

*Committee against Torture*

REFERENCE: Follow-up/CAT – Finland

19 August 2025

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honor to refer to the follow-up to the examination of the eighth report of Finland, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of its 79<sup>th</sup> session held from 15 April to 10 May 2024, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/FIN/CO/8, para. 50) requested the State Party to provide within one year further information on the specific areas of concern identified in paragraphs 15, 17, 19 (a) and 39 (a) of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your follow-up report of 10 May 2025 providing your Government's response to the above-mentioned paragraphs (CAT/C/FIN/FCO/8) and to make the following comments:

Fundamental safeguards (para. 15 of the Committee's concluding observations)

The Committee appreciates the information provided by the State Party regarding the national legal and procedural frameworks governing detention, and the progress made in formalising and effectively implementing fundamental legal safeguards for detained persons, including the efforts made to ensure linguistic accessibility and communication for non-Finnish speakers with clear protocols for interpretations and the policies on unsupervised healthcare visits to better protect confidentiality. The Committee also welcomes the information provided regarding regular training sessions for police officers. However, the Committee regrets that no information has been provided regarding the penalty incurred by an officer in charge of detention activities in the event of a breach of official duty (2/B1).

Detention of remand prisoners in police detention facilities (para. 17 of the Committee's concluding observations)

The Committee notes the information provided by the State Party regarding the discontinuation of placing remand prisoners in police detention facilities. Notably, this follows a joint initiative by the Ministry of Justice and the Ministry of the Interior to examine the feasibility of transferring remand prisoners to facilities operated by the Prison and Probation Service immediately after remand hearings. However, the Committee is concerned that, although the necessary legislative amendments were prepared in autumn 2023 and discussed in early 2024, their enactment has been postponed with no revised

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timeline established. The Committee notes that it is still possible to hold remand prisoners in police detention facilities and that the legal limit on the duration of such detentions is one week. Therefore, the Committee is concerned that no information has been provided on possible alternatives to pretrial detention or on measures to improve the detention conditions of remand prisoners in police detention facilities, including daily outdoor exercise and sufficient access to recreational activities (2/B1).

Asylum and non-refoulement (para. 19 (a) of the Committee's concluding observations)

The Committee notes the information provided by the State Party regarding the approval of the Act on Temporary Measures to Combat Instrumentalized Migration in July 2024 (Law 482/2024), which permits the temporary restriction of international protection applications in designated border areas, provided a stringent set of conditions are met, and to be used as a last resort. However, considering the information received, the Committee is concerned that the practical implications of the law have not yet been assessed, and these implications may counter the guarantees of adequate legal and procedural safeguards for asylum seekers and other persons in need of international protection arriving at the State Party's borders. This could compromise their access to asylum or violate the principle of non-refoulement. The Committee regrets that no information has been provided concerning adequate legal and procedural safeguards to ensure access to fair and efficient refugee status determination and non-refoulement procedures. In this regard, the Committee has received information that Law 482/2024 conflicts with the State Party's obligations under its Constitution, international human rights law and European Union law, and may lead to violations of the principle of non-refoulement and the prohibition of collective expulsions. Furthermore, the Committee takes note of the legislative changes made to the Aliens Act (No. 301/2004) and the Border Guard Act (No. 578/2005). In regard to the Aliens Act, the Committee has received information that the recent amendments entered into force on 1 June 2025 appear to reduce rather than strengthen legal safeguards. The Committee also regrets the lack of information on the asylum process and the basis for assessment of protection needs by the Finnish Immigration Service (1/E).

Hate crimes (para. 39 (a) of the Committee's concluding observations)

The Committee appreciates the information provided on the positive steps taken by the State Party to ensure the proper reporting of hate crimes. These include the various measures implemented to improve accessibility and support for victims of hate crime cases, particularly the development of an online police crime reporting system that enables plaintiffs to specify whether they believe the crime was motivated by hate. The Committee also welcomes the information provided on efforts to overcome limitations in the collection and monitoring of hate crime data due to current information system constraints, through the forthcoming AIPA system which is set to launch in autumn 2025 and is expected to improve interagency coordination and statistical monitoring. However, information before the Committee suggests that these initiatives are not supported by a permanent national coordination structure, a whole government inclusive action plan, nor a comprehensive system for recording and analyzing hate crimes. Moreover, the Committee regrets not having received more information on the number of hate crime cases that have led to successful prosecutions, and on the remedies provided to victims of hate crimes. In this regard, the Committee has received information that hate speech and hate-motivated crimes are increasing in the State Party, particularly in public and political discourse, that there are often not classified as hate crimes by the police, and that under-reporting remains significant often due to lack of trust in authorities or uncertainty about reporting processes. It raises concern that unaddressed challenges in prosecution and identification of hate motives could undermine accountability and could reinforce structural racism and discrimination (2/B1).

### Implementation plan

Lastly, the Committee takes note of the information provided by the State party as regards its efforts to implement recommendations relating to the legal status of the Convention, statute of limitations, diplomatic assurances, conditions of detention, deaths in custody, immigration detention, including children, gender-based violence, trafficking in persons, counter-terrorism measures, and training. See paras. 9, 13, 21, 23, 25, 29, 41 (a), (c) and (g), 43, 47 and 49 of the Committee's previous concluding observations (B).

The Government of Finland is encouraged to provide additional information, if there is any, which would further contribute to the Committee's analysis of the progress made regarding the specific issues of concern cited above. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the eighth report of Finland, or other future periodic reports.

The Committee looks forward to a continued constructive dialogue with the authorities of Finland on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.



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