

4.10.7. Northern Europe

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In Finland, the Aliens Act was amended, making free legal aid available to all applicants for international protection during an interview, not only to vulnerable groups.⁹⁵⁴ In addition, people with legal training but who are not qualified as public legal counsellors can no longer be assigned as legal assistants to third-country nationals in the international protection procedure, which will improve the quality of services. In line with this, the Legal Aid Act was amended to eliminate any pay differences for legal assistants working on international protection cases, with the aim to improve the availability of professional legal aid.⁹⁵⁵ All legal professionals are now remunerated on an hourly basis as of 1 August 2021, which was confirmed by the Turku Administrative Court in two cases.⁹⁵⁶

Throughout 2021 the Finnish Immigration Service continued to ensure legal assistance and interpretation to applicants when decisions were increasingly communicated by phone or video call.⁹⁵⁷ In addition, in a study on the impact of COVID-19, the Parliamentary Ombudsperson in Finland noted that all third-country nationals placed in immigration detention centres were provided with access to legal assistance in procedures before the administrative courts in 2021.⁹⁵⁸

In Estonia, civil society organisations highlighted difficulties for legal professionals to access asylum applicants in detention centres. Coupled with a lack of interpretation services in detention, and a ban on bringing electronic devices into the premises which hindered communication between legal counsellors and applicants.⁹⁵⁹

In Iceland, a 2018 contract agreement for legal services provided to applicants between the Ministry of Justice and the Red Cross was extended until February 2022, with a possibility of a further renewal until May 2022.

In Sweden and Denmark, legal service providers, for example the Swedish Refugee Law Centre (one of the several actors providing legal counselling and representation in Sweden) and the

Danish Refugee Council, acting in partnership with UNHCR, continued to offer remote counselling in 2021 due to COVID-19 restrictions.⁹⁶⁰ However, due to limitations of digital and phone counselling, the Swedish Refugee Law Centre started since September 2021 to provide direct contact legal advice for applicants, in order for them to better understand their rights and the asylum procedure. ⁹⁶¹

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- ⁹⁵⁵Laki oikeusapulain 17 a §:n kumoamisesta, 738/2021 [Law repealing Section 17a of the Legal Aid Act, 738/2021], June 15, 2021. <https://www.finlex.fi/fi/laki/alkup/2021/20210738>
- ⁹⁵⁶Finland, Turku Regional Administrative Court [fi. hallinto-oikeus], Applicant, H1523 / 2021, 29 December 2021. Link redirects to the English summary in the EUAA Case Law Database. Finland, Turku Regional Administrative Court [fi. hallinto-oikeus], Applicant (no 2), H1525 / 2021, 29 December 2021. Link redirects to the English summary in the EUAA Case Law Database.
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- ⁹⁵⁸Parliamentary Ombudsman | Eduskunnan oikeusasiamies. (2021, March 8). Ulkomaalaisten säilöönotto koronaepidemian aikana [Detention of foreigners during the COVID-19 outbreak]. EOAK/2615/2020. <https://www.oikeusasiamies.fi/r/fi/ratkaisut/-/eoar/2615/2020>
- ⁹⁵⁹Estonian Human Rights Centre. (2021, December 7). Human Rights in Estonia 2022. Chapter 10: The rights of refugees and asylum seekers. <https://humanrights.ee/en/materials/inimoigused-eestis-2022/the-rights-of-refugees-and-asylum-seekers/>
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- ⁹⁶¹Swedish Refugee Law Center | Asylrättscentrum. (2021, September 14). Asylrättscentrum öppnar drop-in-rådgivning i ABF-huset [The Refugee Law Center opens drop-in counselling in the ABF building]. <https://sweref.org/asylrattscentrum-oppnar-drop-in-radgivning-i-abf-huset/>