

# Pathways to Citizenship for Third-Country Nationals in Finland National Report

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# Finnish Citizenship – Rights

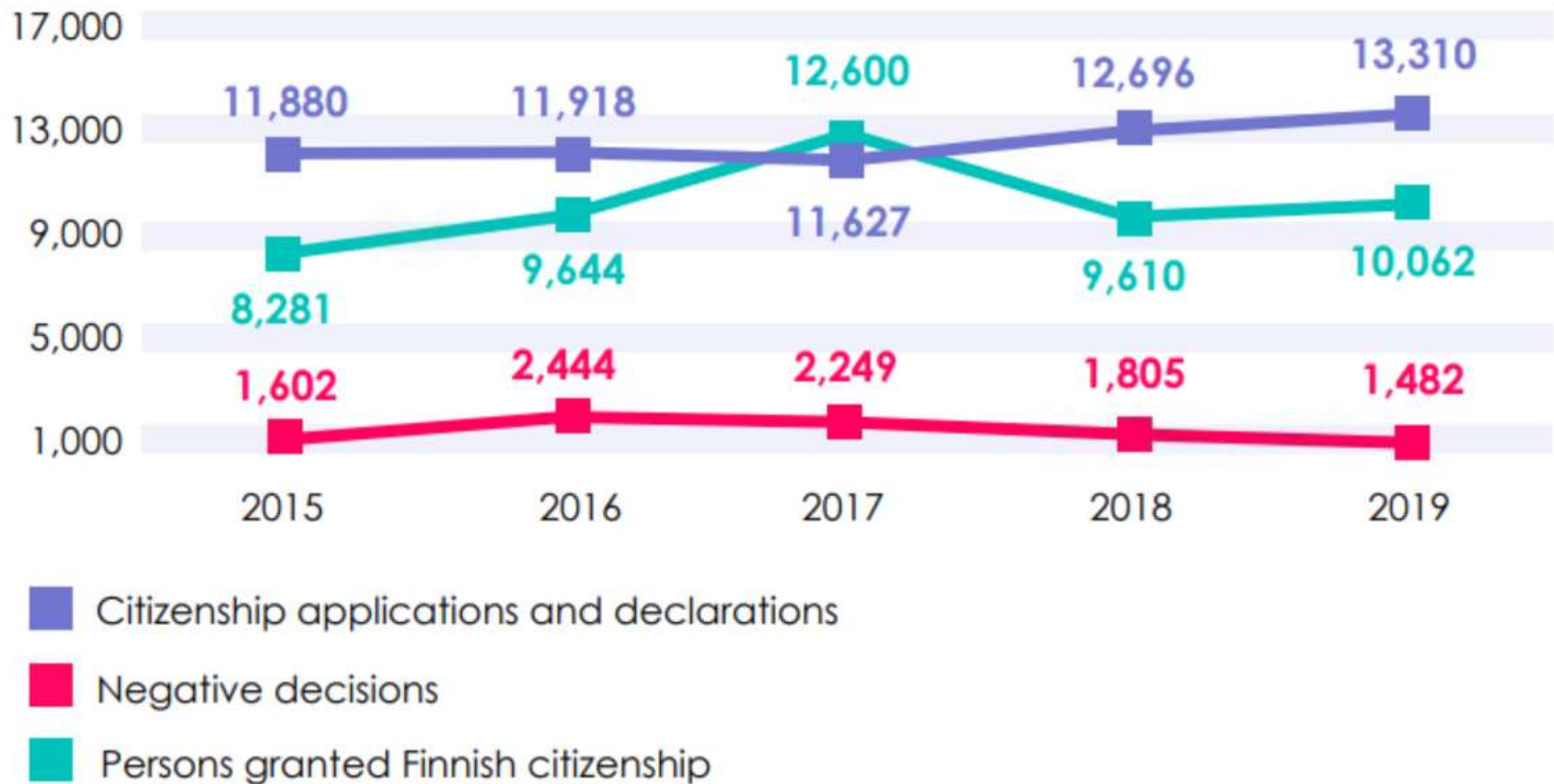
- right to acquire a Finnish passport
- right to enter to Finland and refuse extradition to another country
- right to vote in presidential elections, parliamentary elections and referendums after turning 18
- right to stand in the parliamentary elections after turning 18
- possibility to be appointed to the public offices for which Finnish citizenship is a requirement
- all the rights of an EU citizen, including freedom of movement and employment in the EU, and the
- right to vote and become a candidate in EU elections

# Finnish Citizenship – Obligations

- Obligation to participate or assist in national Defense. Male citizens who are at least 18 years old have the obligation to complete military service.
- Obligation to comply with Finnish laws also outside Finland. A Finnish citizen can be convicted in Finland for a crime committed abroad.

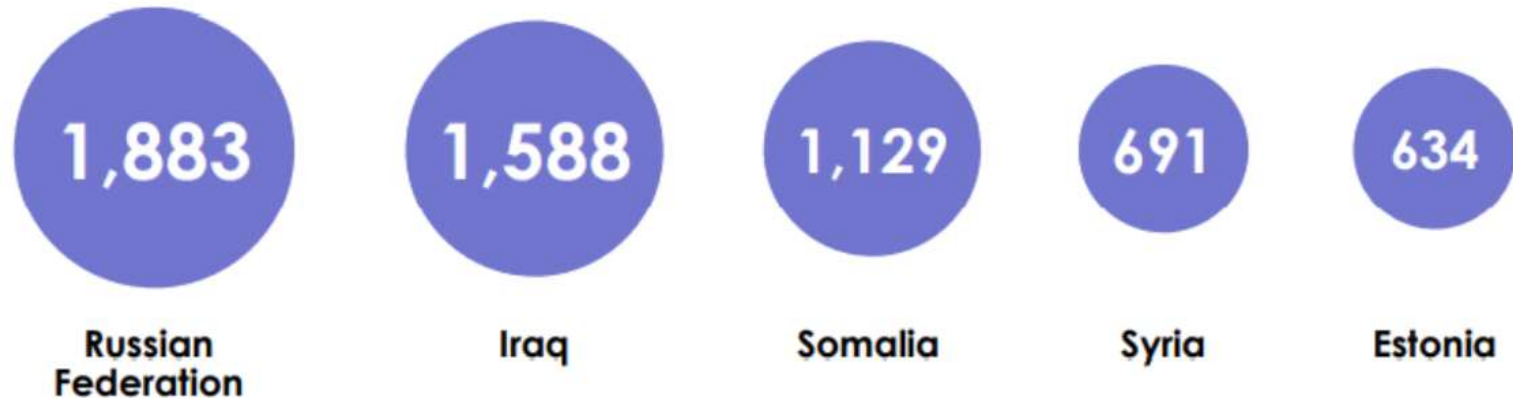
# Citizenship Applications in Finland - Overview

**Citizenship applications, citizenship declarations and persons granted Finnish citizenship, 2015–2019**



# Citizenship Applications in Finland - Overview

## Citizenship applications, Top 5 nationalities in 2019



## Persons who were granted Finnish citizenship (by application and declaration), Top 5 by former nationality in 2019



# Citizenship Applications in Finland - Overview

## Finnish citizenship, negative and positive decisions, 2015–2019

|      | <b>POSITIVE</b> | <b>%</b> | <b>NEGATIVE</b> | <b>%</b> | <b>TOTAL</b> |
|------|-----------------|----------|-----------------|----------|--------------|
| 2015 | 8,280           | 84       | 1,602           | 16       | 9,882        |
| 2016 | 9,644           | 80       | 2,442           | 20       | 12,086       |
| 2017 | 12,600          | 85       | 2,249           | 15       | 14,849       |
| 2018 | 9,610           | 84       | 1,805           | 16       | 11,415       |
| 2019 | 10,062          | 87       | 1,482           | 13       | 11,544       |

## Citizenship applications, citizenship declarations and persons granted Finnish citizenship, 2015–2019

# Legal Context

## International level

- Finland is party to
  - the 1961 UN Convention on the Reduction of Statelessness
  - the 1997 European Convention on Nationality

## National level

- Main legal instruments regulating citizenship:
  - the Finnish Constitution
  - the Nationality Act (359/2003)
  - the Government Decree on Nationality (293/2013)
- Other relevant acts:
  - Administrative Procedure Act (434/2003)
  - Aliens Act (301/2004)
  - Passport Act (671/2006)

# Legal context: Recent Legislative Amendments

- 01.04.2019 Amendment to Maternity Act facilitated female same-sex couples to pass Finnish citizenship to their children
- 26.04.2019 Amendment on the Nationality act – revocation of citizenship based on certain crimes (e.g. terrorism, treason etc.)
- 01.07.2019 Amendment placing restrictions on dual citizens being appointed to military or border guard posts



# Citizenship in Public Discussion

- Public debate over citizenship in recent years has revolved around matters of national security and crime control.

Topics where citizenship has recently emerged:

- Dual Citizens in Public Office
- Sexual offences in the city of Oulu
- Losing Citizenship Due to Criminal Activity

# Acquisition Of Citizenship

- The Finnish Nationality act mostly observes the principle of *ius sanguinis* (citizenship by birth)
- According to Section 9(1) of the Nationality Act, a child acquires Finnish citizenship by birth if:
  - 1) the **mother** is a Finnish citizen;
  - 2) the **father** is a Finnish citizen; and
    - a) is married to the child's mother; or
    - b) the child is born in Finland and the man's paternity of the child is established;
  - 3) the **father is dead**, but was a Finnish citizen at the time of his death; and
    - a) was married to the child's mother; or
    - b) the child is born in Finland and the man's paternity of the child is established;

# Acquisition of Citizenship (*Ius Soli* & *Ius Origins*)

- In some cases, *ius soli* principle is also possible, to **prevent statelessness**
  - The child is born in Finland and does not acquire the citizenship of any foreign State at birth, and does not even have a secondary right to acquire the citizenship of any other foreign State
  - Children whose parents have refugee status in Finland and who cannot acquire citizenship without contacting country of origin authorities
  - Foundlings found in Finland
  - Children born in Finland to parents with unknown citizenship
- *Ius Origins* in Finland applied first and foremost to the procedure of citizenship declaration that is primarily targeted to **former Finnish citizens** and their children.

# Citizenship Declaration

- In addition to the application process, Finnish citizenship can be granted on declaration if the applicant meets certain criteria. This is a faster and simpler process.
- You can gain citizenship on declaration, if you are:
  1. A child born abroad and out of wedlock to a Finnish man or a Finnish non-birth mother.
  2. Adopted child 12–17 years of age.
  3. A former Finnish citizen.
  4. Nordic citizen.
  5. A young person, 18–22 years of age, who has lived in Finland for the required period of time.

# Conditions and requirements for the acquisition of Citizenship

- Third-country nationals have to fulfil certain requirements and conditions to obtain Finnish citizenship. The basic requirements are:
  - Period of Residence
  - Language
  - Good conduct
  - Reliable source of income
  - Established identity

# Period of residence

- A person has lived in Finland long enough if they have lived in Finland for the last **five years** without interruption (continuous period of residence) or they have lived in Finland for a total of **seven years** after they turned 15 (accumulated period of residence), with the last two years without interruption.
- Certain groups have a shorter minimum period of residence, for example:
  - Refugees (4 years continuous or 6 interrupted)
  - Spouses of Finnish citizens (4 years continuous or 6 interrupted)
  - Nordic citizens (2 years)
  - Former Finnish citizens (2 years)

# Language

- One of the requirements for obtaining Finnish citizenship is that the applicant has at least **satisfactory (B1) language skills** in one of the following:
  - Oral and written Finnish
  - Oral and written Swedish
  - Finnish sign language
  - Swedish sign language used in Finland
- Language skills can be proven with a variety of **documents and certificates** listed in the Nationality Act
- Certain groups may be get exempted partly or fully from the language requirement:
  - Illiterate people with international protection status
  - People aged 65+ with international protection status
  - People with severe health impediments
  - NB. these exceptions are made rarely though

# Good Conduct

- The applicant must not have committed **crimes** and there should be no **restraining orders** imposed on the applicant. Some petty offences are not necessarily an obstacle to obtaining citizenship.
- Applicant's crime record is reviewed overall. The **overall assessment** takes into account the following matters, inter alia:
  - the time passed since the crimes were committed
  - the severity of the punishment
  - the nature of the crime
  - whether the offences have been recurring
- Based on the assessment, a **waiting time** can be determined during which the applicant shall not be naturalised without valid reasons.
- Applicant must also not have any **unpaid fees chargeable under public law**, such as taxes, fines etc.



# Income

- It is required that the applicant can reliably prove where the applicant has received his/her **income for the entire period of residence** that is a requirement for obtaining citizenship. The applicant must record all sources of income in the application. Significant gaps in income can lead to a negative citizenship decision.
- Income can come from **several sources**, including employment, business activities or benefits granted by the state.
- Assessment of the applicant's income is **connected to period of residence requirement**. Records of economic activity are a way to confirm the person has lived in Finland for the required duration.

# Established Identity

- The applicant's identity must be **reliably established** before he/she can obtain Finnish citizenship.
- The Finnish Immigration Service will review if there are any **inconsistencies** in the applicant's personal data.
- Identity can be proven with **valid identity documents** (e.g. passport) as well as giving a reliable account in another manner of such details as name date of birth, citizenship and family relations.
- Other requirements for acquiring citizenship will not be reviewed and the application will be rejected, if the applicant's identity cannot be reliably established.
- **Lack of documents, falsified documents and inconsistent personal data** are recurring challenges in citizenship applications.

# Common grounds for refusal of citizenship application

- According to the 2018 statistics, the most common reasons behind rejections were the following (in the order of number of occurrences).
  1. Inadequate language skills
  2. Identity not established
  3. Inadequate period of residence
  4. Integrity requirement failed
  5. Unclear income

# Dual Citizenship

- Dual citizenship approved in Finnish legislation since 1 June 2003.
  - individual will **no longer lose Finnish** citizenship if he/she acquires the citizenship of another country.
- Aims
  - facilitate **Finnish people living abroad** to maintain connection to Finland
  - encourage **foreigners living in Finland** to apply for citizenship
- Dual citizens have some **restrictions**. For example, since July 2019 they cannot be appointed to certain public offices.
  - Mostly higher positions in the military and border guard
- Recently, **questions concerning national security** have started to rise. Foreign attempts to influence Finnish dual citizens have risen to become a heated topic of debate.

# Citizenship and Integration

- The acquisition of Finnish citizenship has, generally, been viewed as **a step in the integration process**, and no direct connections have usually been made between naturalisation and the promotion of immigrant integration.
- A 2010 Government proposal on the Act on the Promotion of Immigrant Integration still highlighted that naturalization boosts integration. The 2012-2015 integration plan also argued that amendments of the Nationality Act would help foreign students' integration in the Finnish labour market.
- Recent integration plan (2016-2019) has not drawn connections between naturalization and integration.
- Very little research has been made on the topic.

# New Citizens

- Based on the EMN study, **very little targeted support** is given to new citizens in Finland or to people interested in applying for citizenship.
- Acquiring citizenship in Finland is a fairly simple process: When you acquire citizenship, you receive **a short letter** either on the web service of the Finnish Immigration Service or by mail.
- **No naturalisation ceremonies** at national level, but some cities organize them.
- **No official demands** for committing to Finnish values or loyalty to the Finnish state.
- New citizens are acknowledged in some cities and municipalities, but **support measures and perks to new citizens remain mostly local** so far.

# Thank you! / Aitäh!

