

Government outlined guidelines for repatriating Finnish nationals from al-Hawl camp

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//Correction on 17 December 2019 at 12.30: the word 'individual' in point 3 was replaced by the word 'child'.// On 16 December 2019, the Government issued guidelines for the repatriation of Finnish nationals from the refugee camp in al-Hawl, also spelled al-Hol. Based on these guidelines, a Government resolution will be drawn up for approval by the government plenary session and, with regard to significant foreign and security policy aspects, issued for information of the President of the Republic and the Ministerial Committee on Foreign and Security Policy. It is the Government's unequivocal and common resolve to repatriate children from the camp as soon as possible.

Government guidelines for the repatriation of Finnish children from the al-Hawl camp:

1. In all situations, the authorities will actively seek to ensure compliance with the rule of law, the Constitution, other Finnish legislation and international law, including human rights treaties, agreements on the rights of the child and other applicable international law.
2. The competent authority in the matter is the Ministry for Foreign Affairs and the Special Representative appointed by the Minister, who will direct both the activities of the authorities and the cooperation between the authorities, and make the repatriation decisions under Finnish law.
3. The decisions to be made by the competent authority for the repatriation of each child will be based on case-by-case individual consideration and on the evaluations and decisions made by the authorities considering the case.
4. The aim of these official activities is to safeguard the best interests of the child in all situations. In order to ensure this, there will be seamless cooperation with child welfare authorities under the Child Welfare Act.
5. As part of individual case-by-case consideration, the competent authority will use all available information and measures to ensure that the repatriated individuals do not pose a security threat to people living in Finland. Under the Constitution, the authorities must act in such a way that their actions do not put the security of people in Finland at risk. The Constitution guarantees everyone's personal freedom, integrity and security. The Finnish authorities will provide the necessary support and information for the consideration of the cases.
6. The Government's primary objective is to help the children. There is no obligation to assist adults who have entered the area voluntarily.
7. The competent authorities in Finland will investigate and assess any criminal liability.
8. The Government will assess the need for any legislative changes related to terrorist activities and amend legislation to that effect.

9. On the basis of these guidelines, the Ministry for Foreign Affairs will renew the mandate of the Special Representative and the policy of the Ministry for Foreign Affairs.
10. This Decision is intended as general guidance, it is not legally binding, and it does not concern any child protection measures or need for child protection in individual cases, or any other matters concerning the rights of individuals.

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