processing of Personal Data in Immigration Administration entered into force on 1 September 2020. The new act collects all provisions on the processing of personal data in immigration administration under one act. The provisions concerning the processing of personal data are clarified both from the perspective of the party applying the law and the rights of the data subject. The Finnish Immigration Service's website was updated with regard to processing of personal data and data protection in the end of 2020 and early 2021.

34. Would your (Member) State consider the reform(s) as a good practice?

Yes.

35. Have any on-going (unaddressed) challenges related to data management in the asylum procedure been identified in your (Member) State?

Yes
No

- Fingerprint cross-check between different registers / interoperability of databases.
- The storage of digital materials in the UMA system and their archiving.

If yes, is your (Member) State taking any steps to address these challenges?

- Fingerprint cross-check between different registers: UUSO is a project partially funded by AMIF and carried out by the National Police Board, in which Migri is involved as a partner. The aim of the project is to develop multi-biometric identification, registration and search functionalities especially for asylum examination. The project will make it possible to cross-check the
-

fingerprints in the residence permit against the asylum seeker's fingerprints to verify the identity. In addition, the project will enhance the use of national and international biometric registers in asylum examination by developing a shared user interface.

- The storage of digital materials in the UMA system and their archiving is a challenge, for which a solution is not being developed yet. In UMA, there is no functionality for storing USB flash drive materials or video clips provided by asylum seekers in support of their application. The secure network used in central government also complicates the storage of certain file formats in UMA.

6.2 Contingency measures

36. Are there any contingency measures in place to accelerate and/or ease the process in times of high influx of asylum seekers with regard to data management?

The Aliens Act provides the preconditions for the establishment of a registration centre and the registration of asylum applications there. The registration of applications in the event of a mass influx of migrants is regulated by Section 133 of the Aliens Act. If the number of migrants entering the country is exceptionally high, which makes it impossible to establish that the requirements for entry are met and to register the migrants in the normal procedure, the Government may decide that persons whose requirements for entry or identity are unclear may be sent to a registration centre referred to in Section 3 of the Act on the Reception of Persons Applying for International Protection for the purposes of registration. Pursuant to Section 95 of the Aliens Act, if the number of applications has increased dramatically, the police or border control authority may extend the registration time limit to ten weekdays.

The Reception Unit of the Finnish Immigration Service is responsible for maintaining the national contingency plan for the reception of asylum seekers. In addition to the national contingency plan, the unit has dedicated plans and instructions for the establishment of each planned registration centre. The Asylum Unit of the Finnish Immigration Service is also preparing an operating model for processing asylum applications in the event of a mass influx of migrants.

The Helsinki Police Department participates in the national asylum contingency group of the National Police Board. The Finnish Border Guard also has contingency plans for a mass influx of migrants. The plans have been prepared in cooperation with different authorities at different levels. The plans also take into account the registration of applications as well as data management arrangements.

Section 7: Impact of COVID-19

37. Did your Member State introduce any changes related to data management due to the COVID-19 pandemic?

Yes

No

The authorities receiving asylum applications (the police, the Finnish Border Guard) and the Finnish Immigration Service (Migri), which conducts asylum interviews, took some practical measures related to the COVID-19 pandemic to protect the personnel and the applicants. In line with the recommendations of the Finnish Institute for Health and Welfare (THL), the cleaning of the facilities has been intensified, close contacts are avoided and necessary protective equipment has been acquired.

The Helsinki Police Department's Immigration Police receives a large part of the asylum applications made within the country. In March 2020, due to the COVID-19 pandemic, necessary protective equipment, such as respiratory masks and face shields, was purchased for the Helsinki Police Department's facilities. In addition, transparent plexiglass screens were installed on desks between clients and the personnel. Protective overalls have also been used, when necessary. If a person seeking asylum has symptoms of respiratory infection, they are instructed to contact health care services and requested to return to the police department for seeking asylum at a later date when they are healthy. According to the Helsinki Police Department, there have been few new asylum seekers during the COVID-19 pandemic. The number of subsequent applications has been higher than new applications.

According to the Finnish Border Guard, the number of asylum applications lodged at the border has decreased significantly during the COVID-19 pandemic. For instance, only one asylum application was received in May 2020 and five in June, while the normal monthly number has been more than 50 applications. The number of asylum applications has reduced considerably due to the significant decrease in cross-border traffic. From the perspective of data management in the asylum procedure, no changes were made to the lodging and registration of applications. The units of the Finnish Border Guard paid attention to protecting their personnel. Respiratory masks were used in close contacts exceeding 15 minutes (e.g. client transport, application reception, registrations) and in contacts with coughing or sneezing clients. In these cases, the personnel use a respiratory mask with a filter and the client is provided with a mouth-nose mask.

Asylum interviews conducted by the Asylum Unit of the Finnish Immigration Service were temporarily interrupted on 16 March 2020. In April, interviews were resumed to a limited extent. Asylum interviews were conducted only in facilities where employees and clients could be adequately protected from potential coronavirus infection. The interviewing facilities used had to be equipped with transparent plexiglass screens to protect the interview participants. The use of a surgical mouth-nose mask was also recommended in client encounters. Other measures to reduce the risk of infection included the distribution of information and guidelines. Guidelines are provided both to the personnel and to asylum seekers and other interview participants. Interviews were also conducted so that all participants (the asylum seeker, the interviewer, the interpreter) attended the interview remotely from separate rooms. Interpreters have been provided with additional facilities, from where they can interpret remotely. In June 2020, normal schedule was resumed in the Finnish Immigration Service's asylum interviews as protection solutions were adopted in all interview facilities.
