

*MINISTER OF THE INTERIOR
FINLAND*

**Commissioner for Human Rights
Dunja Mijatović
Council of Europe**

Helsinki, 12 January 2024

Dear Commissioner,

Thank you for your letter of 4 December 2023 regarding the situation in Finland. The border security situation between Finland and Russia has changed drastically during recent months. The number of third country nationals without proper travel documents has rapidly increased at the eastern land border between Finland and Russia. There have been clear signs that the Russian authorities are enabling the situation and guiding people systematically to the open border crossing points. There are also indications that organized criminal networks have mobilized and are contributing to the situation and helping the phenomenon to gain momentum.

According to the Finnish security authorities, there is a likely possibility that this phenomenon of illegal entry will cause a serious threat to the national security and public order in Finland. Based on these assessments, the Finnish Government has taken unprecedented but necessary measures aiming at stopping the phenomenon. These measures included first on 16 November the closure of some of the border crossing points and concentration of the possibility to apply for international protection. Later, on 22 November further restrictions were made by closing all but one border crossing point as the phenomenon persisted.

Since the entry into force of the restrictions, authorities of the Russian Federation continued to actively and systematically contribute to third country nationals arriving to open border crossing points. Instrumentalized migration and the risk of its escalation continued to pose a serious threat to national security and public order. Finland has a strong obligation to secure the common external border of Schengen area and the security of its citizens. Due to this estimation the Government decided on further restrictions of entry into Finland from Russia in order to mitigate the situation.

In these exceptional circumstances, the total closure of the eastern land border was a necessary and proportionate measure to put an end to this phenomenon of instrumentalization and to limit the serious consequences that it could have for national security and public order. Between 30 November and 13 December all border crossing points at the land border between Finland and Russia were temporarily closed to all traffic. During this time, the possibility to apply for international protection was concentrated to the border crossing points for maritime and air traffic. During the period of closure of all the land border crossing points no third country nationals tried to cross the border or enter the area of the border crossing points.

The Finnish Government decided to amend the previous decision of total closure of the border as the phenomenon was settled for the time being. Border crossing points of Vaalimaa and Niirala were opened and possibility to apply for international protection was concentrated to these border crossing points at the eastern land border. However, the phenomenon of irregular entry continued immediately after the opening of Vaalimaa and Niirala border crossing points.

The Government decided that due to the development of the phenomenon it is necessary measure that between 15 December and 14 January all border crossing points at the land border between Finland and Russia are temporarily closed for all traffic. During this time, the possibility to apply for international protection is concentrated to the border crossing points for maritime and air traffic. The Government and authorities are monitoring closely the situation at Finland's eastern border and the content and scope of the decision are regularly assessed as the situation develops.

Finnish authorities have worked closely with the national Non-discrimination ombudsman when establishing the means of responding to the situation. UNHCR Focal Point for Finland and Iceland has recently visited Raja-Jooseppi border crossing point and has provided their preliminary observations to the Finnish authorities. Furthermore, the European Border and Coast Guard Agency's fundamental rights monitors have visited the Finnish eastern border and will provide their observations in due course. Finnish authorities continue to work in close cooperation with the national and international monitoring bodies.

Finnish Border Guard is committed to respect fundamental and human rights while operating in this very exceptional border situation. According to Border Guard Act there are some exceptions regarding people in vulnerable position. The Finnish Border Guard has drawn up special instructions on identifying those in a particularly vulnerable position. Border Guard has also trained its personnel to identify those in a particularly vulnerable position.

As to the questions you raise in your letter please rest assured that the Finnish authorities provide necessary safeguards to allow for the effective use of the right to seek asylum. In Finland asylum applications are submitted to the border guard or police and transportation to the reception center is organized by the Finnish authorities. In case a person arrives to a closed off section of the border, they are instructed and guided to a place where they are able to submit their application. All applications of international protection made in the territory of Finland are accepted and processed. Particular attention is paid to persons in a particularly vulnerable position such as children.

As you know, Finland is widely known for complying with the law and respecting fundamental and human rights. Having said that, the closure was executed in accordance with the national legislation. The Finnish Government has assessed the situation comprehensively and the total closure of the Eastern border was essential in order for the Government to safeguard our national security and safety of the citizens, which are the Finnish Governments primary responsibilities.

I remain at your disposal if you require any further information on the actions taken by the Finnish government and our authorities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mari Rantanen". The signature is fluid and cursive, with the first name "Mari" and the last name "Rantanen" clearly distinguishable.

Mari Rantanen
Minister of the Interior
Finland